

**WEDNESDAY, 23 FEBRUARY 1994**

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 2.30 p.m.

**PETITION**

The Clerk announced the receipt of the following petition—

**Chiropractors**

From **Ms Power** (1 320 signatories) praying that the Parliament of Queensland will grant to registered chiropractors full primary contact status under the Workers' Compensation Act of Queensland.

Petition received.

**MINISTERIAL STATEMENT****Telephone Conversation between Member for Burnett and Mr M. Chep**

**Hon. M. J. ROBSON** (Springwood—Minister for Environment and Heritage) (2.31 p.m.), by leave: On Friday, 18 February, I tabled a statement from Mr Mike Chep, Enforcement Coordinator, Far Northern Region of the Department of Environment and Heritage, which detailed a telephone call made by the member for Burnett the previous day. The member for Burnett was seeking information about my director-general and asked whether Mr Chep would talk to him without letting his supervisor—the regional director—know about the conversation.

In his statement, Mr Chep indicates that he replied, "No, I won't." Mr Chep's statement goes on to say that he, Mr Chep, asked the member for Burnett, "This is political point scoring, isn't it? That's what it's all about, is it?" Mr Chep's statement records the member for Burnett as replying, "Yes, it is." The member for Burnett has since said his recollection was that he understood the person at the other end of the line to say, "This is political, isn't it?", and that the member for Burnett responded, "Yes, of course it is political." The member for Burnett has said that he certainly did not recall the words "point scoring" being used.

I wish to advise the House that, as recorded in Mr Chep's statement that I tabled last week, a second departmental law enforcement coordinator, Mr Keith Stafford, was in the room when Mr Chep took the member for Burnett's telephone call. After learning of the member for Burnett's recollection of the telephone

conversation, Mr Stafford prepared a signed statement, dated yesterday, which has corroborated Mr Chep's words—

**Mr Borbidge** interjected.

**Mr SPEAKER:** Order! I cannot hear the Minister. I warn the Leader of the Opposition under Standing Order 123A.

**Ms ROBSON:** That statement corroborates Mr Chep's words; that is, that Mr Chep asked the member for Burnett, "This is political point scoring, isn't it? That's what it's all about, is it?", and that the member for Burnett answered, "Yes, it is." The member for Burnett has been caught with his hand in the cookie jar and is so embarrassed about being caught that he has attempted in vain to rewrite history.

I seek leave to table Mr Stafford's signed statement.

Leave granted.

**PERSONAL EXPLANATION**

**Mr BEANLAND** (Indooroopilly) (2.35 p.m.), by leave: Yesterday in this House, the member for Waterford—who was booed by the 300 people who attended the public meeting against crime at the Browns Plains Road and Chambers Flat Road shopping centre on Friday night—suggested that the locals became captives of me for the night. The member described me as a cynical Liberal politician—

**Mr SPEAKER:** Order! I will allow the member to continue in a moment. There has been a tendency to use personal explanations to debate various matters. Some of the information contained in the personal explanation being given by the member for Indooroopilly is irrelevant. For instance, reference to the member for Waterford being booed at that meeting is irrelevant. Standing Order 119 says that a member shall not use unbecoming or offensive words in reference to another member. Standing Order 120 says that a member shall not digress from the subject matter under discussion. I suggest to members that they note those Standing Orders when making personal explanations.

**Mr BEANLAND:** Thank you, Mr Speaker. The member for Waterford suggested that the locals became my captives for the night. He described me as a cynical Liberal politician pushing my own barrow as the State member for Indooroopilly. That is a falsehood and is completely untrue.

I attended that meeting in my capacity as the coalition's shadow Minister for Justice and Attorney-General to support Ms Lynette Hoens and the people of that area for standing up and

being counted. I made my position known at the meeting.

**Mr SPEAKER:** Order! Is this a personal explanation?

**Mr BEANLAND:** Yes, Mr Speaker, it certainly is.

**Mr SPEAKER:** Order! The member will resume his seat. I point out that personal explanations are limited to allowing members to show how they have been personally misrepresented.

**Mr BEANLAND:** I have.

**Mr SPEAKER:** The member has not yet done so. I suggest that he do so fairly quickly.

**Mr BEANLAND:** I stated that the member for Waterford claimed—

**Mr SPEAKER:** The member mentioned that in passing, yes.

**Mr BEANLAND:** I am refuting those claims and illustrating in my personal explanation—

**Mr SPEAKER:** That is all the member is allowed to do.

**Mr BEANLAND:** That is what I am doing. I am attempting to illustrate that my attendance at that meeting was in order to support those people as the coalition's shadow Minister for Justice, not as the member for Indooroopilly. Secondly, I am attempting to illustrate that this issue is not just a beat-up by the Opposition and the media, as the Premier claimed.

**Mr SPEAKER:** Order! The member will resume his seat. That is the end of his personal explanation. Is there any other business?

**Mr BORBIDGE** (Surfers Paradise—Leader of the Opposition) (2.38 p.m.): I move—

"That the honourable member for Indooroopilly be further heard."

**Question** put; and the House divided—

**AYES, 33**—Beanland, Borbidge, Connor, Cooper, Davidson, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Randell, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

**NOES, 49**—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Wells, Woodgate *Tellers:* Pitt, Livingstone

Resolved in the **negative**.

## QUESTIONS WITHOUT NOTICE

### Instruction by Assistant Police Commissioner

**Mr BORBIDGE:** In directing a question to the Minister for Police and Minister for Corrective Services, I refer to an instruction issued by Assistant Commissioner Walker of the Queensland Police Service—message 771—which reflects a call from the Police Commissioner to stop police commenting on the law and order crisis. The message also contains the threat of disciplinary action. I ask: why is this Government prepared to censor police comment in direct contravention of the Fitzgerald report? I table page 287 of that report.

**Mr BRADDY:** The situation, of course, is not as the honourable Leader of the Opposition would have it. I will take some time, if I may, to explain the history of this matter. Prior to the Fitzgerald report, there were some very strict rules of secrecy in relation to police. The comments made by Mr Fitzgerald, which I re-read today, were in that context. Those comments were that the time had come for more openness. As a result of that, the code of conduct was rewritten. The directions given by the Commissioner of Police, in the exercise of his independent discretion, are in accordance with the code of conduct. As I have already said, the code of conduct has been rewritten.

The member for Crows Nest apparently said that the latest directions contradict a circular that was issued by the Police Commissioner on 13 October 1993. That is not so. Back in October 1993, the Police Commissioner sent out copies of the code of conduct, the preamble of which stated—

"Recently instances have come to notice where some members of the Queensland Police Service are making public comments which may be contrary to Clause 7.4 of the Code of Conduct in relation to such matters as Service policy, staffing, budgets and hours of duty. As officers are aware unacceptable public comments reflect poorly on the Service and as such are viewed as serious breaches of discipline."

Mr Cooper was wrong, as he frequently is.

In that circular, the Police Commissioner again gave examples of inappropriate behaviour. The Police Service is out there doing a good job in areas where difficulties are being experienced, such as the Valley. In the exercise of his discretion, the Commissioner has said to

police, "You undermine your own professionalism if you say you cannot do things that your brother and sister officers are doing." That is all that he said.

**Mr Cooper** interjected.

**Mr SPEAKER:** Order! The member for Crows Nest!

**Mr Borbidge:** You censored it.

**Mr BRADDY:** Allegations are now floating across the Chamber that I have censored the Police Service. In effect, what members opposite are saying—

**Opposition members** interjected.

**Mr BRADDY:** I want this clearly understood. Opposition members are saying that the Queensland Police Commissioner, Jim O'Sullivan, has been overborne by me and made to do something that he would not otherwise do. What a scandalous allegation!

**Mr Johnson:** It's true.

**Mr BRADDY:** The member for Gregory interjects that it is true.

**Mr Cooper** interjected.

**Mr SPEAKER:** Order! The member for Crows Nest!

**Mr BRADDY:** Members opposite are defaming the Commissioner of Police in this State, not me. They are defaming a man of undoubted integrity and ability. Commissioner O'Sullivan was praised in the Fitzgerald report in a way that no other person was.

I want honourable members to be clear on this matter. The direction in relation to the police code of conduct is proper; it was issued by the Police Commissioner of his own volition. Queenslanders should support their Police Commissioner.

### **Representations to Police by Members of Parliament**

**Mr BORBIDGE:** In directing a further question to the Minister for Police and Minister for Corrective Services, I refer to the same message which refers to approaches by members of Parliament and states that police cannot comment on such issues. As no Opposition members made representations to the Police Commissioner or the Police Department, I ask: were Government members involved in such representations?

**Mr BRADDY:** The memo to which the honourable the Leader of the Opposition refers is a memo from the Police Commissioner. If the Leader of the Opposition wishes to question the

Police Commissioner, who issued this memo—not the Minister for Police—

**Mr Cooper** interjected.

**Mr SPEAKER:** Order! The member for Crows Nest!

**Mr BRADDY:** I am telling members that the memo was not issued at my direction or dictated by me. It was communicated by the Police Commissioner to his officers in the exercise of his discretion. I support the Police Commissioner.

**Mr Borbidge** interjected.

**Mr SPEAKER:** Order! The Leader of the Opposition!

**Mr BRADDY:** I assure the House that the direction did not come from me. The Police Commissioner did that in the exercise of his duty, and I believe that to be proper.

**Mr Cooper:** You're responsible for this.

**Mr BRADDY:** No. The Police Commissioner has done this three times recently. I am aware of instances in which some police officers are, as the Police Commissioner said in his memo, copping out. I am telling the House that the Police Commissioner did this.

**Mr Borbidge** interjected.

**Mr SPEAKER:** Order! I warn the Leader of the Opposition for the final time for interjecting. He asked the question and now he will listen to the Minister's answer.

**Mr BRADDY:** The Police Commissioner received no direction from me. He did that in the exercise of his authority, and I support him.

### **Physiotherapist, Monto Hospital**

**Mr PITT:** I ask the Minister for Health: is he aware of claims that the position of a visiting physiotherapist at the Monto Hospital has been taken away? Can the Minister inform the House of the true situation?

**Mr HAYWARD:** This morning's *Courier-Mail* contains an article in which comments are attributed to the Opposition Leader. It states—

"He said that since Labor came to power in 1989"—

and then goes on to detail a list of things. One of the statements attributed to the Leader of the Opposition is—

". . . the visiting physiotherapist to the hospital had been taken away altogether."

I do not know to whom the Leader of the Opposition spoke yesterday when he went to Monto—

**Mr Borbidge:** The hospital.

**Mr HAYWARD:** If the honourable member had bothered to inquire, he would have found out that the physiotherapy position at the hospital has now been upgraded from part time to full time. He did not bother to find that out. What is even more churlish about the comments made by the Leader of the Opposition is that he says "since Labor came to power in 1989".

The Leader of the Opposition failed to acknowledge—either deliberately or otherwise—that the part-time position to which he referred as being taken away was, in fact, created by this Government in March 1990. Prior to this Government coming to power in December 1989, there was no position—part time or full time—for a physiotherapist at the Monto Hospital.

**Mrs McCAULEY:** I rise to a point of order. That position is vacant.

**Mr SPEAKER:** Order!

**Mr HAYWARD:** That is the point. The position has been created. In relation to physiotherapy treatment in Monto—part of the former nurses' quarters have been refurbished, and a physiotherapy consulting and treatment area has been established there.

There is even more for Monto in relation to the enhancement of health services in that area. The hospital has appointed a community health nurse who looks after Monto's community nursing needs. There is a visiting speech therapy service, which was introduced a little over a year ago. There is now a visiting social worker, a position which was introduced last year. There are two Monto representatives on the community consultative committee of the zone, and they provide advice to regional staff on local needs and priorities.

There is a good hospital at Monto. Since regionalisation, funds have been provided to be spent on that hospital, including \$20,000 to improve the physiotherapy equipment and to provide more equipment and \$15,000 to upgrade the medical superintendent's accommodation. It is also important to note that, this year, funds have been allocated, and work is in the planning stages, for an amount of \$15,000 for piped medical gases at the hospital, and \$20,000 to ensure that a suitable storage area can be set aside for medical records and bulk store.

This Government is committed, through the process of regionalisation, to upgrade and enhance the services for all people who reside throughout Queensland. Monto is no exception.

## Road Funding, Monto

**Mr PITT:** I ask the Minister for Transport and Minister Assisting the Premier on Economic and Trade Development: is he aware of claims that road funding for Monto has been cut by more than 20 per cent? Can the Minister inform the House if this is the case?

**Opposition members** interjected.

**Mr SPEAKER:** Order! Members are entitled to be amused, but I want to be able to hear the questions that are being asked. I say that quite sincerely.

**Mr HAMILL:** Indeed, I am aware of claims made by the Leader of the Opposition that road funding for Monto has been cut by 20 per cent. I read that statement in this morning's newspaper. It struck me as very peculiar indeed, so I consulted my departmental records in relation to the allocation of road funding not only for Monto but for other areas in the State.

This Government has placed great emphasis on road construction and maintenance. Across the regional areas of Queensland the record of this Government in relation to road funding is a very proud one. This year, road funding in north Queensland is a full 20 per cent above the levels that were reached by the former National Party Government in its last Budget. In south-western Queensland, road funding was fully 23 per cent above the levels that the National Party Government delivered in its last Budget. In central Queensland, road funding under this Government was 19 per cent above the level that the National Party delivered in its last Budget. That is why I was astounded when I read that particular claim by the Leader of the Opposition, and I thought that I should look at the figures for Monto to assess the exact position.

In the Budget that the National Party brought down for 1989-90, the pork-barrel was rolled out for the 1989 election. Pork was doled out to various corners of the State, but poor old Monto—did it get pork? No! Monto got offal from the National Party Government in 1989. In fact, road funding for the Monto Shire was cut by the National Party leading up to the 1989 State election.

I have mentioned that road funding under this Government has increased substantially over the levels of funding under the National Party administration. That is also the case in Monto. Contrary to the untruthful claims of the Leader of the Opposition, Monto's allocation of road funding is—

**Mr Stoneman** interjected.

**Mr SPEAKER:** Order! I warn the member for Burdekin under Standing Order 123A for persistent interjections.

**Mr HAMILL:** This year, under this Government, Monto's road funding is fully 52 per cent above the level that it got under the last National Party Budget.

**Mrs McCAULEY:** I rise to a point of order.

**Mr HAMILL:** Indeed, \$872,000 is all that the National Party could spare for Monto.

**Mr SPEAKER:** Order! I suggest to the member for Callide that if her point of order is a debating point, I warn her in advance that she is not allowed to use the Standing Orders in that way. What is the member's point of order?

**Mrs McCAULEY:** My point of order is that the Minister is misleading the House.

**Mr SPEAKER:** Order! I am not going to allow members of Parliament to take points of order that are spurious. I warn members. As Speaker, I have the authority to act, and I will.

**Mr HAMILL:** I can understand the embarrassment of the member for Callide when confronted with the facts that her Government—the Government of which she was a member—saw road funding for Monto cut in 1989 and in 1988. I can understand the further embarrassment of the honourable member when she can compare that in this year's allocation from the Goss Government Monto received \$1.33m in road funding. That is not a decrease, as the Leader of the Opposition would have it, but a very substantial increase and a further demonstration that this Government does care for rural Queensland. In fact, maybe the dash in the headline in the *Courier-Mail* this morning should have been taken out so that it said that Monto was reeling when Labor was in Opposition.

**Mr SPEAKER:** The Deputy Leader of the Coalition.

**Mr Borbidge** interjected.

**Mr SPEAKER:** Order! I thought I called the Deputy Leader of the Coalition. Was it the Leader of the Opposition? He has had his two questions. I warn him for the final time.

### Law and Order

**Mrs SHELDON:** My first question is directed to the Minister for Police. Bearing in mind that for an extended period he has lived in Brisbane rather than in his electorate of Rockhampton, I refer to the Cabinet excursion into his constituency last Monday. At a press conference in Rockhampton following that Cabinet meeting, the Minister referred to angry

local people who organised public meetings over law and order and said, "The locals have got it wrong." I ask: will he now admit that it is not Rockhampton locals who are wrong on law and order, but he and his Government who have been too soft on crime for too long?

**Mr BRADY:** I have said it many times—and I will continue to be misquoted by members of the Opposition many times because that is their style of Opposition—that we have a serious problem in relation to crime in Queensland, just as we do in the rest of Australia. As I said before, if we did not have such a serious problem, why would we have provided 1 500 more operational police? We would not have improved the situation at all.

When I was talking about the locals getting it wrong I was referring to those who supported the member for Keppel when he said that the numbers in the Rockhampton Police Service have declined. The police tell me—and I accept their statement categorically—that there are 128 police officers in Rockhampton—not the number cited by the member for Keppel.

**Mr Lester:** There are only six at Yeppoon.

**Mr SPEAKER:** Order! I warn the member for Keppel under Standing Order 123A.

**Mr BRADY:** The member for Keppel is also wrong in relation to Yeppoon. I checked the figures. There are 14 police in Yeppoon. One is absent on compassionate leave, but the others are all serving at the present time. However, he always gets it wrong, so his latest claim is not unusual.

**Mr Stephan** interjected.

**Mr SPEAKER:** Order! I warn the member for Gympie under Standing Order 123A.

**Mr BRADY:** My comment about getting it wrong was in the context of the numbers of police and the success that they are having in the carrying out of their duties. The public meeting in Rockhampton that I attended was very successful; a similarly successful one was attended by my colleague the Attorney-General, and another one was attended by my colleague the Minister for Family Services and Aboriginal and Islander Affairs. All of these issues were examined in great detail. We accept the seriousness of the situation. We are dealing it in a way that the Opposition never did.

### Law and Order, Bundaberg

**Mrs SHELDON:** My second question is also directed to the Minister for Police. I refer to reports in today's *Bundaberg News* that highlight the breakdown of law and order and the

imminent formation of citizen vigilante groups in response to that city's crime wave. I ask the Minister: what is his Government doing to ensure the safety of the people of Bundaberg or have they, like the locals in his own electorate, got it wrong?

**Mr BRADDY:** In relation to the Bundaberg matter, I have not seen any detailed report on it. The situation is clear. The number of police throughout this State has been increased substantially.

**Mr Connor:** You said that before.

**Mr BRADDY:** I will continue to say it because members of the Opposition continue to tell lies about it. The number of police officers in this State has increased by 1 500 operational police. We were able to achieve that, firstly, by hiring extra police and secondly, extra civilians. The police commissioner—

**Mrs Sheldon:** What about Bundaberg?

**Mr BRADDY:** I would rather believe the Police Commissioner than believe Mrs Sheldon. The Police Commissioner told me, and he told the people of Queensland in writing in a letter to editor in the *Sunday Mail*, that by October last year the percentage of operational police had risen from 78 per cent, the position in which they were left by Mr Cooper and the member for Keppel, to 86 per cent. Now, 89 per cent of police are operational. We are doing better all the time.

#### **School Refurbishment Program**

**Mr LIVINGSTONE:** I ask the Minister for Administrative Services: can he inform the House of the success of the School Refurbishment Program?

**Mr MILLINER:** I thank the honourable member for the question. I acknowledge his continuing interest in the portfolio of Administrative Services and his vigorous representations to effect improvements in his schools and in his electoral generally. The School Refurbishment Program has been an outstanding success. It was introduced because of the need to bring schools up to a reasonable standard after years of neglect by the members of the previous Government, who are now sitting on the other side of the Chamber. The program has also had a spin-off effect in that it has offered some hope to long-term unemployed people. To date, some \$48.5m of the \$60m to be allocated has been spent. If we were to spread that evenly over 89 electorates, we would come up with a figure of some \$545,000 per electorate. However, we on this side of the House do not operate on the basis of spreading

money evenly throughout all electorates. We have spent it in areas in which it is needed.

**Mrs McCauley:** Get a white board.

**Mr MILLINER:** I would not mention white boards or pork-barrelling if I were Mrs McCauley. Her mob made an art form out of pork-barrelling. The Special Electorates Works Program 1988-90 shows that out of a total of \$27.4m, every penny except \$100,000 was spent in National Party electorates. The honourable member should have a look at the list. The National Party made pork-barrelling an art form. Mrs McCauley should not raise the question of pork-barrelling.

**Mr FitzGerald** interjected.

**Mr SPEAKER:** Order! I warn the member for Lockyer under Standing Order 123A.

**Mr MILLINER:** To return to the School Refurbishment Program, money from the program has been spent in places where it was needed. In excess of \$1m has been spent in some electorates. They include: Barambah, \$1,034,969—that has provided some 1 238 weekly pay packets; Cook, \$1,210,924; Crows Nest, \$1,051,085; Mansfield, \$1,008,494; Mount Isa, \$1.1m; South Brisbane \$1.1m—

**Mr Mackenroth** interjected.

**Mr MILLINER:** I blame Mr Burns for that. I turn now to the top of the hit parade. The electorate that has had the most money spent on it is Warrego, which was allocated \$1.2m.

**Mr Stoneman** interjected.

**Mr SPEAKER:** Order! I have warned the member for Burdekin under Standing Order 123A. I now ask him to leave the Chamber. I am going to have order in this Chamber.

*Whereupon the honourable member for Burdekin withdrew from the Chamber.*

**Mr MILLINER:** I will take another cut-off point of \$700,000. Twenty-two electorates have received \$700,000 or more. Of those, 17 are located outside the Brisbane/Gold Coast area. Apart from those electorates that I have mentioned already, the electorate of Callide, in which the town of Monto is situated, received \$992,000; Cunningham received \$825,479; Gladstone, \$875,379; Hinchinbrook, \$955,551; Keppel, \$715,356; Lockyer, \$849,618; Mundingburra, \$717,840; Tablelands, \$747,026; Thuringowa, \$848,959; Toowoomba North, \$758,779, and Townsville, \$808,446. This Government has a commitment—

**Opposition members** interjected.

**Mr SPEAKER:** Order! I am having trouble hearing the Minister.

**Mr MILLINER:** This Government has a commitment to the young people of this State.

Unlike the Opposition when it was in power, this Government will not use young people as pawns in a political game.

### Queensland Economy

**Mr LIVINGSTONE:** I ask the Minister for Business, Industry and Regional Development: can he outline the current business conditions in Queensland as outlined in the *Queensland Economic Review*?

**Mr ELDER:** I happen to have a copy of the *Queensland Economic Review* with me today, and it outlines the very positive indicators of the business conditions in this State. Two of those indicators are business registrations and bankruptcies. The number of registered businesses in Queensland is now 9 per cent higher—

**Mr Connor:** What about exports?

**Mr SPEAKER:** Order! I warn the member for Nerang under Standing Order 123A.

**Mr ELDER:** If the member for Nerang wants to ask me a second question, this time about exports, I will answer it. The *Queensland Economic Review* states that there are now 37 000 more businesses in this State than there were a year ago, which is a 9 per cent increase. Last year, bankruptcies totalled 625. Admittedly, by any measure, 625 bankruptcies is too many. However, it is important to note that that figure was 9 per cent lower than the figure for the year before. If one looks at a range of indicators, such as commercial lending, business stress sales, Pulse surveys and business surveys, one finds that they all show that there is an air of confidence in Queensland and that businesses are reinvesting.

I refer to another authority, the New South Wales Treasury report. I have not heard the member mention that authority this year. Months ago, he was buzzing around the Chamber and throwing New South Wales Treasury reports at members of the Government. That report indicates that Queensland offers the best tax breaks for investors across all major business tax classifications—land tax, stamp duties, payroll tax, franchise fees, motoring fees and gambling taxes. Again, that is a recognition of the work that is being carried out by this Government to provide an economic climate that is conducive to business growth.

As I said, more authoritative surveys exist, such as the QCI Pulse survey, the NAB survey and the survey conducted by Coopers and Lybrand, but I have not heard the Opposition mention them. Of course, there is no greater celebrated economic survey than—and I had to

look twice at this one when I saw it—the Connor files. For a minute, I was going to report it to the Minister for Police. However, I looked further and found that it was, of course, by the member for Nerang, whose insight into economics is possibly similar to Rex Mossop's insight into Rugby League. The member for Nerang predicts economic growth in Queensland.

We do have a problem. I am quite happy for the QCI, the NAB, Coopers and Lybrand, the New South Wales Treasury and the Queensland Treasury to pat us on the back. However, when the Opposition spokesman starts patting us on the back, I become worried.

### Law and Order

**Mr LINGARD:** I refer the Premier to the public meeting on crime last Friday night in his electorate. Today's editorial in the *Albert and Logan News* states that his Government has learned little from that protest. His colleague the member for Waterford branded the meeting as "political" and his press release on Sunday referred to "emotional words and witch-hunts" in relation to the crime problem. I ask: is it true, as the editorial states, that the Premier's Government has learned little from the protest meeting or, as was stated to the meeting on Friday night, is this the case—

"Goss doesn't live in the electorate, so Goss wouldn't know what it is like to walk a dog at night in Logan."?

**Mr W. K. GOSS:** The answer to the two parts of the member's question are "No" and "No".

### Law and Order

**Mr LINGARD:** I direct my second question to the Premier.

**Mr Gibbs** interjected.

**Mr SPEAKER:** Order! The Minister for Tourism!

**Mr LINGARD:** I refer to today's edition of the *Albert and Logan News*, which quotes a school principal in the Premier's electorate as saying that students in the area have to run the gauntlet of a gang of youths to get to buses and trains on their way to and from school. Meetings with P & C representatives in the area have been arranged for next Monday night. I ask: is the Premier prepared to attend these meetings?

**Mr W. K. GOSS:** I will be in touch with the schools in my electorate and, as a result of my discussions with them, I will make a determination on that. I would never take the word of the member for Beaudesert on anything.

**Mr SPEAKER:** Order! I call the member for Currumbin.

**Honourable members** interjected.

**Mrs ROSE:** Mr Speaker—

**Mr SPEAKER:** Order! I called the member for Currumbin. She resumed her seat. I could not hear her because of all the noise.

### Electricity Charges

**Mrs ROSE:** I ask the Minister for Minerals and Energy: can he inform the House how the recently announced electricity price rises will affect average householders in the State? What was the rationale behind the zero increase for industry users?

**Mr McGRADY:** I am happy to inform this House that, as a result of that decision, the average householder in this State will pay one and a half cents per day more for power. I contrast that increase with the situation a couple of years ago when the National Party was in power. During that year, the price of electricity in this State rose by almost 10 per cent. That increase was double the increase in the CPI.

I return to the record of this Government. This year, the increase in the cost of electricity is 0.94 per cent, which is half the increase in the CPI. The rationale behind no increases in electricity charges to industry is quite clear. This Government is about creating jobs in this State, and it is sending the signal out to industry that there is a welcome mat at the border of New South Wales and Queensland for those people who want to invest in this State.

I table a document that summarises the record of this Government in relation to electricity price increases. This chart indicates the CPI figure and the increase in electricity tariffs.

**Mr Horan** interjected.

**Mr SPEAKER:** Order! The member for Toowoomba South!

**Mr McGRADY:** All I want to say is that wherever I travel in this State, I carry this chart with me, because it is an indictment on the Opposition.

**Mr TURNER:** I rise to a point of order. I think the Minister is holding the chart upside down.

**Mr SPEAKER:** Order! I am on my feet.

**Mr McGRADY:** I say to the honourable member that these indicators are certainly not public opinion polls, because there is no way that the blues are outnumbering the reds.

In conclusion, if electricity prices in this State had increased by as much as the increase in the CPI, it would have meant that the electricity supply industry in this State would have been extracting almost \$350m a year more than it has taken off the consumer in accordance with the Government's policy.

### Back to Basics Scheme

**Mrs ROSE:** I direct a question to the Minister for Education. All members welcome the introduction of the Government's program to help P & Cs, the Back to Basics Scheme. I ask: can the Minister provide details on the impact of this scheme on schools in my electorate?

**Mr COMBEN:** It is with great pleasure that I provide details of the impact of the Back to Basics Scheme on the Currumbin electorate. The Back to Basics Scheme has benefited every electorate throughout this State, and largely the western downs as well. In Currumbin, the grants to schools have been increased by some \$10,000, to a total of \$357,000, as a result of the scheme. We provided money to the Currumbin State School for two video recorders, at a total cost of \$1,000. The Currumbin Valley State School received one printer and one VCR, at a cost of \$1,500. The Elanora State High School received three televisions and four VCRs, at a total cost of \$4,500. The list goes on.

These things were necessary across-the-board. It was time that the Government provided a basic kit to all schools. So in every school right across this State, whether it is "green", "blue" or "red", we are supplying these items.

For the information of the member for Merrimac, who always says, "We don't know where the money goes", I will point out where the increases in the school grants are going. For example, in Currumbin, in 1989—

**Mr Littleproud** interjected.

**Mr SPEAKER:** Order! I warn the member for Western Downs under Standing Order 123A.

**Mr COMBEN:**—there was \$249,000 in school grants. In 1990, this was increased to \$563,000—more than doubled. In 1991, it was increased to \$702,000. In 1992, it was increased to \$776,000. In 1993, it was increased to \$992,000. So it more than trebled over a period of four and a half years. That is where the money is going to. The basic kit is providing good education across the State. The schools are benefiting. P & Cs can raise money for what they now see as the luxury items—the icing on the cake. It has been of great benefit to every electorate right across this State.

### Spirit of the Outback

**Mr NUNN:** I ask the Minister for Transport and Minister Assisting the Premier on Economic and Trade Development: can he inform the House of the patronage figures for Queensland Rail's newest train, the Spirit of the Outback, and the effect it has had on tourism and associated industries in the western and central regions of the State?

**Mr HAMILL:** Last year, when I announced that the Spirit of the Outback would be launched to become the latest of Queensland Rail's tourist trains, there was some criticism from some quarters that it would not work, that it was just a sham by this Government, and that it would not have a positive impact upon western Queensland and regional tourism in that area.

**Mr Veivers:** Who said that?

**Mr HAMILL:** Indeed, I remember going to meetings in Longreach and Winton to talk about the tourist potential which the train would offer. Unfortunately, the knockers were there saying, "It won't work. It is just another example of this Government gutting services and undermining the tourist potential of western Queensland." The Spirit of the Outback was launched in November last year. Again, the knockers said, "It won't work. Of course, it is going into the low season for tourism. It is hot out there. People don't want to go out west at that time of year."

**Mr Johnson:** That's because they're getting frozen motor bikes in the cold car and hot ice cream in the freight wagons.

**Mr HAMILL:** The honourable member for Gregory typically knocks the project and the concept. That is very unfortunate, because he will have to eat his words. I think he would probably eat the motor bikes when he hears about the success of the project.

As of 30 January this year, the Spirit of the Outback has carried no fewer than 5 202 passengers out to Longreach to sample the tourism experience that Queensland Rail has offered. Indeed, those patronage figures represent a 70 per cent occupancy rate of seats on that train. That is a tremendous result. It is a vindication of this Government's faith in Queensland Rail to deliver the goods when it comes to tourism developments in central Queensland. To give honourable members some further appreciation of the figures, I point out that patronage figures between Longreach and Rockhampton are up by 18 per cent. Patronage per service between Rockhampton and Longreach is up by 12 per cent. First class passenger patronage between Rockhampton

and Longreach is up by 94 per cent. First class patronage between Longreach and Rockhampton is up by 122 per cent.

I know the member for Gregory and other National Party and Liberal Party members will say, "These are the Government's views. This is the Minister speaking." I want to share with honourable members opposite some of the words of the people of Longreach.

**Mr JOHNSON:** I rise to a point of order. I ask the Minister to retract that statement, because at no time have I ever knocked that concept. I have never doubted those figures, because I know there has been an increase since that train has been put in place.

**Mr HAMILL:** I think he is finding the mudguards difficult to digest.

**Mr FITZGERALD:** I rise to a point of order. My point of order is that the Minister said that the member for Gregory would say these words, and then started to debate it. The member took exception to those words, and he wants the record corrected.

**Mr SPEAKER:** Order! The member will resume his seat. What the member for Gregory said is now on the record. It is quite clear what he said. The House has heard it.

**Mr HAMILL:** I want to share with the honourable member opposite—

**Mr Johnson:** Where's your retraction, Minister?

**Mr SPEAKER:** Order! Is the member for Gregory asking a question?

**Mr JOHNSON:** I rise to a point of order. I am asking for a retraction from the Minister. I am asking him to withdraw. It is no joke.

**Mr SPEAKER:** Order! On what basis?

**Mr HAMILL:** I want to share with the honourable member the words of the people of Longreach. I do not want to withdraw these words.

**Mr SPEAKER:** Order! Does the member for Gregory claim to have been misrepresented?

**Mr JOHNSON:** The point I want to make is that the Minister was making a reference a while ago to the figures for the Spirit of the Outback. Nobody has ever knocked those figures. I support the Government when it comes to the patronage of that train, because there has been an increase. The Minister is saying that there are knockers out there. I would like to know who they are. I am definitely not one of them.

**Mr SPEAKER:** Order! There is no point of order.

**Mr HAMILL:** I thank the honourable member for his support. I want to share the words of some of the people of Longreach and their views in relation to this important regional initiative of the Government, this initiative that has delivered tourist dollars to towns such as Barcaldine, Longreach and Winton. Earlier, I stated that I remembered attending a meeting in the shire council offices in Longreach at which people were shaking their heads and saying that it would not work. That is why I appreciate the following words from Vince Corbin, writing on behalf of the Shire of Longreach to the chief executive of Queensland Rail. He wrote—

"From reported results to date it would seem that the faith of the Department has been justified and the foresight of your planners appears to be realised."

He went on to say—

"This is more significant as we are now in what is the 'off season'. We trust that the success continues and the Spirit of the Outback takes its place as one of 'The Great Railway Journeys'. With our sincere thanks."

Other groups were claiming that it would not work. I know that certain spokespeople from the National Party were using quotes from some representatives of outback tourism to try to bolster their argument against the Government's initiative. Therefore, I am pleased to report another piece of correspondence from Outback Aussie Tours. On 10 February, Outback Aussie Tours wrote to Stephen Cooper, the Marketing Manager of Queensland Rail. The letter stated—

"Just a short note to commend Queensland Rail on the introduction of the new Spirit of the Outback train service, which has transformed a quiet summer into a very busy period."

I would also like to thank you for the ongoing media support you have provided to the region and happily welcome the continuation of your efforts.

The new service has transformed seasonally our quiet times into very busy periods. This has never happened before. In fact, I am now taking bookings as early as March 1994 which again is a first time.

Congratulations on the Spirit of the Outback."

I say: congratulations to Queensland Rail. It has done a fine job.

### **TAFE Courses, Hervey Bay**

**Mr NUNN:** In directing a question to the Minister for Employment, Training and Industrial Relations, I refer him to recent publicity about the popularity of TAFE courses among school leavers, and I ask: can he inform the House of how TAFE is moving to meet that demand and the needs of industries in the Hervey Bay area?

**Mr FOLEY:** I thank the honourable member for his question. I welcome his interest in the Hervey Bay Senior College. Recently, the honourable member was kind enough to take me to that college to speak with staff and students and to address concerns about the need for vocational education and training. I can inform the House that, this year, for the first time, the Hervey Bay Senior College has an intake of full-time associate diploma students. A substantial increase in post-compulsory education options is available to the Hervey Bay community. Associate diplomas will be offered in business and in information technology.

In addition to that, the college is expanding its range of TAFE programs in fields such as engineering, construction, hospitality, visual arts, health sciences, business management and office studies. It is telling to note that, since 1989-90, the college's budget has increased by 46 per cent, while student contact hours have risen by some 40 per cent and enrolments by 130 per cent. That indicates the depth of commitment that the Goss Government has to the provision of vocational education and training.

That training is targeted at the needs of industry in the Hervey Bay region, including a joint venture with the Kingfisher Bay Resort and the hospitality section of the Hervey Bay Senior College to offer certificate programs in hospitality. That venture indicates the practical links between industry and our training programs in order to deliver the best vocational education and training to all Queenslanders.

### **Radiation Facilities for Cancer Patients**

**Mr T. B. SULLIVAN:** I ask the Minister for Health: is he aware of media reports about the availability of radiation facilities for treating cancer patients? If so, can he tell the House how well equipped the Queensland public hospital system is to provide those life-saving services?

**Mr HAYWARD:** I thank the honourable member for the question. Recently, articles that address this topic on a national level have appeared in newspapers. However, the newspapers have done their best to convert those articles to give them some State relevance. The treatment of cancer is a very

important issue. Prior to last Monday, 10 radiotherapy machines were available in Queensland to treat people who are affected by that terrible disease. It is estimated that 3 000 people out of every one million people suffer from cancer.

Queensland has moved very well in both the State and national context to enable the introduction of as many radiotherapy machines as possible. Yesterday at the QRI Mater centre, I had the pleasure of unveiling two more linear accelerators. That brings the number of those machines in this State to nine in the public sector and three in the private sector. I was very pleased when two of the doctors who work in this field said to me that, thanks to the completion of that new centre and the addition of those two machines—each of which can treat 440 patients per year—until the period after 1995 we can state confidently that waiting times for patients requiring radiation treatment have been reduced to zero.

**Mr De Lacy:** I wonder whether Mr Horan will comment on that one.

**Mr HAYWARD:** We will see whether he does. The provision of those facilities emphasises not only the money that this Government spends on public health but also its strong commitment to providing resources. This equipment was provided thanks to a substantial contribution from Queensland taxpayers. It was also funded from the \$1.5 billion 10-year hospital rebuilding program. An amount of \$4m came from that program to fund the extensions to the QRI Mater centre to enable the new linear accelerators to be housed.

The important point about those two machines is not so much that they cost \$3.5m but that they were purchased through an excellent example of cooperation between the State and Federal Governments aimed at providing the people of Queensland with the best possible public health services. There was a total capital commitment of \$7.5m towards the installation and the building of those two linear accelerators. It is not just a matter of building the machines and putting the—

**Mr SPEAKER:** Order! The Minister is starting to debate the question.

**Mr HAYWARD:** Queensland Health has allocated more than \$1m in recurrent funds for 1993-94 to enable the Mater centre to employ additional staff for the expanded facility.

#### **Funding for Breast Cancer Screening**

**Mr T. B. SULLIVAN:** I direct a second question to the Minister for Health. Recent

publicity has carried reports about alleged deficiencies in funding nationally for breast cancer screening and assessment procedures. I ask: can the Minister inform the House whether such assertions have any validity with regard to Queensland?

**Mr HAYWARD:** Page 3 of the *Courier-Mail* of 21 February carried the headline, "Cancer victims left to die. Doctors warn of a national disaster". Queensland is the most advanced State of any State in Australia in the treatment of breast cancer, through breast cancer screening and assessment services. This year, the budget for those services has been increased by \$1.4m to \$6.7m. That represents an increase of 25 per cent over last year. A further \$2.5m is to be spent—

**Mr Horan** interjected.

**Mr SPEAKER:** Order! I warn the member for Toowoomba South under Standing Order 123A.

**Mr HAYWARD:**—to expand services in other regions through additional staff, new equipment and extended facilities, all of which will enable more women to be screened for breast cancer. Queensland was the only State in Australia to achieve its breast cancer screening target in 1992-93 as part of the national program for the early detection of breast cancer. The number of women screened throughout Queensland in 1992-93 was double the number screened in the previous year. That figure is expected to double again this year, taking the annual total number of women being screened to more than 80 000. As all members are aware, breast cancer is a terrible disease. Each year in Queensland, 1 000 women are diagnosed with and 300 die from breast cancer. The important point is that, if detected early, breast cancer is potentially curable.

It is important to understand how important these programs are to all Queensland women. The cancer prevention program for women is part of an overall strategy to improve the health of Queensland women and to provide equitable access to appropriate health services. Queensland now has seven fixed breast cancer screening and assessment clinics and three mobile units for women in rural and remote areas.

**Mr Johnson:** What about the central west?

**Mr HAYWARD:** I take that interjection. Plans are well under way for additional mobile units for—

**Mr Johnson** interjected.

**Mr SPEAKER:** Order! The member for Gregory!

**Mr HAYWARD:**—the central and central west areas. In addition, fixed units are to be established at Wide Bay and Cairns.

Queensland has been able to perform better than any other State in Australia on this very important issue, which should be of concern to all members. This Government has developed and implemented a comprehensive breast screening and assessment service. It is typical of the superior health services being provided to Queensland women, services which were denied to them by members opposite.

### Censorship of Police

**Mr COOPER:** I direct a question to the Minister for Police. Earlier this afternoon in question time, the Police Minister took the unprecedented step of condoning the censorship of police. I ask: will the Minister reverse his position now before it is too late and instead support basic tenet of democracy, that is, freedom of speech, as well as the recommendation of Fitzgerald, QC, that police be allowed to speak more openly?

**Mr BRADY:** Mr Speaker—

**Mr Cooper:** You don't need all those notes—give us a basic assurance.

**Mr BRADY:** I am very happy to give a basic assurance. I did explain this before, but the honourable member obviously refused to listen. This was a reform that was introduced after the receipt of the Fitzgerald report. The old secrecy provisions were written out and a new code of conduct was written in. For the benefit of the honourable member, I will read the preamble to the new code of conduct in relation to public comment. It states—

"As members of the community, officers have a right to make public comment and enter into public debate on political and social issues. However, there are circumstances where public comment or debate by officers is not acceptable."

**Mr Cooper:** If they do, you'll sack them.

**Mr BRADY:** It is a paramilitary organisation and there has to be discipline. The preamble then uses dot points to highlight those defined circumstances. I will read a couple of the paragraphs that are highlighted by those dot points. I think any reasonable person would accept that in a organisation such as the Police Service, discipline must apply. Police officers have avenues through which they are entitled to exercise their political and social rights. Dot point 1 states—

"A public comment made in a private capacity may give rise to a public perception

that it is in some way an official comment of the Government or the Queensland Police Service."

Other dot points state—

"A public comment amounts to improper and undue criticism of the Government or its policies.

A public comment amounts to improper and undue criticism of the Queensland Police Service administration or its policies."

They are perfectly sensible and acceptable requirements to which any reasonable person will adhere. All that the Police Commissioner has done—

**Mr Cooper:** The police don't think so.

**Mr BRADY:** The honourable member does not speak for 6 000 police officers. He does not speak for too many at all. The comment by the Police Commissioner was to remind officers that they had their rights and they were entitled to exercise them. He sent out a copy of the code of conduct to remind police that they must live with it and that that is all he expects from them.

### Reduction of Police Numbers, Beenleigh Area

**Mr COOPER:** In directing a question to the Minister for Police and Minister for Corrective Services, I refer to police numbers at Beenleigh, which have been reduced from 119 in 1992 to 70 today. That is a cut of 49 in two years. I also refer to an incident at Rogues Nite Club, Underwood at 5.30 a.m. on 5 February. I table a Police Union memo that indicates that out of five crews on duty in the Logan district, only two, including the Slacks Creek crew who reportedly received a flogging, were able to attend this job. That memo states that crew working from 12 p.m. to 8 a.m. was "About to get flogged at Rogues Nite Club". As these figures give the lie to the Premier's recent claims about so-called crime control initiatives in the Logan area, I ask the Minister: why is it that his much-heralded increase in police numbers has not translated to more operational police on the beat—and it has not—and what action will he take to increase police strength in the Beenleigh district to realistic levels?

**Mr BRADY:** The police in the Beenleigh district are part of a region that is organised by the police assistant commissioners in a way that they believe is the best for the operational conduct of the Queensland Police Service. The overall numbers in that region have been increased substantially, as has been recognised

by all the responsible media on the Gold Coast and around the Logan area. Those numbers have been available, and they have been published from time to time.

What the Police Service does in terms of organising the stations in that region, particularly the new stations that we built, is a matter for it. Just as it is true in relation to the Sunshine Coast where the police numbers have more than doubled, the police numbers on the Gold Coast and the Logan district have increased so substantially that it should make the honourable member ashamed of his failure when he was the Minister for Police.

### Victims of Crime

**Mr DAVIES:** I ask the Attorney-General: can he outline what initiatives the Office of the Director of Prosecutions has undertaken recently to assist victims of crime?

**Mr WELLS:** The Office of the Director of Prosecutions has recently embarked upon an \$800,000 initiative to assist victims of crime. The role of victims in the criminal justice process is a traumatic one. They have to make statements and they have to give evidence in court. In doing so, they have to relive the pain of their experiences. This pain cannot be eliminated, but it can be diminished.

For example, that pain can be diminished if victims are able to make the statements that they have to make in surroundings that are familiar to them, such as their own home; if they are able to give their statements in the presence of a friend; if they know that it is possible for them to be treated as special witnesses if they fall into certain categories; and if they know what the next step in the prosecution process is going to be.

This Government has undertaken this \$800,000 initiative to ensure as far as is possible that this is the case. We are establishing a unit of specialists in the Office of the Director of Prosecutions who will provide this service on a case-by-case basis directly by assisting victims of crime in the ways that I have described and indirectly by training the prosecutors to ensure that they are sensitive to these needs. It will never be possible to remove the pain or the anguish that victims in the criminal process experience, but it is an important role that they play because their testimony is often vital to the success of a prosecution and, consequently, this initiative will be positive not only in assisting victims, but also in assisting the efficiency of the prosecutorial process. As I said, we can never completely remove the pain and trauma of victims. However, what we can do is ensure that

their trials are less stressful, less painful and less traumatic.

**Mr SPEAKER:** Order! The time allotted for questions has now expired.

### MATTER OF SPECIAL PUBLIC IMPORTANCE

#### Rural and Regional Queensland

**Mr SPEAKER:** Order! I advise the House that I have received two proposals for a Special Public Importance debate pursuant to the Sessional Order agreed to by the House on 16 July 1991. The proposal submitted by the Honourable the Minister for Business, Industry and Regional Development is for a debate on the following matter—

"The Government's good record in the provision of services to rural and regional Queensland."

I now call on the member for Mulgrave to speak to the proposal.

**Mr PITT (Mulgrave) (3.47 p.m.):** The proposition before the House is, in essence, a clear case of conflict between perceptions and realities. The Opposition would have the people of rural and regional Queensland believe that they have been neglected by the Goss Government. They have been consistently peddling the untruth that Queensland is in the grip of a rural and regional decline brought about by a Government that they believe has failed to meet their needs. Nothing could be further from the truth. The reality is that many circumstances that impact negatively on these communities are beyond the control of Government—any Government, regardless of political colour. Furthermore, the facts speak for themselves. This Government is not just delivering enhanced services across-the-board, it is doing so in a coordinated and rational manner, something that is foreign to members opposite.

This Government's record is a positive one. This Government is handling change. This Government deals in reality—it is not in the business of pretence. The Opposition has quite deceitfully engaged itself in myth-making. Any suggestion that it faithfully served what it believes to be its natural constituency is a patent falsehood.

The 32-year stewardship of the Opposition saw the decline of services go unchecked. It allowed rural and regional Queensland to wither on the vine, having no whole-of-Government approach, caring more about mollifying voters by constructing public facilities in situations which had no bearing on the meaning of rural demand.

This State is virtually littered with monuments to its stupidity, yet it has had the temerity to criticise a Government that is about meeting real demand and that is about managing the process of change—a constant challenge in rural and regional Queensland.

The maintenance of Government services is important for the survival of country towns. However, it is wrong to presume that the maintenance of such services will per se ensure such towns' survival. There are many other reasons why small country towns are threatened. It is certainly true that many rural towns have suffered declining economic activity and population loss with the long-term decline in terms of trade for agriculture, and that the pressure is exacerbated during drought and rural recession. However, there have been other significant contributing factors at play over the past few decades which have also affected the viability of country towns, to the detriment of some towns and to the benefit of others. These factors have more to do with general societal and structural changes than with the level of economic robustness of the surrounding agricultural areas. Greater use of farm mechanisation and other technologies and the increased substitution of contract labour for on-farm employees have reduced the permanent labour force on farms and, therefore, the number of people who once used country towns as service and retail centres.

There have been significant changes in retail shopping patterns. This has partly been a result of better roads and vehicles making access to larger retail centres easier. As well, the difficulties of small town businesses to provide the increasing range and sophistication of both farm-related and household consumer goods and services at competitive prices have resulted in many rural consumers travelling to larger centres where retailers with a generous turnover can offer price and range benefits to offset the greater travelling time.

The increased tendency of rural consumers to combine shopping with entertainment and recreational pursuits is better satisfied in larger rural centres. The demand, therefore, for access to specialist services has increased within the general population over recent years. Specialist services in health, consultations with accounting professionals, etc., are available only in larger centres with significant consumer catchment areas. Certain country towns have been beneficiaries of internal rural migration at the expense of other generally smaller centres.

Clearly then, there are significant factors other than the economic fortunes of the surrounding agricultural region that affect the

viability of rural towns. The question therefore is: how is the Goss Government facing up to this challenge? The creation of the Office of Rural Communities has provided rural and regional Queensland with a watchdog to protect their interests. If members of the Opposition were truly honest in their dealings with the people, they would acknowledge the good work done by that unit. They would also acknowledge that it took a Labor Government to abandon their own ad hoc, bandaid approach and put rural and regional issues squarely on the agenda at the highest level—that of the Cabinet of this State.

As a direct result of its commitment to rural Queensland, in 1991 the Government established the Office of Rural Communities to focus on issues relevant to people in country areas. This is the first time that any Government in Queensland has established such a portfolio to deal specifically with issues of living in rural and remote areas. Queensland is the only State to have a Minister for Rural Communities.

The Office of Rural Communities, on behalf of the State Government, is making every effort to work through Government departments to ensure that services are not removed from rural communities but are enhanced wherever possible. This is achieved in several ways, the first of which is the administration of the guidelines on Government service withdrawal or reduction, which were endorsed by Cabinet in 1992. The guidelines apply to almost all departments, except where there is an established staffing formula in place, such as in the Education Department. A Government department contemplating an alteration involving the reduction or withdrawal of a service in rural Queensland cannot proceed with the change unless the guidelines are complied with.

The guidelines require that the department assess the demand for the service through consultation and develop a proposal which will ensure that the service, if altered, will remain accessible to rural people, albeit in another mode. The department must supply this information to the Office of Rural Communities. That office then considers the application and makes an assessment of whether or not the change should proceed. In making this assessment, the application is not considered in isolation; rather, the cumulative effect of the proposed service change combined with local conditions, including any other departments' recent service changes, private-enterprise changes and local social and economic circumstances are examined to gain a complete picture of the impact the proposed change could have.

The Office of Rural Communities then recommends to the Deputy Premier, as the Minister for Rural Communities, that permission be given to the department to alter the service, or permission be denied. Only in the most compelling circumstances is approval given for the Government service to be reduced. Mostly, the answer is, "No." The guidelines, however, do not apply to Government owned enterprises such as Queensland Rail.

Let us focus briefly on the transport issue. The Opposition would have people believe that the transport infrastructure of this vast State has been neglected and the bush ignored at the expense of urban population centres. Again, reality differs greatly from the blatantly politically motivated diet of untruths that have been concocted in an attempt to mask their embarrassment over their own dismal failures.

Queensland Transport has not withdrawn services but is, in fact, expanding its network through a program to establish customer service centres at a number of rural locations. One-stop shops have been established in 51 communities across Queensland. They include many remote and rural areas, such as Atherton, Barcaldine, Blackwater, Cloncurry, Dalby, Emerald, Kingaroy, Mareeba and Roma. A centre will be established at Charleville in the near future. The range of transport-related services is also available through Government agents.

Queensland is the only State that has not severely rationalised its rail operations and, in fact, has maintained an extensive rail network, with the exception of those lines closed or allowed to deteriorate prior to 1989. The Government has established a major review of a number of existing lines and is providing the community with the opportunity to maintain these services. This is the first time that an initiative of this kind, inviting and encouraging extensive community consultation and participation in decision making, has been established in Australia.

For the interest of members of the House, I table a list of lines and stations closed by the Nationals. I seek leave to have that list incorporated in *Hansard*.

Leave granted.

#### LINE CLOSURES UNDER NATIONALS

	From	To
1958	Dimbulah	Mt Mulligan
1959	Victoria	Eton
1959	Gowrie Junction	Wyreema
1960	Glenelg Street	Sth Brisbane
1960	Munbilla	Mt Edwards
1960	Lota	Cleveland
1960	Tirroan	Mt Perry

1960	Innes	Morganville
1960	Killarney Junction	Maryvale
1961	Kingaroy Saleyards	Tarong
1961	Barlil	Windersa
1961	Malbon	Selwyn
1961	Kajabbi	Dobbyn
1961	Lappa	Mt Garnet
1961	Pengary Junction	Crows Nest
1961	Allora	Goomburra
1961	Cooktown	Laura
1962	Blackheath Junction	B'Heath Collory
1964	Ernest Junction	Nerang
1964	Wallaville	Innes
1964	Birru	Marburg
1964	Kingsthorpe	Haden
1964	Killarney Junction	Killarney
1964	Acland	Cooyar
1964	Biboohra	Rumula
1964	Goondoon	Wallaville
1964	Isis Junction	Cordalba
1964	Churchill	Dugandan
1964	Kingaroy	Nanango
1964	Wamuran	Kilcoy
1964	Kairi	Millaa Millaa
1964	Sleipner	Emu Park
1966	Box Flat	Park Head
1967	Roma	Injune
1968	Byellee	Graham
1968	Alton Downs Junction	OM 13C
1969	1 Mile	Acland
1969	Albert	Glenelg Street
1970	Gargett	Owens Creek
1970	Benholme	Kungurri
1970	Chinchilla	Barakula
1970	Kunala	Birru
1970	Alton Downs Junction	OM 13C
1971	Newbury Junction	Victoria
1973	Cabanda	Kunkala
1974	Cotton Vale	Amiens
1974	Einasleigh	Forsayth
1975	Aramac Tramway	42 Miles
1977	Innisfail/Mourilyan	
	Tramways	61 OM
1977	Kowari	Netherdale
1986	Port Alma	9.8KM
1986	Gracemere	Yeppen
1986	Port Curtis	Edinda
1987	Tolga	Kariri
1987	Kabra	Wowan
1987	Baralaba	Moura
1987	Blair Athol Branch	Beyond 101.11KM
1988	Biloela	Thangool

#### STATIONS CLOSED UNDER NATIONALS

Glenmorgan	Kilkivan
Proston, Wondai	Wooroolin
Haughton Valley	Pioneer
Reid River	Woodstock
Benaraby	Builyan
Calliope	Rosedale
Dajarra	Duchess

Maxwelton	Stamford
Elimbah	Emmet
Morella	Pine Hill
Rimbanda	Monkland
Bremerside	Howard
Torbanlea	Gunalda
Mungar	Theebine
Tiaro	Boogan
Herberton	Ravenshoe
Silkwood	Edmonton
Bogantungan	Willows
Muckadilla	Wallumba
Yuleba	Dimbulah
Amby	

**Mr PITT:** I believe that this material, which expands on those lines that have been closed under the previous Government, will expose the myths in which these people have been engaging over the past three to four years.

In addition to other advances that have been made in rail, we look towards the \$570m upgrade scheme for the north coast line, which will be of great benefit to all of Queensland, rural Queensland in particular. We also look at the Queensland itself—a refurbished train which is now considered by many people to be a five-star hotel on wheels. I have travelled on that train. It is certainly a great advance for people living outside the metropolitan area. I also add that Q-Link has provided a service in small freight transport that Queensland has needed for a long time. Also, Q-Link is providing a door-to-door service that was not available under the National Party.

The new tourist train, the Spirit of the Outback, represents the largest single refurbishment program ever undertaken by Queensland Rail at a cost of \$900,000. Travel on the new train will be linked with regional tourism promotions, including those associated with the Matilda Highway, to attract tourist dollars throughout the central west.

Time expired.

**Mr BORBIDGE** (Surfers Paradise—Leader of the Opposition) (3.57 p.m.): If there was ever a free kick for the Opposition, this was it. If there was ever a subject that this Labor Government should shut up about, it is its record in providing services to the people of rural and regional Queensland. I could not have submitted a better topic myself. Whom do we have leading it? Not the Premier—not the Labor leader—and not his deputy; the person leading it is the former chairman of the Premier's Rural Task Force whose one great achievement was heading up the Western Queensland Mulgaland Restoration Strategy, which closed down when the railways were closed down by this

Government. What have we got today? The charge of the light brigade!

Labor Party members ought to hang their heads in shame at the way they have created two Queenslands; the way in which the Labor Party has divided this State; and the way that it has targeted rural and regional Queensland in such a spiteful, vindictive and vengeful manner, ripping the heart and soul out of the productive sector of this State, tearing up the rail lines, closing down the courthouses and schools and destroying the very integrity of a once-proud State health system.

**Mr T. B. Sullivan:** That's rubbish, and you know it.

**Mr BORBIDGE:** If the honourable member wants to listen, I may even be able to enlighten him. We have had enough of a Labor leader who tells us that rural and regional Queensland is dying, that rail lines are not viable and that small country towns are doomed to perish. Those are the words of the leader of the parliamentary Labor Party and this Government. We have had enough apologies. We have had enough of the divisive politics of Labor; the creation of two Queenslands: the city and the country, the haves and the have-nots. They are the forgotten Queenslanders, like the people of Monto who were graced with the presence of the Labor leader, for media purposes, for a precious 30 minutes last Sunday—a Labor leader who promised the people of Monto an ambulance building but who conveniently flew out of town before anyone could question him about the loss of their courthouse, the reductions in police personnel, the cuts in the DPI and railway staff, the removal of the position of visiting physiotherapist—which is vacant—and the closure of the QIDC. The Labor leader flew out of Monto before he had to account for why three high school and two primary school teaching positions had been cut and why road funding under the five-year program has been cut by 20 per cent under Labor.

Next year, contrary to the Labor lies of the Minister for Transport, the road funding budget from the department to the Monto Shire Council is nil—zero. The Labor leader flew out before the people of Monto could explain to him the flow-on effect these cutbacks and closures are having on the private sector. Labor's cutbacks have directly resulted in the closure of the Westpac bank and the threat to the CASE machinery dealership. The Monto experience is typical of what is happening across the length and breadth of rural and regional Queensland. I challenge the Minister for Business, Industry and Regional Development and I challenge the Labor leader to go to Monto and to convene a public meeting

like we did last night. They will come home hanging their heads in shame.

A good example of the neglect is the state of health services in this area. There are life-threatening shortages of specialists in country hospitals and more than 20 hospitals have been unable to fill anaesthetist positions. Then there is the \$256,000 cut in funding to the Royal Flying Doctor Service. Country hospitals like Cloncurry and Julia Creek are gaining more administrative staff but losing nursing and other medical positions. Julia Creek hospital will lose its doctor and is not likely to get a replacement. In fact, rural Queensland is in desperate need of at least 120 doctors. Regional hospitals have had to cope with unfunded wage rises. For example, Townsville had to find \$700,000 and Maryborough \$300,000. There is a severe shortage of medical superintendents for regional care. Psychiatric wings in rural hospitals have been closed throughout this State. Wards have been closed in Maryborough, Rockhampton, Bundaberg and Cairns, to name just a few. When resident doctors go on leave in many rural hospitals they are not replaced. The standard of care at some hospitals in north and north-west Queensland is so poor—

**Mr T. B. Sullivan:** You didn't have any psychiatric specialists, so we put them in.

**Mr BORBIDGE:** I can understand the sensitivity of the honourable member who is interjecting. He lives in suburban comfort. Why does he not go west of the divide and find out what he and his caucus are doing to the people of the bush. The standard of care at some hospitals in north and north-west Queensland is so poor that patients are refusing to be admitted. I am reminded by the honourable member that, with the mess that they are making of the health system, it will soon not be much better in the capital city. In urban areas there are approximately 91 GPs per 100 000 of population; whereas, in rural areas there are only 55 GPs per 100 000 of population.

In Justice, there have been no fewer than 46 courthouses closed in rural and regional Queensland. Clerks of the court have been made redundant and the responsibility for Justice has been centralised in Brisbane.

I now turn to rail. The Labor Government has recently closed the Inglewood to Texas line, the Takura line, Pialba to Urangan, Melawondi to Brooloo, Goolara to Theodore, Cobarra to Greenvale, Cloncurry to Kajabbi and Duchess to Dajarra. The Labor Government has mothballed the Hendon to Allora line, Dalby to Bell, Oakey to Cecil Plains, Rannes to Wowan and Murgon to Byee. Only widespread public condemnation and backlash saved more than one-third of the

State's rail lines and it has given the Jericho line, the Blackall to Yaraka line, Hughenden to Winton and the Mareeba line a temporary respite. Eight rail positions have been cut at Home Hill; six are to go at Ayr. Cloncurry faces 23 redundancies, while the planned closure of the Townsville workshop will make about 420 redundant. Where is the member for Townsville in this debate? Ipswich and Banyo workshops are to close within four months. Examples of cuts to rail jobs, reductions in rail services, or the removal of rail lines can be found in each and every provincial town in Queensland.

No other area of Government activity has been treated as harshly by this Labor Government as has the Department of Primary Industry. Six hundred jobs have been cut at the DPI, under Labor, with a further 200 to go this year. Over the past three years, the DPI has suffered a 20 per cent cut in its budget, which has resulted in the loss of 174 full-time positions in the agricultural branch. DPI offices have been closed in Miles, Mitchell, Millmerran and Wandoan. Extension officers have been removed from country towns and research stations have been closed. The once proud DPI has been torn apart by a Labor Government seemingly intent on a policy designed to close down its operations altogether.

Police stations have been unmanned at weekends. Coolool station closes at 11 o'clock each night. A maximum of 10 police officers cover an area from Noosa to Beerwah each night and on weekends. One-man police stations have been closed under Labor, while two-man stations have become one-man stations. Police resources throughout Queensland have been unable to keep pace with the massive increase in crime associated with Queensland's law and order crisis. No greater has the impact been felt than in rural and regional areas, especially those that have faced outbreaks of gang warfare—centres such as Cunnamulla, Ayr and Innisfail—areas where police resources are thin on the ground.

In Education, we have seen 403 teaching jobs lost, the closure of small country schools and the relocation of regional education officers. Many country school principals have either been moved or been sacked. Funds for rural school libraries have been cut. Rural TAFE projects have been cut. Funds for rural education projects have been slashed. The Government's downgrading of education services to the bush is forcing families to move out of these centres.

I could go on and on. This Labor Government has forgotten about the people who live outside the capital city. It knows that its electoral support base rests in an area bordered

by Caboolture in the north, Ipswich in the west and south to the Logan River. The rest of Queensland has been disenfranchised by a Government which could not care less. How it has the gall to talk about its record in regard to regional and rural Queensland will make it a laughing-stock from one end of Queensland to the other.

**Mr PEARCE** (Fitzroy) (4.08 p.m.): We have just heard an outburst from the Leader of the Opposition, the man who lives on the Gold Coast, in the south-east corner of the State, and who would not have a clue about what is happening in rural Queensland. I would like to know how a former motel operator from Victoria knows what country Queensland is all about.

**Mr BORBIDGE**: I rise to a point of order. It is easy when one spends the first 23 years of one's life on a farm.

**Mr DEPUTY SPEAKER** (Mr Palaszczuk): Order! There is no point of order.

**Mr PEARCE**: I have had it on pretty good authority that the only part of the bush that the Leader of the Opposition knows is the part he sees when he is driving along the highway, is caught short and looks for a big gum tree. Even then he is scared to get too far off the road.

Despite the whingeing and the whining of the Opposition, the Queensland Government, under the strong leadership of Wayne Goss, has upgraded services and introduced initiatives for the people of rural Queensland. We have heard members of the Opposition talk about courthouses. There have been no courthouse closures in this State since July 1991. There were some closures, but the closures of those courthouses was based on the recommendation of a National Party Government review of courthouses. On those recommendations, the present Government closed down 26 courthouses in January and July of 1991. They have been the only closures.

Let us consider the courthouses that were closed under the National Party Government. Members of the Opposition run around this State and to the media talking about the courthouses that the Labor Party has closed down. Let me list the courthouses closed by the National Party: Anakie, Blackbutt, Cracow, Goomeri, Halifax, Howard, Ilfracombe, Lowood, Marian, Mirani, Port Douglas, Stonehenge, Walkerston, Wallumbilla and Yuleba. The National Party took those services away but put nothing back into those towns. National Party members walked away from their constituents; yet then they run to the media and throw their hands into the air and say, "Look what the Labor Party is doing to us in the country"! They should

take a look at themselves. What hypocrites they are! They ought to be ashamed of themselves.

The Leader of the Opposition referred to health. History shows that, prior to the election of the Goss Government, spending by the National Party on health did not even keep pace with inflation, let alone increase in real terms to take into account population growth or increased demand. Contrary to persistent media statements, there have been no hospital closures since 1989—after the election of the Goss Government—but plenty of times I have heard the media talk about hospital closures in this State.

This Government is getting on with the job of rebuilding rural health services. Everybody, except Opposition members, recognises that. Even the former national president of the Rural Doctors Association has stated openly that more has been done under the Labor Government for rural health than there has under any previous administration.

I will turn now to some of the good things that the Government has done for health. I refer to regionalisation and the establishment of 13 regional health authorities. Under the previous National Party Government, the infrastructure of the public hospital system was allowed to deteriorate. Under this Labor Government, a massive \$1.5 billion has been committed to rebuild, re-equip and modernise Queensland's public hospital system. For the 1993-94 year, capital works expenditure in rural and regional Queensland will amount to 57 per cent of the first year's outlay of that scheme. That figure represents \$82m in projects. It will boost employment locally and it will provide people in regional Queensland with the standard of health facilities that they deserve. This Government has established rural health training units in Toowoomba, Cairns and Rockhampton.

Since 1989, the Government has allocated in excess of \$4m to assist in meeting the challenge of recruitment and retention of qualified health service personnel in rural Queensland. In conjunction with the University of Queensland, the Government has established a north Queensland clinical school in Townsville to train doctors and specialists with a special focus on rural Queensland. That training will help to lure doctors back to the bush. In the past, doctors were not given the incentive to go to the country and work with country people.

Despite the fact that, each year, more than 300 women die from breast and cervical cancer, the National Party did not care about rural women. Many of those women lived in rural Queensland. Record levels of funding have been allocated to enhance Aboriginal and Torres

Strait Islander health services, totalling \$11.6m. Those are the good things that this Government is doing for rural Queensland. Almost \$25m has been allocated for the construction of new health facilities or hospitals on the cape and in the Torres Strait.

**Mr T. B. Sullivan** interjected.

**Mr PEARCE:** They were in a shocking state. I have visited those areas and looked at the services that were provided. They were in a shocking state. They were disgraceful. I would not even put my dog in some of them. Opposition members left those services as they were. They did not intend to fix them up. It was up to this Government to get on with the job and fix them up. By 1995, every health facility north of Cooktown will be rebuilt to provide modern state-of-the-art health services.

I turn now to mental health. Opposition members should listen to what I have to say about this matter because they will be needing such services later on. The previous Government's neglect of funding for mental health services has been rectified. New acute care hospital units are being constructed on the Gold Coast, Nambour, Toowoomba, Bundaberg, Rockhampton and Townsville, and other hospital units have been refurbished. That is all good for rural Queensland.

I will turn now to a matter which Opposition members have ignored and which really gets under my collar. In many small rural communities, people have had to endure an unsatisfactory water supply. However, this Government has introduced the rural communities water supply and sewerage scheme. This initiative was designed to assist communities with fewer than 1 500 people who were financially unable to establish water and sewerage services. Opposition members did not care about them, yet they are supposed to be the people whom they represent. The Goss Government is providing services to people in National Party electorates, such as those in Isisford, Mena Creek, Capella, Rolleston, Biggenden, Herberton, Mount Garnet, Miles and Surat. Approximately 19 projects, ranging from \$70,000 to \$900,000, have been implemented to improve facilities for rural Queenslanders.

I turn now to the drought, because the Opposition's representation of rural Queensland about this matter is really getting to me. I believe that National Party members in this place should be going out of their way to stimulate community interest in the seriousness of the drought that is still ravaging large parts of rural Queensland.

**Mr Johnson** interjected.

**Mr PEARCE:** I point out to the honourable member for Gregory that some of the people who are affected by the drought live in his electorate. Thirty-eight shires, or parts of shires, are still drought declared. Some areas have received good rain, and some other areas have received relief rain. However, some properties in my electorate have not received good rain since 1991. Approximately 16 000 properties are still drought declared, yet we have heard nothing from the members of the National Party about the drought. All we hear from them is beat-up stories about ambulance funds, crime, teacher numbers or road funding. We hear nothing from them about the hundreds of families who are starving or who are about to walk off their land. Members of the National Party have not asked any questions or made any speeches in this place about the drought. What a disgrace!

At least the Goss Government has implemented drought measures to help the people in rural Queensland. The drought social support family program received an initial \$400,000 grant, and that has been extended by a further allocation of \$1.22m. That funding has enabled the engagement of seven drought support workers who have access to \$120,000 each for emergency cash payments to families. Drought workers are based in Charleville, Roma, St George, Goondiwindi, Dalby, Moranbah, Middlemount and Charter Towers. Those workers are out there working for country people. In Middlemount, a worker by the name of Linda Pollock is doing a marvellous job. She has the confidence of the people in that region. It is very important that she has the confidence of those people who are affected by drought and who are in need. She can sit down and talk to these people and find out how they are suffering. The message needs to be made clear. We have some big problems in those drought-affected areas. If we do not receive decent rainfall soon, I know that this Government is going to be staring a major disaster in the face by the end of the year.

I am so concerned about the drought that, recently, I wrote to Channel 9 and the *Courier-Mail* and asked them to get the images of drought back into the lounge rooms of people in the south-east corner and the regional centres. It is only through the media's images that people can realise the seriousness of the drought. I urge Opposition members to get off their backsides and start talking about some fair dinkum issues such as the drought.

Time expired.

**Mr CONNOR** (Nerang) (4.17 p.m.): What an absolute joke the Government's position is on

this issue! The rhetoric from this Government and the reality are totally different.

**A Government member** interjected.

**Mr CONNOR:** At least I live on a farm; the member does not. The Government holds Queensland farmers in total contempt. That is a typical of the way it treats all farmers in Queensland. It is forcing farmers off the land not only in rural areas but also in areas of my electorate. Geoff Smith, the Minister for Lands, with his policies and rates for leases, is forcing farmers off the land. The example that I will give relates to a farm that is located not far from the Premier's own electorate, yet he still does not know about it.

It came to the farmer's attention that his farm lease payments had increased by 1 000 per cent. He found out about it in the media before he had even received a notice from the Government. How Government members could sit and mouth these falsehoods and platitudes is beyond me. The canefarmer, Mr Greg Hammel, was battling away farming a small 7-hectare block of land that was almost a swamp. At each high tide, it goes under water. He grows a small amount of cane and has had his rent increased from \$650 a year to \$6,900 a year. Even in a bumper year, he makes only about \$3,000 or \$4,000 profit on that piece of land. The Government wants to extort from him \$6,900. We would imagine that it is just an administrative error, but the fellow appealed, and he had his appeal totally rejected. The Government knocked him back and will not revise it down 1c. It is not an administrative error; it is this Government's policy. That is how it treats farmers. I would like to quote from a story in one of the local papers on 19 February.

**Mr T. B. Sullivan:** Where are those two areas of land located? You won't say, will you?

**Mr CONNOR:** I will table it all. The Government cannot for a moment suggest that it was not fully informed of this situation. This story also ran in the media late last year. If it is trying to argue that it did not know about this, it obviously does not read the Premier's local newspaper every now and again. That article stated—

"An Alberton cane farmer has been forced to surrender his lease of Crown land used to grow sugar cane because a 1000 per cent rent increase has made it unviable.

Greg Hammel said the Queensland Lands Department increased his annual rent from \$650 to \$6900, plus council rates, and had rejected an appeal.

He said the 6.9ha beside the Logan

River, known as Alberton Ferry Farm, was low lying and flooded even during very high tides.

It was good for nothing but growing cane, but had been revalued last year at \$230,000.

'If we had to paid the new rental we could be a long way in the red,' said Mr Hammel.

During a bumper cane season, it returned only \$2000 to \$3000 in profits.

A spokesman for Lands Minister, Geoff Smith, could not be reached for comment yesterday. Mr Hammel said the cane was harvested two months ago and the land was now being left to overgrow with Johnson grass, a weed.

The State Government had been earning something from the rent while the land was being farmed, but now it would be worthless, he said.

The rent increase is a result of the Queensland Government's new Crown land rental system, which came into effect on July 1 last year."

I might add that this is dated 19 February of this year—about a week ago. The article continued—

"Divisional Councillor David Power said it should be called the State Government's 'land mismanagement strategy'.

'This will become a breeding ground for mosquitos, just because they wanted to raise money for government coffers,' said Cr Power.

Mr Hammel said the land was zoned rural and according to the council could never be used for anything but growing cane, but the Queensland Government seemed to think it could be used for waterfront development."

I would like to table that press article. I would also like to table a series of minutes from the Albert Shire Council that detail the problem. I would like to read extracts from these minutes that show the depth of contempt with which this Government treats farmers in Queensland. The minutes from the Albert Shire Council of 14 December state—

"An area of 7.821 ha is currently sub-leased to G Hammel. This lease expires on 31 December 1996. The head lease is due to expire in 1999. The balance area of some 2.4732 ha is utilised for road and park purposes.

In August 1993, Council was advised of a rise in annual rental payments and subsequently lodged an appeal against the revaluation.

This appeal has yet to be finalised.

The sub-lease holder has indicated verbally that any increase in rental would render the lease uneconomic and if the appeal is not allowed, will surrender the sub-lease."

They state further—

". . . Council should also seek surrender of the lease, either in conjunction with any early surrender of a sub-lease or in 1996 when the Hammel sub-lease expires."

They go on—

"Further, in discussions with departmental officers it would appear that whilst there will be some downgrading in the value of the four (4) properties, rentals in accordance with current policies will still be levied at the 'Closer — Infarming Rate' and will be substantial. (By way of example, if the valuation was reduced by half, which is most unlikely, rentals would still be non-economic for the sub-lease and accordingly surrender would occur)."

In further minutes of the Albert Shire Council of 8 February, item A14 states—

"Complementary to the sub-lease and lease agreements, Council had entered an objection to the new valuation and advice has now been received that the objection has been disallowed and remains unaltered.

Provision is made for an appeal against this decision to the Land Court within twenty-eight (28) days of notice.

. . .

Administrative arrangements are in hand to surrender the leases. . ."

I table those documents as well. Where was the local member in all of this? We know the local councillor has been jumping up and down for some time about this, and we know the local State member is from the Labor Party. He is well aware of what is going on. Obviously, he does not want to embarrass the Government of the day. This member pays a great deal of attention to matters relating to the Albert Shire Council, yet at no time has this State local member involved himself at all in this issue. Not once has he tried to help this small, battling farming family.

The farmer has other land and I am sure, in this case, that he will survive. I am quite confident that he will survive. But not all farmers are quite

that fortunate. Most small farmers would be sent to the wall in this type of situation. In rural Queensland that has been happening over the last six months or more as a direct result of this Government's land mismanagement policy that has seen rents increase ten-fold or more.

What is the upshot of this? The very valuable sugarcane land is going to waste. Not only is it no longer productive, not only is it not going to give work to sugar millworkers, but also it is not returning the council any rates. It is also now not returning the State Government anything in lease fees, because the farmer has relinquished the lease. It is now growing weeds and the cane has gone wild. It is also adding to the environmental problems in the area with mosquitos. The land is being degraded because it is now being inundated with seawater. What sort of compassion are we seeing from this Government? Nothing! It was not even prepared to bend an inch during the appeal.

Certainly, the farmer could take the Government to court and probably get some concessions. But could he afford to even if he won? On the way through, it would cost him a small fortune to appeal and the chances are that the tiny income that the farmer would earn from that land would be more than soaked up in the cost of litigation. So this is one of the examples of this Government's total contempt for rural Queensland—for farmers and for all those other people out there struggling to make a quid. The same thing is happening in the industrial parks as well. People are facing incredible increases—as much as 1 000 per cent. The Minister who is about to speak administers all the State's industrial land. I have already made plenty of representations about that.

Time expired.

**Hon. J. P. ELDER** (Capalaba—Minister for Business, Industry and Regional Development) (4.27 p.m.): I think the Opposition leader said, "Well, this would be a great free kick." I will match free kick for free kick in this place, particularly when it comes to regional development. What do we have? A debate that has been led by the member for Surfers Paradise! It was followed by a Gold Coast member, the member for Nerang. They are to be followed by a coastal member, the member for Beaudesert. Where is the regional coverage in the debate? So far the Government has been represented by the member for Mulgrave and the member for Fitzroy? I am the Minister responsible for regional development

Talk about a free kick; I will give those opposite a free kick. Those opposite are letting down regional Queensland and people in the bush. When we came to office, there was a

department called the Department of Manufacturing and Commerce. That department was charged with the promotion of manufacturing in this State. Honourable members know what all that means. If we can improve our manufacturing base and if we can broaden our economy, that means long-term sustainable jobs for rural Queensland. What that means in rural and regional towns is jobs and growth. If the Government does that successfully, the regions are being provided with important opportunities for growth.

There was a lot of talk today about encouraging secondary industry, but when it came to the crunch, members opposite were not dealing with manufacturing at all. One of the prime spots in Queensland for the development of the manufacturing base—and this is realised by both sides of the Chamber—is Gladstone. I ask: at the time that members opposite realised just how important these regional areas were, was there an office of that portfolio in Gladstone? Was there an office for regional development? Was there even a Minister who covered regional development or rural communities? The answer is, "No." Did the former Government have an office in Gladstone? The answer is, "No." Why not? The answer lies in the fact that Gladstone is a Labor electorate. It did not matter that Gladstone was responsible for the drive in industrial development. The former Government did not recognise Gladstone in a whole range of ways. The same applied to a number of centres throughout Queensland that were Labor electorates.

In 1988, the present Leader of the Opposition had responsibility for the Industry, Small Business, Communications and Technology portfolio. The Leader of the Opposition forgets that I am a new Minister. I have examined the record of the previous Government to discover its crowning achievements in broadening the economy and assisting regional and rural Queensland. The only document that I could find—and it was referred to during the first term of the Labor Government, but new members will not have seen it—was titled *Goals for Growth*. It was issued under the signature of the then Minister, Mr Borbidge. That is the former Government's only statement of support for rural and regional Queensland. That was its only statement for developing a broader economy. It had nothing in policy and nothing in facts and figures. The only evidence is the "Starship Enterprise", as that document has been referred to, under the leadership of "Captain Kirk".

The former Government had only one program—the National Industry Extension

Service. Members will remember it well. Prior to the last Federal election, the Queensland Opposition supported Hewson. If it were elected to Government, the coalition intended to abolish the most important industrial program for the support of a competitive economy. However, in 1988, when *Goals for Growth* was published, the National Party supported that program. How hypocritical!

It frustrates me to hear the Opposition complain about the closures of courthouses and railway lines. Members opposite have referred to the actions of this Government in rural Queensland. The member for Mulgrave tabled the list of rail closures carried out by the former Government. In the last 18 months of their time in Government, members opposite closed 46 railway lines. The Labor Government proposed small changes in the form of some rail line closures and the mothballing of other lines.

**Mr FitzGerald:** Thirty per cent of the railway lines in Queensland.

**Mr ELDER:** I inform the member for Lockyer that the Government of which he was a member had a worse record than that. In the time that the National Party was in Government in this State, it closed 150 railway lines in rural and regional Queensland—the area which it purports to represent and whose cause it champions.

**Mr Johnson:** Name them all.

**Mr ELDER:** I will name them all. I will seek to have that list incorporated in *Hansard* so that the member can read about it in the morning.

Members opposite refer to a so-called lack of law and order under this Government. We have "Commissioner Gordon" and the "Caped Crusader" opposite. The Leader of the Liberal Party is no "Boy Wonder"! I want to outline the hypocritical stance of the Opposition on law and order.

**Dr WATSON:** I rise to a point of order. I question the relevance of the Minister's comments to this debate, the topic of which is the Government's good record in the provision of services to rural and regional Queensland. Thus far, the Minister has referred only to the record of the previous Government.

**Mr DEPUTY SPEAKER** (Mr Palaszczuk): Order! There is no point of order.

**Mr ELDER:** Clearly, I am outlining the most important and relevant fact: the hypocrisy of the Opposition and its failure to deliver any services to rural and regional Queensland when it was in Government.

When it was in power, the National Party actually closed police stations. I cannot believe that it would do such a thing!

**Dr Watson:** What have you done?

**Mr ELDER:** I will tell the member what we are doing. We are constructing more police stations in Queensland and we are putting more police on the beat than were ever provided under the former Government. The hypocrites opposite point to this Government. Members opposite are so hollow and shallow.

I want to talk about my department. At the end of day, this Government recognises that, if this State is to achieve growth in manufactured exports and in the economy generally, it will not come from the south-east corner. It will come from a contribution of the State proper. It will come from the rural sector and the regional sector. The rapid increase in the level of manufactured exports is obviously the result of a significant contribution from rural and regional Queensland. That growth has occurred because this Government has established the specific portfolios of Business, Industry and Regional Development and Rural Communities. Those departments have people on the ground to deliver services.

An Opposition member asked what action I have taken as Minister. I intend to inform the member about that. When we came to Government, there were only six offices outside of Brisbane that were responsible for delivering programs to the manufacturing and commerce sectors. There are now 13. The former Government had 12 people dedicated to those sectors outside the south-east corner of this State. That illustrates the former Government's lack of commitment to the manufacturing and commerce sectors and its lack of commitment to broadening the economy. I can inform members that over 25 per cent of my staff are now working in regional and rural Queensland. There are 13 regional offices delivering NIES and REDS programs.

Perhaps members opposite can enlighten me on the NIES program. In the lead-up to the last Federal election, members opposite withdrew their support for that program. Was that because they realised how important it is to growth in the economy?

**Dr Watson:** What have you done?

**Mr ELDER:** I take the interjection. I will inform the member of what this Government has done since 1989 in connection with NIES. Under the program delivered by the former Government, subsidies were provided to regional Queensland to the value of only \$398,000—an absolute pittance! At present, over \$2m worth of subsidies are delivered throughout Queensland, most of them in rural and regional areas. Do members opposite know

why? Have they worked it out? The increased level of subsidies is possible because this Government has established offices that can deliver services to rural and regional Queensland. That is the most significant difference between this Labor Government and the former Government.

Members opposite challenge us to examine our record. I proudly stand on the record of the Department of Business, Industry and Regional Development. It leaves the record of the previous Government for dead. When it comes to supporting industry, small towns and the people in rural and regional Queensland, there can be no comparison between the efforts of this Government and those of the former Government. Quite simply, the record is on the board. If members opposite had asked me more questions in this House instead of asking one in the 18 months that I have been Minister, perhaps I could have enlightened them about the activities of my department.

Perhaps I can enlighten members opposite about how the economy of this State has grown. The way the Opposition paints it, there is devastation west of the divide. I intend to refute those claims. This Government is delivering business advisory services and Future Search workshops to people in rural centres. Such activities were never undertaken by the National Party when it was in Government. Officers based in regional and rural Queensland are providing the same services to the people living in those areas as are provided to the people living in metropolitan areas. What did the National Party do when it was in Government? It attempted to service the whole of rural and regional Queensland via only six offices.

At the end of the day, our record in assisting the regional and rural sector will stand head and shoulders above that of the previous Government. That fact is emphasised in many of the latest reports on exports and—

Time expired.

**Mr LINGARD** (Beaudesert—Deputy Leader of the Opposition) (4.38 p.m.): It is incredible that the member who represents the seat of Manly has ministerial responsibility for regional development.

**Mr ELDER:** I rise to a point of order. I am the member for Capalaba, and I live in the Redland Shire.

**Mr DEPUTY SPEAKER:** Order! There is no point of order.

**Mr LINGARD:** That was a silly point of order. The member for Lytton has ministerial responsibility for rural areas. That is also a city seat. It is incredible that those Ministers have the

nerve to criticise members of the Opposition, who actually live in and represent rural areas.

It is with no small amount of astonishment that I rise to participate in the debate on this Matter of Special Public Importance, the subject of which is the Government's good record in the provision of services to rural and regional Queensland. Surely, that must be a joke! This Government does not have a good record in that regard. Everyone knows that the recent actions of this Government are a front. Recently, the Premier visited Monto but spoke to only two people. That exercise was designed not only to attempt to convince the people of rural Queensland that the Premier supports them but also to illustrate to city residents that he is out there representing rural Queensland.

This Government knows that all it needs is the support of south-east Queensland. That is where it aims all of its funding. There was no problem with providing money to develop South Bank. There was no problem with providing money to refurbish Lang Park and the Gabba. There is no problem with providing money to support the Indy car race. There was no problem with backing Compass. However, when it comes to rural Queensland, this Government has to pretend that it is really doing something to assist the people who live there. The Premier has to fly into Monto and speak to two people to try and show to the city people that this Government is out there representing rural Queensland. Unfortunately, the Government's record is a cruel joke and one that weighs heavily on people in rural communities across this State.

I will tell honourable members how interested the Government is in rural communities—not one iota. It is only when the Premier is embarrassed enough by his Government's poor record in regional areas that he travels out to those areas. One need only look at the Premier's directive to Ministers this week. He said, "I told Ministers that I wanted them to get their departments working on more submissions which will benefit regional and rural Queensland." That is what we see here today. That is what we see the member for Mansfield now trying to do. Government members are trying to show that they are doing things to benefit rural and regional Queensland.

Why is it that the Premier suddenly considers rural issues to be of primary importance? Why must it get to the stage at which the Premier feels compelled to order his Ministers to pay more attention to the genuine needs of rural people and to at least listen to what they are saying? The answer is that this Government has a pathetic record, a piteous,

woeful record in providing services to rural and provincial Queensland.

The *Courier-Mail* described the Premier's command to Ministers as a new approach. The Labor Party has been in Government for four years and the *Courier-Mail* says that it is now adopting a new approach. How astute! How accurate! Indeed, it is a totally new approach. It is an approach that has never before been attempted by this Government. It proves that rural Queensland has not been at the forefront of the minds of policy makers and service providers in this State since 1989. The sad truth is that rural Queensland has been missing out for years under the ALP Government. The Government has abused rural Queenslanders left, right and centre and treated them as second class citizens.

Every time the Government's meagre performance in rural and regional Queensland is highlighted, or quite rightly criticised, it throws up the paragon of its regionalisation policy as evidence of its commitment and its rigour in maintaining jobs and infrastructure in western and northern communities. Why then is the other paragon of the Goss Government, the Public Sector Management Commission, undertaking an urgent review of regionalisation in all Government departments? After all, if it is not broken, why fix it? The reason that it is broken, the reason that it is a bereft system, is that it was badly botched by the mismanagement of the Government to the point that any expected benefits are negated by poor delivery.

Honourable members should compare the much trumpeted regionalisation policy with the sinister spectre of rationalisation introduced by this Government. How many times have the people in remote areas of Queensland heard that loathsome phrase bandied about by Ministers and departments? However, it has never been heard in south-east Queensland. It means the haemorrhaging of rural communities. It means the breakdown of social infrastructure and vital services and it means an absolute dumping of the Government's community service obligations. When I delve into the deplorable record the Government is so keen to champion, I find a litany of broken promises, cutbacks and the user-pays impost. I find the raiding of community trust funds, the undercutting of vital subsidies, the withdrawal of fundamental services and the total and abject failure of the ALP to grasp even a basic understanding of the issues affecting rural and regional Queensland.

The rationalisation of many departmental services in western Queensland, which I might add are freely available in south-east

Queensland, has occurred at a staggering rate. When corners need to be cut, the first corners to be cut will always be in rural and regional Queensland. Under Labor, 600 jobs have been cut from the Department of Primary Industries—cut with an axe—and a further 200 will be cut in the near future. This includes 174 jobs in the agricultural branch of the DPI, many of which were stock inspectors and meat inspectors and other positions such as a biochemists, veterinarians, pathologists, agronomists, entomologists and horticulturalists. Over the past three years, the DPI has suffered a 20 per cent cut in its budget. Research grants have been greatly reduced and vital research stations have been closed throughout the State. Many of these facilities greatly supported and enhanced primary industries in this State. That just underlines the low priority the Government gives to the State's largest export industry.

Where is the export focus the Premier so often talks about? Where is the commitment of the responsible Minister and of the member for Lytton to rural and regional Queensland? This Government ridicules the people from rural areas. The story does not stop there. The Goss Government has perpetrated a list of assaults on provincial Queensland as long as my arm. There is the railway debacle—Hamill's threat to close railway lines and isolate countless communities, destroying delicate small town economies in the process. There is a real commitment to that threat. The sum of \$153m has been spent in successive budgets on dumping nearly 4 000 rail jobs in every provincial town.

What about that secret Cabinet document that surfaced in Townsville when Cabinet dumped these people and then stated that there had been no union or other industrial repercussions? Well, there have been no repercussions simply because these 3 000 to 4 000 workers received massive payouts. The Government has pushed up freight rates and it has shoved costs onto a rural community that has suffered the crippling effects of drought and the debilitating debt crisis forced onto them by this Government's mate, Keating, through the policy of high interest rates in the 1980s.

The Goss Government has increased land rents by several hundred per cent by fiddling with land categories and shoving up valuations. The Minister for Lands said, "If the farmers can't cope, they shouldn't be farming." The list goes on, with substantial cuts in health; a shortage of specialists in country hospitals; cuts of \$256,000 to the Royal Flying Doctor Service; hospital ward closures in Maryborough, Rockhampton, Bundaberg and Cairns; a lack of relief doctors in rural areas; a shortfall of 120 rural doctors, and

cutbacks in nursing staff. What is the Goss Government doing about it? I will tell honourable members what it is doing—it is loading up the health service with fat cat paper shufflers.

If ever George Orwell's novel, *Animal Farm*, was meant to point to any Government, it is definitely this Government. Exactly what George Orwell said would happen to the socialist regimes of Russia is happening here. The pigs have taken over and they have become the people in charge of the bureaucrats. Meanwhile, poor old Major the horse is out there ploughing the fields. The pigs want more money and they say, "Plough the fields, Major", and poor old Major—that is, the rural areas—continues to do more work for a lesser return. Police and fire services have been suffering political cutbacks. There has been a dwindling police presence on weekends in country areas. Country fire services have been downgraded.

Time expired.

**Mr DEPUTY SPEAKER** (Mr Palaszczuk): Order! The time for this debate has now expired.

#### **MEDICARE PRINCIPLES AND COMMITMENTS ADOPTION BILL**

**Hon. K. W. HAYWARD** (Kallangur—Minister for Health) (4.48 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to adopt the Medicare principles and commitments specified in section 26(2) of the Health Insurance Act 1973 (Cwlth) and for another purpose."

Motion agreed to.

#### **First Reading**

Bill and Explanatory Notes presented and Bill, on motion of Mr Hayward, read a first time.

#### **Second Reading**

**Hon. K. W. HAYWARD** (Kallangur—Minister for Health) (4.49 p.m.): I move—

"That the Bill be now read a second time."

The purpose of this Bill is to adopt in legislation the Medicare principles and commitments that govern the delivery of public hospital services in Queensland. The Bill has its origins in the new Medicare Agreement between the Commonwealth and Queensland Governments. The agreement was signed in February 1993 and covers the five-year period 1993 to 1998.

The Medicare Agreement secures a reciprocal relationship between Commonwealth and State to ensure public access to public hospital services and other health services, and to promote reforms designed to make the health system more effective and efficient.

Queensland accepts responsibility for delivery of public hospital services within policy parameters agreed upon in consultation with the Commonwealth, and in return the Commonwealth pledges minimum levels of financial assistance and to undertake a national coordinating role.

There is no doubt that the Medicare Agreement provides the foundation of one of the best hospital systems in the world, of which all Queenslanders and all Australians can be justifiably proud. Queensland has a proud tradition of providing free public hospital care, and this legislation will be the safeguard for protecting and enhancing that system which has served the people of Queensland well for half a century.

The Medicare Agreement sets out policies, programs and objectives with respect to a wide range of hospital and related services, such as mental health, day surgery, and post acute and palliative care. These policies, programs and objectives reflect the fundamental planks of social justice which include choice, access and equity. The commitment to social justice is explicitly and publicly underwritten by the Medicare Principles and Commitments, which demonstrate how choice, access and equity govern the delivery of hospital services. In enshrining the principles and commitments in legislation, we are achieving two objectives. Firstly, we are making a public declaration for all to see of our commitment to social justice in the delivery of hospital services.

No members of the public need be in any doubt about where they stand with respect to their rights and entitlements as hospital patients, and need be in no doubt about where Queensland stands regarding its responsibilities in delivering those hospital services. The Government is taking this conscious step to bring these principles and commitments into public view and, through adopting them in legislation, keeping them in the public arena for the benefit of both consumers and providers of hospital services.

Secondly, we are honouring an undertaking within the Medicare Agreement itself that we would adopt the principles and commitments in legislation. Other States have also seen the worth of this course of action and are in the process of passing similar legislation.

The State legislation complements the Commonwealth's Medicare Agreements Act 1992 in which the Commonwealth sets out its underwriting of the same principles and commitments as in this Bill before the House.

The principles and accompanying Explanatory Notes make a clear set of statements about what are the rights and entitlements of a public hospital patient. They clear away any confusion that people may have about how factors such as private insurance status affect their rights in public hospitals. While the principles focus on the provision of public hospital services, I want to emphasise that they operate in a health environment where persons have the right to choose private health care in public or private hospitals supported by private health insurance. These principles and commitments in no way infringe or curtail the rights of the private patient; to the contrary, they guarantee them.

Principle One states that eligible persons must be given the choice to receive public hospital services free of charge as public patients. Access to free public hospital care is guaranteed for everyone. This includes a privately insured person who may elect to be treated as a public patient, if he or she so wishes, and receive all necessary services free of charge. Principle Two states that access to public hospital services is to be on the basis of clinical need. This reassures public patients, for example, that they will not be queue jumped by privately insured patients without valid and demonstrable clinical need.

Principle Three states that, to the maximum extent possible, the State will ensure the provision of public hospital services equitably to all eligible persons, regardless of their geographical location. We must not allow a second-rate service to develop for those living in rural and remote areas of our State. If it is the case that the service required is not available locally, we will help get the patient to where it is available.

In addition to these three principles, there are two commitments which the State makes in this Bill. Commitment One states that the Commonwealth and the State must make available information on the public hospital services eligible persons can expect to receive as public patients. This will take the form of a Public Patients' Hospital Charter, which will set out the public hospital services available to public patients. The charter, which is currently being developed, will express the information clearly and simply and will be printed in a number of different languages. When the charter is finished, every patient entering a Queensland

public hospital will receive a copy. For the first time, patients entering our hospitals will have clear information about public hospital services.

Commitment Two states that the Commonwealth and the State are committed to making improvements in the efficiency, effectiveness and quality of hospital service delivery. Improvements include such reforms as case mix funding of hospitals, better management of waiting lists or times, quality assurance mechanisms and other service delivery reforms. I am very happy to say that Queensland has been very actively pursuing these reforms for some time now and is beginning to reap both clinical rewards, in terms of better patient management, and financial rewards in terms of more efficient and effective delivery of services.

The Medicare Principles and Commitments Adoption Bill makes explicit and public for all public hospital service consumers and providers Queensland's support for social justice in delivery of public hospital services. The adoption of these principles and commitments will enshrine in legislation the basic practices which have underpinned the provision of public hospital care in Queensland under the Medicare Agreement. Queensland's signing of the Medicare Agreement last year was an uncompromising declaration of the Goss Government's commitment to free health care for all people, whatever their financial resources. Queensland is committed to the principles of Medicare because they provide a guarantee of quality health care for all people who need it, not just those who can afford it. I commend the Bill to the House.

Debate, on motion of Mr Horan, adjourned.

## **MOTOR ACCIDENT INSURANCE BILL**

### **Second Reading**

Debate resumed from 16 February (see p. 6904).

**Mrs SHELDON** (Caloundra—Leader of the Liberal Party) (4.56 p.m.): I will admit that I do not have a great deal of faith and trust in this Government and the legislation it introduces. We have seen time and time again that this legislation is too often regressive, places a new tax or charge burden on the private sector and/or sets up a new and unnecessary bureaucracy. But, upon first looking at the Motor Accident Insurance Bill 1994, I thought: well, what can be so wrong with providing better third-party personal insurance in Queensland? It just goes to show that one cannot trust first impressions.

As difficult to believe as it may be, even in the handling of motor accident insurance this Government just cannot help itself. It is the bane of every Queensland business that Labor in this State just cannot keep its hands out of the private sector pie. The old adage of "If it isn't broken, don't fix it" has never applied to the Labor Government in Queensland. Consequently, it has managed to make an absolute mess of things such as Education, Health, the Queensland Ambulance Service and even the building industry through over-regulation and its insatiable greed to get its hands on any money it can. And now we see this in the Motor Accident Insurance Bill.

The Government could have just brought in a Bill which achieved what the Treasurer stated in his second reading speech, that is—

"Its object is to provide meaningful protection to Queensland motor vehicle owners, drivers and persons injured through motor vehicle accidents where liability exists."

Would it not be wonderful if that was really what this Bill was all about? But, unfortunately, that statement by the Treasurer does not tell the whole story.

**Mr De Lacy:** Have you found something, have you? Have you found something tricky?

**Mrs SHELDON:** I have certainly found what the Treasurer is about, and that is defrauding the people of this State. What this Bill is about, unfortunately, is setting up yet another bureaucracy—yet another quango with jobs for the boys on the board and more public servants to push out the ever-expanding service.

This Bill establishes the Motor Accident Insurance Commission. The commissioner is to be appointed under the Public Service Management and Employment Act 1988. The functions of the commission are principally to supervise; to establish and revise prudential standards; to monitor the management of claims—to ensure speedy settlement; to recommend premium levels—for the Minister to set; to monitor rehabilitation services; to fund rehabilitation services—with a new levy; to fund research, development and advertising—again, with a new levy; and to fund, if possible, vehicle inspections, safe driving courses, training in first aid and combat fraud—all funded by new levies. All these sound like worthy causes, but the fact is that most of them are already covered under existing Acts or by departments such as the Transport Department.

Why is it necessary for the training of drivers, including the provision of defensive driving courses, to be taken away from Transport

and put within the provisions of this Bill? Why is it necessary for the provision, maintenance and support of infrastructure necessary to reduce the incidence of motor vehicle accidents and minimise the result to come under the provisions of this Bill? The cost of adequately providing the above infrastructure will be substantial and, rightly, will be administered by the Minister for Transport. Obviously, to cope with this increase in cost, Queenslanders are going to pay higher fees for the privilege of driving their cars. This Bill seems to be just another revenue-raiser for the State Labor Government—a back-door petrol tax to help fund many of the activities previously covered by other departments and other agencies.

But that is not all. This Bill sets out more new directions. An advisory committee will be established by the Minister, to be controlled by the Minister, with the terms and conditions of the committee members to be determined by the Minister. Surprise, surprise!

The new levies to be established include the statutory insurance scheme levy; the hospital and ambulance levy; the nominal defendant levy; and the administration fee. The commission recommends the amount of the levy and the amount of the premium. Neither have been set out in this Bill, which leaves the insurance industry wondering just how much of the current \$166 third-party personal insurance premium will be soaked up by these new levies to help pay—

**Mr De Lacy:** They know.

**Mrs SHELDON:** People involved in the insurance industry maintain that they do not know. I have been speaking to them as late as today. I wonder when the Treasurer was speaking to them. The insurance industry is wondering how much of the premium will be soaked up by these new levies to pay for all these unnecessary additions to legislation which was working quite well.

The actual new development in this Bill is the provision of expanded and upgraded directions on the rehabilitation of patients. I will speak further on this later, but it seems incredible to me that this Government feels the need to establish an entirely new quango, with a board of directors, and produce a 76-page Bill in order to improve the third-party insurance arrangements for rehabilitation. The original legislation was amended as recently as 1988, and I see no reason why it could not have been amended further in this case to take into account the rehabilitation changes.

However, before I go further, I must speak on the most worrying aspect of this Bill, which is

that it enables the creation of serious financial problems for this Government. The Bill states that the Government will set the premiums, as it has done in the past, but it also refuses to guard against the actuarial advice on premiums and levies by the Insurance Commissioner and the industry being set aside by Ministers. That is right. The Minister can decide to go it alone and set any premium that he or she wants. No doubt some of the members opposite will say, "What's wrong with that?" Well, I will tell them what is wrong with it.

Back in the 1970s, in the lead-up to an election, a former Labor Premier of New South Wales, "Nifty" Neville Wran, decided that every motorist in New South Wales needed a pre-election sweetener. So, to help them along, he announced a cut in the compulsory third-party personal insurance premiums by \$9. That does not sound like a great deal of money, and no doubt it made for a good press release and photo opportunity during the election campaign. Unfortunately, by the time Nick Greiner had won office in New South Wales, the New South Wales Government Insurance Office had an unfunded debt of \$2 billion in its compulsory third-party premium fund. That is right—\$2 billion. That is a debt which is still being repaid by New South Wales motorists by way of levies on their premiums of up to \$40 each. That has happened. It is a fact. And it happened under a State Labor Government.

Now, knowing the Queensland Premier's penchant for photo opportunities, and both the Premier's and the Treasurer's willingness—as we saw in the last election—to dump little gems like Budgets and tobacco taxes at the beginning of an election campaign, I for one would not feel safe giving the Queensland Labor Government that sort of power. I know it is a feeling that is mirrored by the insurance industry itself, which fears a return to what happened under Wran's Labor Government in New South Wales. Those fears are justified. This State Labor Government has shown that, when it is in election mode, no move is too cynical, no revenue-raising method is too low for it to stoop to. We have a Premier who walks around professing to be worried about the potential debt problems associated with owning Suncorp, yet he is presiding over a Government that has introduced this piece of legislation which has the potential to destroy the Queensland Government's once healthy bank balance.

This Government has not hesitated to raid every hollow log or trust fund that it could find to provide more money so that it can buy electorates and cling onto Government, and I have no doubt that, given half a chance, the

Premier and Treasurer would do it again. Although this Bill states that the amount of the levies must be sufficient to cover the expected outgoings and any shortfall from past years, there is no requirement for the premium to cover actual outgoings, so it is possible that the Government could corrupt the system for political advantage.

However, just when one thinks that it could not get any worse, one comes to clause 29 of the Motor Accident Insurance Bill. This gives the Treasurer carte blanche to raid yet another hollow log, the Nominal Defendant Fund, which he has been waiting to get his grimy little fingers on for quite some time. I see that the Treasurer is smiling. He recognises that as a fact. He wants to grab yet more funds to prop up his over-spending programs.

According to the 1992-93 annual report, there was a total of \$124.3m in this fund at the end of the last financial year. Of that, \$22m was surplus to the fund at the end of the financial year, with \$102m set aside to meet claims on the fund. Under the Motor Accident Insurance Bill, the Treasurer can do what he likes with that \$22m surplus. I will give honourable members one guess as to what he will do.

Clause 29, subclause (5), states—

"The Nominal Defendant may invest amounts not immediately required for the purposes of the fund as the Treasurer may approve."

So there we have it—another open door for the Treasurer to rip off yet another fund!

**Mr De Lacy:** We've got a surplus.

**Mrs SHELDON:** The surplus in the fund was surely meant to act as a buffer. Even if the Government knows that \$102m will be set aside to meet claims, it has no knowledge of whether those claims are going to be greater or less than that amount. Unless that buffer is there, if the amount of claims exceeds that sum, then there is a deficit. That is what happened to this Government's mates in the other Labor States.

**Mr De Lacy** interjected.

**Mrs SHELDON:** The Treasurer is going to be different, is he? He has included provisions in the Bill to enable him to do it, and that is a fact. I know—and I think most people involved in the insurance industry and the business community at large know—just what will happen to that money. It will be sucked into consolidated revenue, just like the money from every other trust fund and hollow log, and swallowed up in this Treasurer's big-spending bureaucratic blow-out. It is \$22m this year. Who knows what will happen in the future. Will we see an amendment

to this Bill in the near future that will allow the Treasurer to start hitting the Nominal Defendant Fund even harder, taking out money that has been set aside to meet claims?

As I said earlier, the fact is that we have seen this happen before under Labor. We have seen it in Victoria; we have seen it in South Australia; and I have already told honourable members what "Nifty" Neville Wran did in New South Wales.

**Mr De Lacy** interjected.

**Mrs SHELDON:** Is the Treasurer denying that this happened in those southern States?

**Mr De Lacy:** No, just let me explain it to you. The actuary ensures that there are sufficient reserves in the fund to meet liabilities.

**Mrs SHELDON:** No, he cannot. That is why the Treasurer will not deny it. This is how the rot starts under State Labor Governments, and now we are seeing it at its most blatant.

**An honourable member** interjected.

**Mrs SHELDON:** I can assure the honourable member that the voters did know, and they voted the Labor mob straight out the door. The voters of this State will do that, too. But, unfortunately, by the time they realise it, Labor will have wrecked the economy.

I urge the Treasurer to prove that he is not as bad as other Labor Treasurers and scrap this provision from the Bill. If the Government is awash with funds, as the Treasurer keeps telling us, I urge him to prove it by leaving the Nominal Defendant Fund unscathed. Quite frankly, I urge him to keep his greedy hands off that fund and all similar trust funds so that the Queensland taxpayer is not left carrying the burden of unfunded trusts in the same way as the Victorian and South Australian taxpayers.

**Mr De Lacy:** The officials have just said that they're impressed with the sophistication of this argument.

**Mrs SHELDON:** It just shows that, unlike the Treasurer, the officials know a good argument when they hear one. Having broached two of the main and extremely serious flaws with this piece of legislation, I will now move on to some of the other problems that will arise as a result of it.

The Bill indicates that levies and fees are to be paid only by the private sector. What a surprise! These levies will be taken out of the existing \$166 compulsory third-party insurance fee, which will mean that once the Bill becomes law the fund will immediately be underfunded.

Commonwealth Government cars are self-insured. Under this Bill, if a person driving a

Government car causes an injury to someone, it will be covered by this legislation. However, since the levies are contributed by the private sector insurance companies, it means that the private sector will be paying for the Government's accident, and that will inevitably lead to pressure on premiums to rise.

It is worse that the State Labor Government is also moving towards self-insurance and last year allowed many of its insurance premiums to expire in order to save money. The Treasurer knows that he did that. That means that the private sector and every private motorist, through their compulsory third-party insurance, could soon be footing the bill for the Government. The Treasurer must admit that this is another blatant attempt by the State Government to siphon off more of its financial burden to the private sector. I can assure the Treasurer that the Opposition and many people in the private sector are watching this closely.

The reliance on the Nominal Defendant for Government insurance is a corruption of its function. It was established to ensure that an innocent party was not unduly disadvantaged in the event of an accident with the driver of an uninsured vehicle. It was not set up to allow the Government to cop out of its responsibilities. It does not stop there. Under this Bill, the Nominal Defendant Fund will also be used to pay for the administration of this Act which, no doubt, will be considerable when this entirely new bureaucracy is created. It is another example of waste under this Government, and another example of bureaucratic blow-out.

The insurance industry, with good reason, also has extreme doubts about the notification times contained in this Bill. Under this Bill, someone wishing to make a complaint must notify an insurer within one month of the accident. That means that the injured party would have to move pretty fast to get the claim lodged at a time when he or she is probably more concerned about his or her physical wellbeing than filling in the forms.

**Mr De Lacy:** Not lodge the claim. You never read the Bill. Not lodge the claim.

**Mrs SHELDON:** Is the Treasurer telling me that they do not have to notify?

**Mr De Lacy:** You just said "lodge the claim". I said they don't have to lodge the claim, which you have just said.

**Mrs SHELDON:** They have to notify at that stage. As the Treasurer knows, they have to have some concept of the likely outcome of the quantum of that claim, and that is absolutely impossible to know. Any claim must be lodged within nine months after the accident, or the date

that the injury first became apparent. If the offending vehicle cannot be identified, the claim must be lodged within three months—am I not right—as the claim will be against the Nominal Defendant. If the claim against the Nominal Defendant is not lodged within nine months, then the claim is barred. I know that the RACQ, which looks after the interests of many motorists in Brisbane, is considerably concerned about this matter.

**Mr De Lacy:** That is only in respect of an unidentified vehicle, not an uninsured vehicle.

**Mrs SHELDON:** The fact of the matter is that the injured person has no idea within a three-month period how much the quantum of that claim is likely to be. That is a fact, and if the Treasurer spoke to any medical health professional who has treated people—and I have treated many personal injury cases—he would know.

**Mr De Lacy:** I suppose you know it's only six months in New South Wales.

**Mrs SHELDON:** My interest is in the people of Queensland. The Treasurer's is not. When he endeavours to pass the buck, his main concern is to say what is happening in other States of Australia. To him, that should not be of great interest. Surely, his interest is to look after the people of this State. He is not looking after the people of this State by saying that that claim has to be lodged within three months because, if the Treasurer is going to have any so-called social justice for these people, the quantum of that claim could not be identified within three months. I do know about this problem. As I have said, I have treated many injuries that cannot be ascertained within this time frame. There is no doubt that the existing time lag between the accident and the finalisation of insurance claims is too long. However, the Treasurer must be reasonable and set a time limit that will allow the injured person to realise fully the extent of his or her injuries. Otherwise, the claim may not adequately take into consideration the extent and final ramification of the injury and the emotional, physical and financial outcome for the injured person. Those are very important points. Although the Treasurer is having a chat to his mate Len, I think that he should have considerable concern about the ramifications of the injury and the emotional, physical and financial outcome for the injured person. I am surprised that the Treasurer is not interested in that.

Another area of concern centres on the obligation to provide rehabilitation services. Workers' compensation is already established. As the Treasurer knows, it provides major

rehabilitation and compensation services for people in this State. Normally, people who are injured while driving to or from work, or who are injured in a motor vehicle accident during work, would be able to claim under the Workers Compensation Act. However, as I understand it, workers' compensation will not be involved if a claim can be made under any other form of insurance. Hence, the costs that will have to be met under this Bill will be enormous. If the Treasurer had a different opinion on this aspect, I would certainly like to hear it now, or in his reply.

**Mr De Lacy:** I can tell you now.

**Mrs SHELDON:** Is the Treasurer going to say that this will not apply, that workers' compensation, on its normal claims—and the Treasurer has seen them—will not pay any compensation—

**Mr De Lacy:** If it is to and from work, yes, it will be covered, and where the actuary has done an assessment of how much it will cost and it has been incorporated in the premium.

**Mrs SHELDON:** But these costs are quite horrific. If the Treasurer is going to then talk about rehabilitation of these people, at the moment that is the major cost for the Workers Compensation Board. It has this great edifice in South Brisbane. I add that the board does a very good job. However, it does so at considerable cost. Why the Treasurer is interested in reproducing this aspect and placing it in this Bill is quite a mystery to me. It works well where it is. It has been established for many years. It has been reviewed, and that process is working well. Yet, under this Bill the Treasurer is going to put this enormous burden upon it. I cannot understand the rationale behind that. The cost involved will be quite extraordinary.

The insurance industry certainly has a point, as its representative stated in the media this week when it was said that this Bill demands that the insurer give the claimant a written estimate of the cost of rehabilitation and the extent to which the assessment of damages might be affected by that rehabilitation. How is the insurer to work that out? It is an impossibility. I might add that, at the end of the day, the person who is going to miss out will be the person who has been injured, not the insurance council.

**Mr De Lacy:** We didn't expect you would support rehabilitation.

**Mrs SHELDON:** What an absolutely facile statement. That is even beneath the Treasurer's usual low level of debate. The fact of the matter is that I have been involved in rehabilitating many more people than the Treasurer ever will, and I know that if justice is going to be done to a person, that person must have adequate time in

which to see the final results of that injury and to know the effect that it is going to have on his or her ability to earn an income and his or her ability to maintain emotional stability—family, relationships and situations. The Treasurer is virtually saying that that is not important. I think that it is vitally important. As I said before, the provisions which existed in the previous Act were too long. Too long a period was contained in that Act, and I think that the whole situation was allowed to become blurred. However, this Bill goes to the other extreme. By this Bill, the Treasurer is not looking after the injured person.

As I have just explained to the Treasurer, both the RACQ and the Australian Insurance Council have stated that it would be almost impossible to provide accurate estimates of how rehabilitation might affect the claims. I wonder if the Treasurer has really spoken to people who have been involved in rehabilitation. I bet he has not. All he is interested in is the bottom line—the dollar that he can receive. In fact, this Bill could open the door to an entirely new area of legal action as insurance companies that have been forced into making inaccurate estimates on rehabilitation are sued when those estimates are proved wrong. That is a fact. This Bill has created a whole new grey area and an unholy mess awaits the insurance industry in relation to rehabilitation when this Bill becomes law.

That brings me to another problem with this Bill: the legal side of it. I know that the Premier is a lawyer, so he probably does not mind, but this Bill means that it will be almost impossible to decide a claim under compulsory third-party insurance without bringing in lawyers. It is a very adversarial Bill. Surely, that is what we are trying to stop in this State. We should be trying to stop the costs involved. Under the current law, lawyers are not required in many cases. This Bill will put an end to that. It also seems to remove the protection afforded to Queenslanders hurt in other States—and I point that out to the Treasurer—by the Nominal Defendant Fund. That coverage was provided by the 1988 amendment. The Treasurer might like to comment on that at a later stage. Is that the case? Would the Treasurer like to address that matter during the Committee stage? Obviously he does not want to debate it now.

In closing, I would like to reiterate my serious concerns about certain provisions of this Bill. Those concerns stem from the serious deficiencies in this Bill that may, and probably will, have a serious impact on the coffers of the Queensland Treasury under Labor. I would like to say that there was one aspect that I did not cover, and which I wish to cover: I thought that the establishment and revising of prudential

standards, which licensed insurance must supply, was a quite a reasonable concept. It is most unfortunate that the Government has allowed all of this other business to blur what could have been good concepts.

Unfortunately, this Government is giving the Treasurer a free rein over where tens of millions of dollars contributed by the motorists of Queensland will go. The fact that the money is put in trust to cover fund liabilities is really frightening. It is frightening because this Bill seemed to prove that this Labor Government has learnt nothing from the financial disasters of its Labor cousins in the south and west, the people to which it likes to refer. It is frightening because this Treasurer has already raided as many hollow logs and trust funds as he can get his hands on. He is now extending his reach into areas which were previously blocked. We saw the look of sheer joy on his face when he realised that he could get his hands on the Nominal Defendant Fund. It is frightening because it is also totally unnecessary. This Bill is largely unnecessary.

The few good reasons for the change of the existing Act could have been justified by amending it. The fact is that this Bill is about three things. It is about building a new bureaucracy, to cater particularly for the transport and rehabilitation aspects of this Bill, which will naturally blow out. It will see the formation of a new quango and a new board, which will be capable of being stacked with Labor and union mates. It is about giving the Government a free rein to change premiums for compulsory third-party personal insurance as a political ploy, and to sink Queensland into massive debt like the Government's Labor mate Neville Wran did a few years ago. It is about giving the Treasurer the ability to get his greedy hands on tens of millions of dollars of trust funds under the Nominal Defendant Fund, and to suck that money into consolidated revenue. This could leave the fund under-funded now and in the future. Certainly, as I said, it echoes similar disasters in other States.

The coalition does not support this Bill for the very justifiable reasons that I have set out. Correct thinking members of the Government should not support it, either.

**Mr D'ARCY** (Woodridge) (5.22 p.m.): I have to say that the contribution of the member for Caloundra was disappointing. It quite obviously showed that she does not understand, or has not undertaken, the consultative process that this Bill has been through. It has been a long and arduous process for the Bill to reach this stage. It will certainly improve the administration of compulsory third

party for the people of Queensland, and I will outline some of my reasons for saying so.

I do not think that the hypothetical points made by the deputy leader of the coalition were serious. She disregarded all of the serious and important facets that will make the people of Queensland better off with the administration of this Bill. The third-party insurance system has not been working well. There has been a long, arduous consultative process with the Minister's department. That will be to the benefit of the people of Queensland. Under the present legislation, there is little opportunity for the Government to monitor the compulsory third-party scheme and, in doing so, to ensure that each individual insurer has the capacity to meet the long tail liabilities that are a feature of the insurance business.

In the 1960s, several insurers went into liquidation, leaving the Government to enact legislation for the specific purpose of making funds available through the Nominal Defendant for claims from injured parties against those insurers. This Bill establishes a regulatory body to oversee the third-party insurance scheme to ensure, as much as possible, that the insurers involved have the capacity to deliver benefits years into the future. All costs associated with the proposed scheme have been subject to an independent actuarial analysis.

The levies that the honourable member opposite mentioned are designed to meet the cost of management, as well as the funding of the Nominal Defendant scheme and costs associated with public hospital and ambulance services relating to third-party insurance and damages action. It will help meet the administrative costs incurred by the Department of Transport in the collection of premiums and other aspects associated with the conduct of the system. The Bill establishes the Motor Accident Insurance Commission, and introduces a levy on compulsory third-party premiums to cover the cost of its operation. The levy, a statutory insurance scheme levy, has been set at 0.75 per cent and should attract an estimated \$2.4m per annum.

The commission will have the responsibility to establish and maintain a computer register of claims and statistical reporting facilities, which will be on the basis of benchmarking the performance of insurers in respect to the objectives of the legislation. Additionally, the claim database, through cross-matching data of persons having an involvement with claims—for example, claimants, insurers and witnesses—will assist in the prevention and detection of fraudulent activity. The levy is designed to provide funds for research and educational

initiatives, particularly with increased emphasis on the rehabilitation of injured parties. Some funds will be utilised to research and develop appropriate rehabilitation initiatives. This is something that has not been done in the past. The levy was originally proposed at 1 per cent but, following negotiation with the Motor Accident Authority of New South Wales, ongoing cost savings can be made through the opportunity of the low cost purchase of computer software and the sharing of computer facilities.

The public hospital and ambulance services, under the current legislation, are entitled to recover costs associated with the treatment of injured persons where a third-party claim is pursued. However, the first problem encountered by these organisations is identifying possible claims. Substantial administrative activity is associated with making individual claims against insurers. No money is paid by the insurer to the hospital and ambulance service until agreement is reached. Honourable members should realise that the average time taken to settle a claim is 4.5 years. In some instances, the hospital services waited up to 10 years for payment. This Bill will alleviate this with a levy, which will permit the commission to process funds immediately for the public hospitals and ambulance services for the costs incurred in treating injured persons who make third-party insurance claims. The benefit to the hospital and ambulance services is that these block payments will occur in the year of the accident and not ten years afterwards. The public hospital and ambulance services will be entitled to recover funds expended treating victims of accidents that occurred prior to the introduction of this new legislation. However, based on a 2.1 per cent levy, the income to the hospital and ambulance services equates to about \$6.7m per annum.

Independent actuarial analysis has indicated that the levy is cost neutral to the insurer. A lot of these things were obviously overlooked by the member for Caloundra. Future settling of levies will reflect actual usage of each service by motor vehicle accident victims. Private hospital operations are not involved in the levy arrangement. The Nominal Defendant role is virtually the same as that of the CTP insurer, except that it protects the position of persons injured as a consequence of uninsured or unidentified vehicles. Under current legislation, a charge of \$3 is levied on each vehicle registration, and that has been at that level for about 16 years.

In more recent times, large claims settlements and the increased incidence of

claims have resulted in an underwriting loss for the fund. Investment income has ensured that the scheme remains fully funded. In the years 1992-93, the Nominal Defendant Fund expended \$9.7m in claims. However, actuarial analysis indicates that a premium increase is necessary. The levy, based on a percentage of premium, as opposed to a flat rate, is the preferred method of premium collection and allows for minor adjustments in premium rate reviews. This levy also conforms with the general methods adopted for other levies under the scheme. The Nominal Defendant has a role in that, under the proposed legislation, it will be required to meet the cost of claims where the insurer becomes insolvent. While the risk is substantially minimised under the proposed legislation because of the prudential supervision undertaken by the Motor Accident Insurance Commission, it is nonetheless an included safeguard, giving the community greater security. Again, this was something overlooked by the member for Caloundra.

Under the current arrangements, the Queensland Department of Transport receives a 2 per cent payment of renewal business which is designated to reimburse the department for its costs in regard to the collection and disbursement of compulsory third-party insurance premiums. The Queensland Department of Transport, under the proposed legislation, will have expanded responsibility that includes the obligations to licensed insurers to provide statistical information and prompt payment of premiums. It will also be required to produce detailed information for individual insurers to assist in the conduct and planning of insurer's third-party commitments. The department will be analysing and producing regular statistical information to enable the Motor Accident Insurance Commission to monitor closely the development of, and movement in, compulsory third-party business.

Under the proposed legislation, the consumer will have greater choice in compulsory third-party insurers and the Department of Transport will be providing broader customer services to facilitate any increased demands. The calculation of the fee payable to the Queensland Department of Transport will alter from the present 2 per cent of renewal business to a levy of 1.85 per cent on all business. This will equate to an estimated total payment of \$5.9m, which is an effective increase of approximately \$400,000.

In 1988, the Government introduced amendments to the Motor Vehicles Insurance Act 1936-1979 to address an imbalance where CTP insurers were meeting the cost of damages

actions for certain workplace accidents. However, the amendments went too far and resulted in the Workers Compensation Fund having to meet the cost of some damages claims involving motor vehicles in motion. The Bill addresses this issue by making accidents involving travelling to be the responsibility of the CTP insurer. In effect, middle ground is achieved but it will have a marginal effect on the third-party claims costs. An appropriate allowance has been made in premium calculations for the transfer of this liability.

There have been some recent landmark decisions of the High Court that impact on all personal injury insurance. The insurance industry, as do some areas of the legal profession, holds particular concerns as to the financial ramifications of the decision in *Van Gervan v. Fenton*. The decision means that in future the gratuitous care component of damages awards will be calculated at commercial rates. There are diverse opinions as to whether the Government should legislate to limit awards, and the Attorney-General is currently considering the issue and the likely impact on awards. This decision, together with the impact of another case, *Stevens v. Head*, was fully evaluated in the actuarial analysis, and while additional allowance was made in the premium structure, there is no need for any premium increase.

The increased marketing being undertaken by insurers will, in all probability, increase acquisition costs for insurers. Commission levels, whilst providing for a renewal commission, have been restricted to 2 per cent on new registrations and 1 per cent on transfer of CTP business. Under the existing scheme, 5 per cent is allowed on new business, but this has been loosely interpreted to include transfer of business.

Third-party insurance is compulsory, it has a fixed premium and set cover and it is not appropriate that the scheme should attract commission rates that result in increased costs to the Queensland motorist. Even with the imposed restrictions on commission, higher acquisition costs are anticipated under the scheme and were subject to close examination in the actuarial analysis. The determined levels make allowance for the increased transfer of business, and it is estimated that the commission costs for the new scheme will be similar to those under the existing scheme.

The introduction of the statutory insurance scheme levy, together with the increase in Nominal Defendant fee and Queensland Department of Transport administration fee, will decrease the insurers' proportion of premium.

However, all levies and initiatives of the proposed Bill have been subject to independent actuarial analysis by the preferred consultant of the Insurance Council of Australia. The outcome of the analysis—and obviously the member for Caloundra overlooked this fact—was that the premiums remain adequate for all the features of the new scheme.

The development of the Bill has been subject to extensive consultation and the financial aspects actuarially examined. The Bill brings additional benefits to the injured persons and, through the prudential supervision, provides greater protection for the paying Queensland motor vehicle owner and those injured in accidents.

It is important that, to remain financially viable, actuarially based schemes such as compulsory third party require premiums to be set that are appropriate for the risk. To ensure that this is achieved under future Governments, the Bill contains a provision that, if a premium rate or levy adopted differs from that recommended by the commission, the Minister may lay before the Legislative Assembly a report setting out in detail the reasons for the difference. This belies most of the claims made by the member for Caloundra, who saw reds under the beds.

I was disappointed in the contribution to this debate by the Opposition. This Bill has all the hallmarks of improved conditions for Queenslanders in various areas of compulsory third-party insurance. Some of my colleagues will be dealing with those other positive aspects of this legislation. I support the Bill.

**Mr BEANLAND** (Indooroopilly) (5.35 p.m.): The transfer of compulsory third-party business is one aspect that I want to address in my contribution to this debate. For some time, a number of insurance companies have been interested in writing third-party insurance in this State. However, to this date, for various reasons, they have failed to do so. One of the reasons behind the failure to take up that opportunity was that the companies concerned were waiting to see the form of this legislation and the process that they would have to follow. I look forward to that process being put in place. In his reply to this debate, the Minister might provide some details of that process.

Mr Deputy Speaker, I am sure you will recall that, in the past, the compulsory third-party insurance forms were sent out with registration notices. In the past, there was a tick-a-box system which, for all sorts of reasons, never really got off the ground. I believe that a court case contributed to the failure of that system. I am very interested in the procedure that will be followed. In common with many other people, I

want to choose who will provide my compulsory third-party insurance. I am curious about how people will be notified that they have a choice. The Minister, Mr Deputy Speaker and I may be aware that we have a choice, but the majority of Queenslanders will not know unless they are notified via their registration renewal.

**Mr De Lacy:** They will. It's on the back. The details of registration is on the back of the renewal notice.

**Mr BEANLAND:** I accept that, but I presume that people will be made well aware that they can choose which company will provide their compulsory third-party insurance.

**Mr De Lacy:** Exactly.

**Mr BEANLAND:** I accept the assurance of the Treasurer, and I thank him for clarifying that point. It is all very well passing this legislation, but it must be followed up to ensure that people are aware that they have the ability to choose of their own free will.

The legislation establishes the Motor Accident Insurance Commission. I question whether that is necessary. In common with all such commissions, no doubt this one will create red tape and become a bureaucratic monster. No doubt exists that guidelines must be established in relation to compulsory third-party insurers, because there have been problems in the past. A mechanism should be put in place to monitor the performance of the insurance companies. However, I question the need to establish the Motor Accident Insurance Commission. As outlined in this legislation, the commission has considerable powers.

The Treasurer might be able to allay our fears by claiming that the commission will have only a small staff and that it will not be a large operation. However, whether Mr De Lacy or someone else is Treasurer, bodies such as the proposed commission tend to grow and feed on themselves. I am concerned about that occurrence, because it could lead to a blow-out in premiums. Although that body will aim to protect the interests of all Queenslanders, it is to be hoped that we do not end up with another bureaucratic monster. Although the Treasurer will give assurances to the contrary in good faith, unfortunately bodies such as this usually end up going out of control. We have seen plenty of examples of that in the past. That is something which I do question the need for. I know that the Deputy Leader of the Coalition was questioning the need for a full-blown insurance commission as distinct from an insurance commissioner. I understand the need to have some sort of guidelines and mechanism in place to monitor

and ensure that various things are carried out in terms of the requirements of this important area.

I am pleased to see that there is no change as regards unlimited common law rights. For some time, rumours have been floating around that there will be some changes to common law rights. I think it is very important that people do have the right to have their day in court. If people want to settle out of court, that is fine; in fact, I encourage them to do so. We all know that courts can be costly but, if people really want to have their day in court, then they ought to be able to do so. I think it is important that we do not find ourselves in the position of having, firstly, an artificial ceiling and, secondly, a scale. I know that is the case in some other places. Every case is different. There can be no denying that. People have different skills, different abilities and different intellects. For example, not every case involving personal damages for the loss of a limb should be treated in the same manner. As I have said, every case is different. Of course, in such a case, loss of earning capacity is a very important aspect. Third-party compensation claims would be involved in compensating someone for a loss of income in such circumstances.

I am pleased to see that, under this legislation, common law damages are sacred and that this Government has not whittled away those rights. While going through some documentation, I noticed that the Commonwealth Government has whittled away the common law damages of Commonwealth public servants by doing a deal with the trade union that covers Commonwealth public servants. The union has allowed the Commonwealth to whittle away those rights so that, unless a person has an injury causing at least a 20 per cent disability, the person cannot make a claim at all. I think that is terribly unfair and wrong. I was rather surprised when I happened to come across that in some documentation. I would not have thought that a Labor Government would have done something like that. However, I am pleased to see that this legislation offers that protection.

I have touched on the need to allow people to go to court. Some other members have mentioned the speeding up of the processes. I, too, am looking forward to having these processes sped up because, as I say, people are encouraged to go to dispute resolution. In fact, recently, it was brought to my attention that of some 13 cases, 11 were settled by alternate dispute resolution. Only two of those cases went to court. I know that dispute resolution is being encouraged in Brisbane. It is good to see that this Government is trying to cut down on lengthy

delays in the courts without denying people their rights.

As I say, if people are not satisfied with alternate dispute resolution, they must have the right to have their day in court. People's common law rights must remain unfettered. I trust that some of the changes that the Minister has made to the legislation will lead to some of those delays being overcome. However, one of the aspects about which I am concerned relates to the Nominal Defendant. If the Minister makes a claim against the Nominal Defendant, the time for notification has been cut back to nine months, whereas for insurance companies it would be a period of three years. I read what the Minister said about that, but I would like some indication from him as to the real reasoning behind this. If it is good enough for insurance companies and others to have a time frame of three years—I do not think I am wrong in this; the Minister can correct me later if I am—it is good enough for the Nominal Defendant. If that is the case, I would like some explanation for that.

**Mr De Lacy:** The notification has to be in within nine months for everybody.

**Mr BEANLAND:** That may be the case with an unidentified vehicle. In such situations, the Nominal Defendant will be the major beneficiary from that reduction in the time frame from three years to nine months.

**Mr De Lacy** interjected.

**Mr BEANLAND:** The point I am making is that there should be one rule. With respect, I think that two rules apply here. Whether the vehicle is identified or unidentified, the fact is that two rules apply. I cannot see any reason for having those two rules. The Minister may have a very good reason for it, but I have yet to hear or understand that reason. I am concerned that two principles are involved here. I think that one principle is fair. I can see that this is going to flare up in the public arena. I am sure that it will not be long before one of my constituents is unfortunate enough to be involved in a case such as this and he or she will want a pound of flesh from me. I can see that constituent asking me why I allowed this to happen. As it stands, I cannot see any good reason for it.

Clearly, the issue of rehabilitation is one that has attracted some comment this evening. I am pleased to see that the Bill deals with rehabilitation in some detail. I do want to caution the Minister against allowing the rehabilitation scheme to get bogged down in a maze of bureaucracy, as could so easily happen. Most rehabilitation schemes seem to get bogged down in paper warfare and bureaucracy right at the outset and the problems grow from there.

The point is that we have to ensure that the legislation provides for an effective rehabilitation scheme. It is all very well to make provision for such a scheme in the legislation, but the Minister has to ensure that it is carried out and that the benefits flow through to the community. It is one thing to include it in legislation; it is another thing to make sure that it is adhered to in practise.

Let me conclude by saying that the Deputy Leader of the Coalition raised a number of other points about which I was concerned, but I will not go over those again. I look forward to hearing the Minister's response to my comments.

**Mr FENLON** (Greenslopes) (5.47 p.m.): I rise to support the Motor Accident Insurance Bill. It is a great pleasure to support this Bill because it is a Bill which fits very directly within the overall economic strategy of this Government to reduce the risk to the tax-paying public of Queensland in terms of the prospect of any future financial crisis and also, in so doing, improves the level of services and the competitive marketplace for the consumer in Queensland. It was indeed a very dull thud that I heard when the member for Caloundra deigned to describe the proposed organisation that would result from this new legislation as a quango. How could she possibly be critical of such very sound initiatives, which will reform the insurance industry and, most importantly, reduce the risk to the consumer?

This started back in 1990 when a review was conducted by officers of the Treasury Department, including the then State Actuary and the Insurance Commissioner. It covered a complete examination of all provisions of the existing Act, with all the perceived difficulties and problems associated with it, and an examination of procedures applying in other jurisdictions. This was a very thorough process and it was one which set a foundation to ensure that this legislation—these new reforms—could be placed upon a firm basis to reduce risk to the public.

Several fundamental issues identified in that process warranted change or introduction, including effective licensing conditions and prudential supervision. That is a central feature of this particular piece of legislation. The licensing provisions of the existing legislation are inadequate to cope with the number of insurers that are now entering this marketplace. Unfortunately, the existing legislation is silent on the requirement for insurers, on application for a licence, to disclose information relevant to their financial position or experience within the compulsory third-party industry. Further, after licensing, there is no opportunity to impose conditions on an insurer to ensure the financial viability, efficiency and effectiveness of the

scheme. This very fundamental, positive piece of regulation in the marketplace will ensure that people do not enter that marketplace and put the customer and, ultimately, the taxpayers of the State at risk.

The Motor Accident Insurance Commission has an overall responsibility to ensure that an insurer has the financial capacity and long-term liability claims management experience to underwrite the compulsory third-party business. That is very important in terms of ensuring that not only do we have that expertise but also that the insurer has the specific financial capacity to underwrite that business. The Commonwealth Insurance and Superannuation Commission, the ISC, prudentially supervises all general insurers. However, any information collected by the ISC is subject to privacy requirements and is not accessible to the Motor Industry Insurance Commission.

This Bill will provide a framework to require an insurer seeking to write compulsory third-party business to, firstly, satisfy prudential standards. This will ensure that the same standards apply throughout the industry. Secondly, it will require an insurer to outline a business plan, describing the manner in which CTP business is to be conducted, including marketing, claims handling, the provision of rehabilitation, systems management and control of costs. This obviously goes to the very heart of ensuring that insurers who enter the marketplace are viable businesses. Because such terrible fallout can occur in the event of one of those organisations going wrong, this is a very important factor to protect the consumer and, ultimately, the taxpayer.

To operate a scheme that provides unlimited access to common law and early resolution of claims while maintaining comparatively low premium levels, it is essential that a mechanism be established to oversee the operations of insurers. In the event of insolvency of an insurer, benefits to injured claimants are assured through the role of the Nominal Defendant. However, it is in the interests of the Queensland community at large to ensure that licensed insurers remain solvent through adequate provision for outstanding claims liabilities. Equally, in a regulated market there may be an inducement for insurers to overstate outstanding liabilities with a view to substantiating and gaining an increase in premium rates, resulting in increased profits to insurers, to the detriment of the Queensland community. The proposed legislation will require licensed insurers to furnish to the commission on a regular basis details of claims information, including costs, which may be subject to audit

and will be the basis for actuarial determination of appropriate premium rates. What more could we ask for in terms of accountability to the customer and the Queensland taxpayer?

The compulsory third-party scheme in Queensland attracts a premium of approximately \$320m per annum. Currently, it operates with basically no Government supervision. It is incredible that, today, members opposite have objected to this and have called such a set of proposals a new quango. How appalling is their record when they cannot support such a very positive initiative to protect the people of Queensland?

The Government must ensure the continued viability of the scheme having regard to trends in the necessary operating costs of insurers and the substantiation of premium levels by ensuring that a licensed insurer has, firstly, a commitment to a long-term presence in the market; secondly, financial strength and likely continued viability; thirdly, the capacity to deliver an acceptable level of service across the State; and fourthly, claims management expertise in Queensland. The commission will oversee the operations in a like manner to that of the New South Wales motor accident authority, which has undertaken a similar regulatory role since its introduction in that State in 1989.

This very fine initiative will go a long way towards providing us with a stable market in Queensland and a market upon which the customers in that industry can rely. I commend the Treasurer for introducing the legislation to the House.

Sitting suspended from 5.58 to 7.30 p.m.

**Hon. K. E. De LACY** (Cairns—Treasurer) (7.30 p.m.), in reply: I thank members for their contributions to this debate. May I say that this is a very important piece of legislation and it is the culmination of almost four years of hard work on behalf of the Insurance Commissioner, my department and myself. The process has involved exhaustive—at times exhausting—and comprehensive consultation. The Insurance Commissioner tells me that he, himself, has had 120 separate consultations, 56 with the insurance industry. I was a little amused to hear the Leader of the Liberal Party accuse us of not talking to the insurance industry.

I have to say that when legislation such as this is introduced—with stakeholders who have fundamentally different points of view—it is very difficult to achieve universal agreement. As a wise man said to me, "You always know that you have made the right decision when each side is equally unhappy." I suspect that we have made the right decision in respect of this. However, I

give an assurance to everybody that we will be monitoring the effects of this legislation and the application of it. If there is a need for change, then we will revisit it. I might say that, for the first time in the history of Queensland, we will be in a position to properly monitor activities in relation to compulsory third-party insurance because there is a requirement in the Bill for insurance companies and others to provide statistical data, particularly in respect of claims. By building up the picture that comes from those claims, we will not only be in a better position to direct the industry but also to modify the legislation if necessary and to ensure that in practice it works as we intend it to.

The Leader of the Liberal Party, the Deputy Leader of the Coalition, started off by saying—and it has been said to me 4 000 times, so there was nothing original—"If it ain't broke, why fix it?" The fact is that the legislation which currently controls compulsory third-party insurance in Queensland was introduced in 1936. It is outdated and it needs modernising. Many of the effects of it are unsatisfactory. Principally, I think the unsatisfactory aspects relate to the time it takes to resolve claims. The average time for the resolution of claims in Queensland is 4.5 years. There are many people injured in motor vehicle accidents in Queensland who are not in a position to wait.

**Mrs Sheldon:** You can change that by amendment.

**Mr De LACY:** We are changing it. We have introduced new legislation that is a total package legislation. It is all interrelated and integrated. We cannot just simply change a common law scheme with an amendment to an outdated piece of legislation which will make an effective difference to the time for claims resolution. It is a very complex area, and I think that the Deputy Leader of the Coalition did not do herself, her party or the Opposition any credit by coming in here with five minutes' briefing and exhibiting to everybody—

**Mrs Sheldon:** If you were genuine, you would let the Bill lie on the table. You put it on the table for only seven days. You know it is a complex Bill.

**Mr De LACY:** I apologise. It was obviously not long enough for the honourable member because she never got to first base. Does the honourable member know the old saying, "You are better off to keep your mouth closed and be thought to be stupid than to open your mouth and remove all doubt." I think that is the message that I could leave for the Opposition spokesperson tonight.

The other interesting aspect of the contribution from the Opposition on such an

important piece of legislation is that it all came from the Liberal Party. The Leader of the Liberal Party promised to oppose the legislation and did so—as I say, not in a very sophisticated way; nevertheless, she opposed it. She was followed by the member for Indooroopilly, who supported the legislation. We are not sure yet whether the Opposition opposes it or supports it.

**Mr FitzGerald:** He wants answers to his questions in your summing up.

**Mr De LACY:** And he is going to get them. The third speaker whom the Opposition had listed, who was also a Liberal Party member, never fronted up. The National Party did not contribute. One member of the Liberal Party opposed it. One member of the Liberal Party supported it and the other one dodged it. Is it any wonder that the people out there do not see—

**Mr T. B. Sullivan:** Is this the united coalition?

**Mr De LACY:** Destined to coalition forever! Is it any wonder that the people out there do not see it as a viable entity in this State?

In the legislation we hope to achieve two aims—a quicker resolution of claims and the introduction of rehabilitation into the system. In Queensland we have a system which does not make provision for rehabilitation. The long-term benefit from this legislation will be that rehabilitation will become part and parcel of compulsory third-party insurance in relation to personal injuries in motor vehicles as it is with the workers' compensation system. Hopefully, over time through the workers' compensation and compulsory third-party systems we will construct a rehabilitation industry throughout Queensland. Everybody has to agree that the outcome of this type of legislation ought to be getting people back to health. That is more important than financial compensation. Financial compensation is obviously also a part of it. The important thing to understand is that if we can introduce rehabilitation and intervention at an early stage, then we can keep down the costs of the scheme. That is fundamentally what it is all about. Anybody who could stand up and say, "Why introduce legislation? There is nothing wrong with the current system", obviously does not understand the current system.

To say that I was disappointed with the contribution from the Leader of the Liberal Party is one of the great understatements of the year. I have become used to that standard of debate. It was so predictable that she would talk about raiding hollow logs. Have honourable members ever heard that story before? It has no substance at all. There is no way that she can show how we have raided hollow logs. She can go through all

of the trust funds and I can tell her what has happened to them. They have not been raided. There is no evidence of that at all. The trouble is that she says something and then starts to believe it. It is a good thing that the public of Queensland can see right through her.

**Mrs Sheldon:** You set out in chapter and verse and tell us what you have done with those funds that you knocked off from all those trust funds.

**Mr De LACY:** If the honourable member will name a trust fund, I will give her an answer. If she asks me a question tomorrow, I will give an answer. I will make one other point. It is getting off the subject of this Bill. The Leader of the Liberal Party mentioned raiding trust funds and Queensland going down that track. Each year the Australian Bureau of Statistics undertakes an assessment of the Queensland Budget position. It is called calculating the net financing requirement. It takes into account what happens to all the trust funds. Obviously, if they have gone down, then our net financing requirement will go up. Yet each year our negative net financing requirement—if you like, our underlying surplus—is about \$1 billion. There may be scope for raiding trust funds—maybe we had better start getting into them!

In respect of the Nominal Defendant Fund, we heard it again. All we have said is that the Nominal Defendant Fund will be retained. It will be actuarially assessed and, according to the assessor, sufficient funds will be retained in there to ensure that it can meet all of its ongoing liabilities. I do not know how the member can interpret that as raiding trust funds.

Mrs Sheldon, the member for Caloundra, spoke about fees and said that the insurance companies were unhappy with the fee structure, although they do not know what the fee structure is. I say that they do know what the fee structure is because they have been told what it is.

**Mrs Sheldon:** They are lying, are they?

**Mr De LACY:** Yes. If they said that to the member, they are. As well as being advised on a number of occasions, I have a copy of a letter that was written to the insurance companies, which included the Trowbridge actuarial assessment, and which includes as an attachment all of the fees that the insurance companies will be required to pay. Let me say that, instead of using an actuary of the Government's choice, at the request of the ICA we used the private actuary, Trowbridge, which was nominated by the insurance companies. Trowbridge has carried out an actuarial

assessment of the premiums that will be required under this legislation.

**Mrs Sheldon:** You can change that, can't you?

**Mr De LACY:** Let me tell the member that Trowbridge's assessment is that, notwithstanding these changes, the current premium is sufficient to meet the demands of the fund.

The member says that I can change it. Of course we can. We are in Government; we can change anything at all. That is what being in Government is all about. However, let me say that, under this legislation, a process is to be followed each year whereby the Government sets the premiums. This is another difference between Queensland and New South Wales. We set the premiums, and we ensure that it remains a fully funded and safe scheme. Each year, the Insurance Commissioner makes a recommendation to me. However, the Insurance Commissioner must make that recommendation to me on the basis of actuarial advice. I am required to table that recommendation in Parliament. If I strike a premium different from the recommendation that is given to me by the Insurance Commissioner, I have to table in Parliament the reasons for so doing. I put it to the member that that provision imposes a very definite sanction upon any Minister. I assure the member that I would not know in what circumstances I would be rejecting a recommendation from the Insurance Commissioner. To suggest that I would is just plain lunacy.

Mrs Sheldon also repeated the insurance companies' doubts about the time frames. That matter has been the subject of exhaustive debate. Some people want them longer; some want them shorter. Essentially, the insurance companies want them shorter. On the other hand, the lawyers, on behalf of the claimants, want them longer.

**Mrs Sheldon** interjected.

**Mr De LACY:** Yes, they do. Basically, they did not want a time frame of nine months; they wanted six months, or less. The member might be talking about the period during which they have to make an offer, which is six months. I tell the member that we have negotiated, talked about and discussed this matter and we have struck the right balance. In New South Wales, the time frame is shorter. The time frame is six months during which to lodge a claim. In Queensland, it is nine months.

**Mrs Sheldon:** You are still not looking after the person who has been injured.

**Mr De LACY:** I am not looking after who?

**Mrs Sheldon:** The person who has been injured.

**Mr De LACY:** In which way? Should the time frame be longer or shorter?

**Mrs Sheldon:** It should be longer.

**Mr De LACY:** In the past, we had an average claim settlement period of four and a half years. We have to have achievable, practical and sensible time frames. That is the fundamental basis of this legislation. I believe that we have achieved the right time frame. As I said, some people want it longer; some shorter. I believe that we have the right balance. Mrs Sheldon mentioned workers' compensation. I am not quite sure what point she made, but—

**Mrs Sheldon** interjected.

**Mr De LACY:** It would not serve any purpose if she makes her point as well as she made it the last time.

**Mrs Sheldon** interjected.

**Mr De LACY:** That is right. I did not repeat it because it was very poorly made. I will tell the member what we have done in respect of workers' compensation. Changes to the legislation in 1988 effectively took away from the compulsory third-party insured persons claims for injuries that were obviously injuries related to driving. Certainly, claims for injuries that were sustained while going to work and coming home from work—journeys, as we call them—were put under the control of workers' compensation. We have restored the balance, but we have not taken away from any workers their rights to their statutory benefits. If they are injured while going to or from work, they can still access the statutory benefits on a no-fault basis.

**Mrs Sheldon:** Under this Act.

**Mr De LACY:** Yes, that is in the Act.

**Mrs Sheldon:** Why is that? Workers' compensation is set up to do it.

**Mr De LACY:** No, it is under workers' compensation. The only difference is that the Workers Compensation Board now has the right to claim, if it is a driving-related accident, on the insurance industry.

Trowbridge took this matter into account when it carried out its actuarial assessment, and it maintained that it would cost \$4m a year. It has also said that it can be accommodated under the current premium system. So we have achieved the right balance; nobody is denied justice; and people who are injured while going to and from work can still access the no-fault statutory benefit system. Everybody is a winner.

I am not quite sure what the nonsensical

comment about only the private sector paying levies means.

**Mrs Sheldon:** Who is paying the levy—the insurance companies?

**Mr De LACY:** The insurance companies, yes.

**Mrs Sheldon** interjected.

**Mr De LACY:** Does the member regard Suncorp as the public sector? Suncorp is owned by the Government, so it is not the private sector. The member is right. The insurance companies are paying the levy. Who does the member think should be paying the levies?

**Mrs Sheldon** interjected.

**Mr De LACY:** I can tell the member that the insurance companies should be paying the levies, and that they are paying the levies. What an absurd proposition to complain that the private sector is paying the levies! Of course it is, except for Suncorp, and we are not sure whether it is part of the private sector or part of the public sector.

The member made comments about self-insurance. I am not quite sure what the member meant. However, let me say that all Queensland Government vehicles are registered and insured. The Government pays the full premium. They are covered by the provisions of this CTP. The Government does not self-insure its motor vehicles in respect of CTP in Queensland. If, of course, the Commonwealth Government—which is self-insured; we have no control over it—is involved, people then make claims against the Commonwealth Government.

The member referred to the top-up of benefits. Indeed, that provision has been removed. The need for inserting the provision in the first place, which was the introduction of Transcover in New South Wales, has gone. The provision was inserted because Queensland motorists who were injured in other States may have been denied some benefits because, in New South Wales, people have restricted access to common law provisions—limitations, thresholds and caps. However, there is a case currently before the High Court—it is well known in the insurance industry—that will probably render that provision invalid. So the reason it was put there hardly applies any more. And we suspect that after this High Court judgment is handed down, it will not only not apply but also we could expose our industry to claims from residents in other States. Nevertheless, Queensland drivers driving in other States are still covered by compulsory third-party insurance.

**Mrs Sheldon:** Will that continue?

**Mr De LACY:** Yes, of course it will. They have a common-law right throughout Australia to claim for injuries that were sustained, provided they can prove liability or fault. Of course, if they are driving in other States and there is a liability incurred against them, they have the cover of their own insurance that was taken out in Queensland.

The member for Indooroopilly asked a number of questions, and I am going to answer them. He asked about the change of insurer. The answer to that is: yes, people will be advised how to change insurers and which insurance companies are licensed or registered as CTP insurers. There will be a leaflet distributed with each registration renewal form that will provide that type of information. Motorists will have the opportunity to change their insurer should they so desire by filling out the back of the renewal form for registration.

We believe we have achieved the right balance between making it easy enough for new insurers to enter the market, but not promoting people to change their insurer at the expense of those insurers—that is, principally Suncorp and FAI—that have been the CTP insurers in Queensland over time. The member for Indooroopilly, Mr Beanland, also raised the issue of bureaucracy. The bureaucracy of the Insurance Commissioner's office is six—that is, the Insurance Commissioner plus five others. The member said that the Treasurer will give an assurance that it will not grow and become bloated, but he said, "I will not believe it anyway." So I suppose he will not believe it.

**Mrs Sheldon:** Will it stay at six?

**Mr De LACY:** It may not stay at six, but it will not be bloated. I am saying that now because the Insurance Commissioner is in the advisers' box. I am letting him know that I, too, agree that it should not become bloated. I think the cost of running the Insurance Commissioner's office is about \$2.5m—that is, about \$1.8m for running the office plus another \$600,000. The Insurance Commissioner's office in New South Wales costs \$32m.

Not only is the Insurance Commissioner responsible for administering the scheme, but he is also responsible for ensuring the prudential soundness of all the insurers. I make the point that there are now 17 insurers registered in Queensland. There will not be 17 of them in time, because there is a requirement that they must obtain 5 per cent of the market. Nevertheless, they have registered and they have five years in which to obtain an appropriate share of the market. It is a system that will require a great deal of supervision. Nevertheless, it will be lean and mean.

The member for Indooroopilly also supported the Government in relation to there being no restriction of access to common law. That is right. Queensland is now the only State left in Australia which has no limitation on access to common law. Everywhere else there are arrangements for caps, thresholds, deductibles and so on. There are different ways of impacting on what people can gain through the common law process.

In relation to dispute resolution, the honourable member also said that it is important—and I agree—to resolve issues as much as possible before they get into court. People have the right to have their day in court, and this Bill in no way impacts on that right. There is also a range of incentives and provisions that encourage both the insurer and the claimant to settle the issue before it gets into court. Later this year, we hope to take that a step further when the Attorney-General will introduce a personal injuries proceeding Bill which, we hope, will go one step further toward resolving these issues both before and in court.

The honourable member for Indooroopilly also referred to the period of nine months in which the Nominal Defendant can claim. Under the current legislation it is only three months.

**Mr FitzGerald:** Three months for the Nominal Defendant and nine months for the others.

**Mr De LACY:** It is three months. I will explain this further for the honourable member. For a claim in respect of an uninsured vehicle, the claim must be instituted within nine months. But there is a discretion for either the courts or the insurance company to allow a claim after that time.

**Mr FitzGerald:** Or the first symptoms of the injury.

**Mr De LACY:** Yes, after the first symptoms of the injury. We have separated an unidentified vehicle from an uninsured vehicle, because the uninsured vehicle is being treated just like an insured vehicle, except that it is the Nominal Defendant and not the insurance company against whom the claim will be made. Once the vehicle and person involved are identified, the process of common law and litigation can proceed. But an unidentified vehicle is a completely different ball game.

It is what they call the "white Holden" syndrome. Someone walks in two or three years after the event and says, "I got hit by a white Holden." It is a recipe for fraud. We have to have finite time limits. Under the current legislation, there is a three month limit with a discretion to extend that to six months. Under the proposed

legislation, the period in which to lodge a claim in respect of an unidentified vehicle is three months, but with the discretion of the Nominal Defendant it can be extended to nine months. However, nine months is the final cut-off point. We believe that is essential in respect of an unidentified vehicle, otherwise it will be a recipe for fraud. We have to have a scheme that works and is actuarially sound.

I will comment on the two contributions by members of my committee, the member for Woodridge, who spoke about fees and levies, and the member for Greenslopes, who spoke about prudential supervision and the whole apparatus of supervising. They spoke about ensuring that we have a system in Queensland that not only works to the benefit of the claimants but one that is also prudentially sound—one that remains so and will also be applied at reasonable cost. That is the important thing.

People need to understand that we have made all of these improvements to the system. We have a system that will speed up the resolution of claims, introduce rehabilitation into the system and minimise fraud. We have done this at no additional cost to the motorist. The actuarial assessment stated that the current premium structure is sufficient to accommodate all the changes we have made to the system in Queensland.

**Mrs Sheldon:** Can you give me a list of the costings of the actuarial assessment? I would like to know how they costed the rehabilitation in that actuarial report.

**Mr De LACY:** There is a letter that talks about Trowbridge—

**Mrs Sheldon:** Do you have a copy of the report?

**Mr De LACY:** That is not the whole actuarial report. It is a letter from Trowbridge.

**Mrs Sheldon:** Can you give me a copy of the actuarial report?

**Mr De LACY:** The Insurance Commissioner does, of course.

**Mrs Sheldon:** May I have a copy?

**Mr De LACY:** No. We do not give out actuarial assessments to everybody who walks in off the street. A lot of commercially confidential information from the companies is contained in that report. The actuary used this information in coming to his assessment. There is a summary of the assessment.

In conclusion, I thank the Insurance Commissioner, members of my staff and members of Treasury for the sterling job that they have performed in bringing this legislation into the House in a form which I think people of

Queensland will, over time, come to understand is the best legislation in Australia. It provides a much better system for claimants. It is practical, workable, efficient, cost-effective and will pass the test of time.

**Question—**That the Bill be now read a second time—put; and the House divided—

**AYES, 41—**Ardill, Barton, Beattie, Bennett, Bird, Bredhauer, Budd, Burns, Clark, Davies, De Lacy, Dollin, Edmond, Elder, Foley, Gibbs, Hamill, Hayward, Hollis, McElligott, McGrady, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Warner, Welford, Wells, Woodgate  
*Tellers:* Pitt, Livingstone

**NOES, 27—**Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Grice, Healy, Hobbs, Horan, Johnson Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Randell, Rowell, Santoro, Sheldon, Simpson, Stephan, Turner, Watson  
*Tellers:* Springborg, Laming

Resolved in the affirmative.

**Madam DEPUTY SPEAKER** (Ms Power): Order! I remind members that all future divisions will be of two minutes' duration.

### Committee

Hon. K. E. De Lacy (Cairns—Treasurer) in charge of the Bill.

Clauses 1 to 4, as read, agreed to.

Clause 5—

**Mrs SHELDON** (8.06 p.m.): It is a great pity that the Treasurer saw fit to fill his reply with gratuitous insults. I do not think that did him any credit at all. There are so many clauses in this Bill, yet so little time for the Opposition to debate it in detail. That reflects the fact that the Treasurer has no sense of democracy whatsoever. In the limited time available to it, I believe that the Opposition subjected the Treasurer to a very detailed questioning, and he did not do so well in reply.

Clause 5 certainly changes the coverage of the Act. The previous Act did not apply to injuries and deaths caused by a defect in a motor vehicle or faulty repairs performed on a vehicle. This legislation makes the insurer liable in those circumstances. In turn, the insurer may sue the repairer or manufacturer to recover costs. I ask: what happens if the repairer in question has no assets and the insurer is left holding the can? If the person whom the insurer is suing has no assets, will the insurer have to pick up the tab?

**Mr De LACY:** In that case, the insurer has to pay. If somebody makes a successful claim against the insurer, the insurer must pay.

**Mrs SHELDON:** The fact is, however, that a repairer may have no assets. If that is the case, the insurer is left holding the can.

**Mr De LACY:** I am not sure what the member is on about. This legislation relates to personal injury insurance, so why is the member referring to "repairing"? "Repairing" what—bodies, legs, arms?

**Mrs Sheldon:** The fact of the matter is that this does change the official provision, does it not?

**Mr De LACY:** I do not believe so.

Clause 5, as read, agreed to.

Clause 6—

**Mrs SHELDON** (8.09 p.m.): Clause 6 establishes the new Motor Accident Insurance Commission. I ask: why does the administration of this Bill require a whole new bureaucracy? Could the Treasurer inform me as to why that is important or, indeed, necessary?

**Mr De LACY:** I explained that during my reply to the second-reading debate. We have appointed an Insurance Commissioner. We have introduced a new piece of legislation. Seventeen insurance companies are currently registered. It is the responsibility of an expert commission to monitor and supervise. We must have prudential supervision of the insurance companies. The member needs to understand that third-party insurance is referred to as long-tail insurance. In other words, there can be a lot of premiums up-front, but the payments can be a long way down the track. Therefore, it is important that all of the companies offering CTP insurance are soundly and prudentially supervised.

It may be the case that a company collects premiums for five years and then, 10 years or 15 years down the track when the claims have to be paid, that company is no longer in existence and cannot meet its obligations. We want to avoid such occurrences. When one considers prudential supervision, the administration of the whole Act, the collating of all of the claims information, recommendations about changes to the scheme and the working industry deeds with the various insurers, it becomes evident that this is a specialised area, to the extent that we believe it ought to be in the hands of an independent commission.

The member for Caloundra always accuses me of wanting to get my hands on something; wanting to dictate and wanting to change. The best way of avoiding such a situation is to put the responsibility for this matter in the hands of an independent commissioner. That removes it one step from political interference. I thought that

was the type of measure that the member would have supported. She referred to a staff of six people as a bureaucracy. The total value of the premiums collected each year in Queensland is \$320m. The outstanding liabilities are more than \$1 billion. The staff of the commission—six people—will have all of those responsibilities. Such a body cannot be leaner, meaner and more efficient than it is in Queensland.

Clause 6, as read, agreed to.

Clauses 7 to 9, as read, agreed to.

Clause 10—

**Mrs SHELDON** (8.12 p.m.): As the Treasurer knows, clause 10 outlines the commission's functions. I just wonder why it was necessary to take responsibility for so many functions that are already covered by other Acts and regulations.

**Mr De Lacy** interjected.

**Mrs SHELDON:** But the Treasurer is. In that event, what is he going to do about the transport provisions he has inserted in this Bill?

**Mr De LACY:** The Insurance Commissioner is responsible for administering the whole system. To the extent that the commissioner can contribute to reducing the personal injury cost to the Queensland community, that will be done. That will be done by research or by encouraging the provision of and contributing funds towards driver training, safety and a whole range of things of which I am not aware at the moment. There is provision in the Bill for the commission to contribute towards the provision of that training, but there is just no question of it taking responsibility away from the Department of Transport or anyone else.

**Mrs SHELDON:** Clause 10 (1) (j) (iv) states—

". . . the provision, maintenance and support of the infrastructure necessary to reduce the incidence of motor vehicle accidents and minimise the results."

What sort of infrastructure is the Minister talking about?

**Mr De LACY:** I just outlined the type of infrastructure.

**Mrs Sheldon:** You didn't.

**Mr De LACY:** If the honourable member reads the first part, she will see that it says—

". . . promote and, if funds are available, make contributions towards . . ."

The commission will not carry out the training. The commission will not take over anybody else's responsibility, but if it sees a way in which it can contribute towards the minimisation of the

cost of injuries which are incurred in motor vehicle accidents, then it will do it. What we do in this type of legislation is try not to circumscribe it to any great extent. If it can contribute towards the minimisation of those types of damages and effects, then it should do so.

Clause 10, as read, agreed to.

Clause 11—

**Mrs SHELDON** (8.15 p.m.): Clause 11 states—

**Mr De Lacy:** Why don't you come and see me outside and I will run you through it?

**Mrs SHELDON:** I thought we were supposed to do that in the Chamber. The advisory committee is controlled by the Treasurer, and there is no requirement for the committee to consist of a range of industry representatives. Why has the Treasurer not included them in that advisory committee?

**Mr De Lacy:** Why haven't I got what included?

**Mrs SHELDON:** Industry representatives.

**Mr De Lacy:** They are. I understand that the advisory committee will be comprised of industry people who can advise the commissioner on a range of issues. I think this was an initiative of the RACQ. That is what it is, an advisory committee of industry people.

**Mrs Sheldon:** You haven't listed here—

**Mr De Lacy:** We can put anybody on a committee.

**Mrs Sheldon:** Exactly.

**Mr De Lacy:** It is an advisory committee. I would have to say that, judging by the honourable member's performance tonight, she will not be on it.

**Mrs Sheldon:** The Minister does not reflect any credit on himself by giving those sorts of glib answers.

**The TEMPORARY CHAIRMAN** (Mr Bredhauer): Order! Does the member wish to speak again to clause 11?

**Mrs SHELDON:** Yes, because I do not believe that the Treasurer has responded adequately.

**Mr De Lacy:** We will have to beg to differ.

Clause 11, as read, agreed to.

Clause 12—

**Mrs SHELDON** (8.16 p.m.): The commission recommends the level of the fees, levies and premiums. Why is there no

requirement for the Treasurer to accept its recommendations?

**Mr De LACY:** The honourable member asks me some tough questions, I have to say. The legislation makes provision for the whole range of levies that we believe are necessary for the administration of this fund. The commissioner makes the recommendations and I make the decisions. That is what being a Minister and being in Government is all about. I suppose that one day, if it was wrong—

**Mr McElligott:** Don't say that.

**Mr De LACY:** No, I was not going to say that—I could not stand up here and say, "I cannot answer your question; it is the commissioner." The buck stops here.

**Mrs SHELDON:** The commission must request and consider actuarial advice, but this advice may be overturned by the Minister. It smacks somewhat of the QIDC Venture Capital Fund. Why is the independent expert opinion not required to be heeded, because there will be all this actuarial advice but the Minister can overturn it?

**Mr De LACY:** I just answered that question. The recommendation is made to me and I make the decision. That is what being in Government is all about.

**Mrs Sheldon** interjected.

**Mr De LACY:** The honourable member is talking about the levies now, not the premiums. As I have said previously, the premiums must be tabled in Parliament. If I do not accept the recommendation of the commissioner, then I must table my reasons in Parliament. I put it to the honourable member that that is a pretty heavy sanction to place on any Minister.

Clause 12, as read, agreed to.

Clauses 13 and 14 as read, agreed to.

Clause 15—

**Mrs SHELDON** (8.19 p.m.): Clause 15 (4) states—

"Within 3 sitting days after the regulation is tabled in the Legislative Assembly, the Minister must table in the Legislative Assembly—

(a) the Commission's recommendations."

If there is any departure from that time frame, the Minister must table a report setting out the detail of the reasons for the difference. I ask the Minister: why can he not table that regulation and then, in common with "Nifty Nev" in New South Wales, call an election and reduce the registration fees? Then the Minister can table the report whenever he likes—he has done what he

wants. The fact is that I do not think that is a safeguard for anyone.

**Mr De LACY:** I am pleased that the member drew attention to that. The Bill refers to premiums, levies and administration fees. Even if I do not accept the recommendations that come to me from the commissioner, within three days of the commission's recommendations I must table a report setting out the reasons why I did not accept them. I do not know whether that was in place for "Nifty Nev", as the honourable member said, but that is the way that it will be in Queensland. If I do not accept the recommendations, then I must spell out to the Parliament the reasons why I did not accept the recommendations. As I said a while ago, that is what being in Government is all about. We have the right to set the fees and the premiums and take the consequences when things go right and when things go wrong.

Clause 15, as read, agreed to.

Clauses 16 to 27, as read, agreed to.

Clause 28—

**Mrs SHELDON** (8.21 p.m.): This clause, which relates to the Motor Accident Insurance Fund, allows the Treasurer to loan money to the fund on his own terms and to obtain excess funds from the fund and invest them as he sees fit. Why does the Treasurer have such control over the cash of that fund?

**Mr De LACY:** I guess that is what being Treasurer is all about—having control over the funds. The Motor Accident Insurance Fund is there for the administration of the whole of the CTP industry. It is the fund under which the commissioner and everybody else works. Ultimately, I am responsible for it. Who does the honourable member suggest ought to have control over the fund? Somebody down the street? Paul Keating? Herself? There cannot be anybody else who is responsible for the fund. It is my portfolio responsibility, and I am responsible for it.

**Mrs SHELDON:** I wonder whether the Treasurer realises that, in Western Australia, when the Liberal Government finally was elected, it found out that the fund was \$300m in the red. They are now imposing a levy of \$50 on every individual person in that State who owns a car. That is a bit like "Nifty Nev".

**Mr Livingstone:** What's that got to do with "Nifty Nev"?

**Mrs SHELDON:** It has everything to do with it, because this Treasurer can and will do exactly the same thing. That is why the Opposition objected to this Bill.

**Mr De LACY:** I am trying to be kind, but I am certain that the honourable member has the Motor Accident Insurance Fund mixed up with the Nominal Defendant Fund. The member is talking about it being \$300m in the red. The Nominal Defendant Fund is the one that must be actuarially assessed. It is there as a de facto insurance company in itself for those accidents involving an unregistered motor vehicle or an unidentified motor vehicle. A levy supports the Nominal Defendant Fund, and it is actuarially assessed. We must ensure that there are sufficient reserves in that to cover potential liabilities. But that is not the Motor Accident Insurance Fund. That is a trust fund under which the commissioner and the commission operate. It is really just an operating fund.

Clause 28, as read, agreed to.

Clauses 29 to 108 and Schedule, as read, agreed to.

Bill reported, without amendment.

### Third Reading

Bill, on motion of Mr De Lacy, by leave, read a third time.

## TRAFFIC AMENDMENT BILL

### Second Reading

Debate resumed from 16 February (see p. 6906).

**Mr JOHNSON** (Gregory) (8.25 p.m.): Madam Deputy Speaker—

**Honourable members:** Hear, hear!

**Mr JOHNSON:** I thank those members.

**Mr T. B. Sullivan:** Now, don't get too worked up, Vaughan.

**Mr JOHNSON:** No, I will not get too worked up. The Opposition will be supporting this amendment. This piece of legislation will virtually bring the current legislation up to date. Clause 12 is probably one part of the legislation on which all members should dwell for a moment. There is no doubt that everybody in this House and in this State is trying to work their damndest towards reducing road tolls and achieving a safer, better road traffic system for everybody within this State.

Last year, the death toll on Queensland roads was 395. The latest figures indicate that over 11 per cent of all persons hospitalised as a result of road crashes in Queensland were from alcohol-related incidents, and an alarming 25 per cent of casualties resulted in death. The percentage of alcohol-related casualties jumped by over 3 per cent from 1989 and remained at

over 11 per cent in 1992. The burden for our State's health-care institutions further compounds the problem. Apart from the obvious distress caused by the number of deaths and injuries resulting from drink-driving, this represents an astounding number of cases for regional and metropolitan hospitals to handle over a long term.

Through this legislation, drugs other than alcohol will be brought under attack by the authorities. This is a very good thing. In most cases, when a driver is apprehended for drink-driving, a road traffic breach or whatever, the police will now have the power to apprehend that driver if they suspect him of being under the influence of some type of drug other than alcohol. This is paramount in addressing the problem. After all, an idiot behind the wheel of a motor car has a very lethal weapon under his control. One does not know from one minute to the next whether that motor vehicle is going to be out of control or whether somebody's life will be in danger.

The Bill contains new definitions of "open licence" and "learner's permit". The Bill also refers to a period of "not longer than 10 years" in relation to the issue of a driver's licence. I ask the Minister to refer to this in his reply, because the Opposition has not had a briefing on it. A few queries have been levelled at me about this aspect.

**Mr Hamill:** What particular aspect of the licensing period are you concerned about?

**Mr JOHNSON:** The length. The Bill states "not longer than 10 years" for a licence. Licences are currently issued for five years. Years ago, licences were issued for 10 years.

**Mr Hamill:** It is about having greater flexibility when issuing licences for a period, and that includes older people as well as younger people.

**Mr JOHNSON:** That is the way I interpret it.

The other aspect of this legislation deals with something that we have to be aware of today. It relates to the problems associated with diseases carried in blood. I congratulate the Government on the change relating to sending blood and blood specimens through the mail. They are now recognised as dangerous goods. It is now an offence to send such specimens by certified mail, but it is okay to send them by security post. That is something that has to be addressed, and I believe it is a good aspect of the Bill.

Local authorities will receive this piece of legislation very warmly because it will address a lot of traffic problems within their own respective

areas. No doubt the City of Brisbane, which is a large metropolitan city, and the regional cities along the coast and inland will be receiving this piece of legislation with glee. Local authorities have had problems with parking. I spoke to the member for Brisbane Central about that this afternoon. The member for Mount Coot-tha mentioned a constituent when referring to this legislation. She wanted to know what the Opposition's line would be. I assured her that the Opposition would be supporting this legislation because it would iron out one of those loopholes that has probably existed for a long time and needs addressing. I do not intend to dwell on this. I know that other members wish to speak to the Bill. The Opposition supports this legislation.

**Ms POWER (Mansfield) (8.31 p.m.):** I am pleased to rise to support this amending legislation this evening. The introduction of the Bill is very timely. From my reading of the Bill, I believe that this might be the first occasion on which legislation from the Transport Department has contained the notion of social justice. Of course, it is particularly that area that I want to address. I want to refer to the mutual recognition in Queensland of disability permits from all States. I will expand on that further this evening.

As many people are aware, I have had a long involvement with the wheelies of Queensland. A number of them are my constituents. One of their constant complaints to me is that people think that, because a person is in a wheelchair, that person is not a mobile human being. The issuing of a disability permit does not indicate one's degree of mobility. People are given disability permits for a whole range of reasons—some of them relate to health and some relate to a physical disability. Because people do not recognise that there is a degree of mobility, they assume that a person who has a disability permit cannot do anything. Many problems flow from that.

The first problem is a very large one, that is, a general inability of people who are able to walk to recognise the purpose for which parking spaces are provided for disabled people. Some people think, "I am only dropping into the shop for five minutes and I will just park in this spot because it is the closest to the door." Others may think, "It is raining and I won't be here for long." Some may think, "It doesn't really matter. There is nobody else parked in it, so I will park in it for a short time."

Of course, for some people with a disability permit that is not a problem because they can actually park somewhere else in the car park. However, when they do try to park somewhere else, because they are wheelies they find,

unfortunately, that the shopping centre scrimped on its car parking, located it some distance away and provided only a narrow parking space. When the poor wheelie parks his or her car, the biggest problem is that he or she needs beside the vehicle a space which is almost the size of another car parking space so that the car door can be opened and the wheelchair manoeuvred for that person to get out. Those people do not need to have parking spaces outside shopping centres or other facilities—such as the QE II stadium in my area—rather, they require an area that is designated for wheelchair access.

We need to not only recognise disability permits throughout Australia but also consider how disability permits are allocated and whether they should be colour coded or double dotted. That would emphasise the fact that some people need to park close to a facility because they have less mobility, but wheelies—particularly those who have represented their country—do not need to park right outside K mart. They can park a considerable distance up the road because once they are in their wheelchairs they are more mobile than a lot of the Norms who live on their sofas. That is an issue that needs to be considered.

Some people have a disability permit because of their health. For some of those people, parking is a problem. They need access to parking close to the entrances of shopping centres and other facilities simply because the distance they can walk is limited. If they are using any sort of assistance, such as a cane, they cannot go over rough and ready surfaces that town planners always seem to want to incorporate in their design—those dreaded pavers! Once in a while, I wear stiletto heels. As a result I have great sympathy for people who walk with the assistance of braces and canes. I know what happens when the stiletto heel gets caught; I have had a few near misses. Anyone with a disability that requires in some way the use of aids for mobility does not want to be going up hill and down dale over pavers.

I recognise that in my electorate the Garden City shopping centre management has been approached several times by wheelies—those in wheelchairs. The management has started to make available away from the doors some parking for people with disability permits. I believe that it should be commended for that. The management has recognised that not everybody with a disability permit has movement restricted to only 100 metres. The next hurdle is to actually recognise that those people with a disability permit who can park further away from the store entrance need a little more space. The

only way that we can recognise the disability permit of a wheelie is to colour code it. People who design shopping centres and town planners should make provision in their parking plans for extra wide parking spaces and indicate that they are for wheelies and not for those with the other coded disability permits who actually need to park near the entrance to shopping facilities.

Parking spaces for the disabled are not for those who are able-bodied and who think it is their right to park in those spaces. That infuriates me. I have been known to actually ask a number of my constituents where their permit is to use that type of car park. I find it is the only way to deal with those people—to embarrass them by citing them by name and to their face. Otherwise, they become faceless people who think that, because there was nobody parking in that spot, it does not matter because they do not appear to be hurting anyone. I think that we have to be a little more vigilant about disability permits and disability permit parking.

**Mr Hamill:** Assertive and forthright.

**Ms POWER:** Exactly. It is a useless exercise to talk about social justice, fairness and equity if we do not challenge the people who have no respect for those concepts. We could put in 55 disability permit parking spaces, all of different sizes and varieties to suit all people, but if able-bodied people then come along and park in them, we might as well not have had them there in the first place.

This evening, I wanted to make some comment in this debate about the recognition of disability permits of other States so that they are mutually recognised. I think that is commendable. In the past, the Transport Department has often, and I believe falsely, been accused of being uncaring. In this instance, through this amending legislation, it is making significant changes by recognising such disability permits. As I say, we can go further, but this is a good start. I wanted to use this opportunity to highlight this matter because it is worthy of mention. Of course, the amendment in general will empower local authorities to recognise an equivalent form of identification that is issued to disabled people by any other jurisdiction. This amendment alone would stand on its own merit, but the other amendments, about which I am sure my colleagues will speak, are also worthy of the same commendation. Many of them address social issues in terms of traffic planning in the suburbs. For that reason, I am happy to support the amendments before the House.

**Hon. N. J. TURNER** (Nicklin)  
(8.41 p.m.): I do not wish to take up the time of

the House unduly, but I could not let this occasion pass without emphasising the need to plan for future transport needs. The current Transport Minister and, of course, Transport Ministers in the past have been aware of the need for future planning.

**Mr Hamill:** Transport Ministers and former Transport Ministers ought to stick together.

**Mr TURNER:** I thank the Minister for that. Seriously, we need to plan for the future. The north coast region that I represent is one of the fastest-growing regions in Queensland, if not in Australia. With that level of growth, of course, there is the need for infrastructure and, in this region, a desperate need to upgrade transport services. On a short-term basis, we should be considering upgrading the suburban rail service and also providing bus services to link with the rail service from Maleny and other hinterland towns.

We should adopt a futuristic approach not only in relation to the north coast but also to Brisbane and the south coast to the need for a very fast train or similar type of transport that—

**Dr Watson:** Monorail.

**Mr TURNER:** I thank the honourable member for Moggill. A monorail system is more appropriate for the future needs of the country. I believe that the current service that is provided in my area is inadequate. I have no doubt that the Government has been wrong in encouraging freight off rail on to road, because it is putting additional heavy transport onto an already clogged road system. It is creating additional pollution problems, and I do not believe that it is the right way to go. The railways are the best method by which to move freight.

I find it incredible that, in western Queensland in recent years, freight has been taken off rail in places such as Roma, and loaded on to trucks, while the train is sent through to Charleville and beyond. The trucks drop off freight at the sidings at which the trains used to stop. There is an old saying that a camel is a horse designed by a committee, and I think that that same committee must have made that decision about rail freight. I say that it is wrong, and that the decision should be reversed. Unfortunately, in my area, sidings have been closed—I should say that there has been a downgrading of the sidings—and during the pineapple and fruit-picking seasons we suffer from a shortage of wagons. I ask the Minister to look into that problem.

The Bill refers to the responsibility that has been placed on councils to solve the parking problems in various regions. That section of the Bill is probably as applicable to the north coast as

to anywhere else in Queensland. There is a need for parking around the Nambour Hospital, which services not only the people of Nambour but also the people of the entire north coast region. I pay tribute to the amount of work that has been carried out in recent times in upgrading that hospital.

**Mr Beattie:** Hear, hear! What a good man.

**Mr TURNER:** I give credit where credit is due. However, I am also critical when I do not believe that credit should be given. I am putting forward some suggestions for consideration. Because of the lack of space in which to do so, there may not be the opportunity in Brisbane, or in other areas, to install parking facilities near a hospital, as is the case at Nambour. In that case, some consideration should be given to locating the parking further away and providing a monorail or other people-mover system. However, the Minister and the Government should be considering such a system, and I can assure members that the Opposition will be considering it when it is returned to Government at the next election.

**Mr Beattie:** We can't wait that long.

**Mr TURNER:** It will not be very long. The member should not be desperate; he will not have to wait too long. As one goes through life, one sometimes sees a vehicle bogged. One says that it will never get out of the bog, but the wheels start to move, the vehicle gathers momentum, and eventually the mud stuck to the bottom of the wheel ends up on top. I remind the member that that is bound to happen one day, and I intend to be present when it happens. The Opposition will endeavour to redress the problems that the Labor Party has created during the time that it was in power in Queensland because, inevitably, it will go down that same rail track that every Labor Government in Australia in every State has gone down.

I would like to refer briefly to the matter of licences, which is mentioned in the Bill. It was brought to my attention recently—and perhaps the Minister may answer my queries—that a red licence that is issued to bus drivers or drivers of heavy transport—

**Mr Hamill:** A red licence?

**Mr TURNER:** If such people are tested, and they show any blood alcohol content, they lose their licence. They do not have to reach the .05 limit, is that correct?

**Mr Hamill:** No.

**Mr TURNER:** I understood that it was.

**Mr Hamill:** Drivers of heavy vehicles have a zero limit.

**Mr TURNER:** They have a zero limit, and if they exceed that zero limit, they lose their licences. It does not matter if they do not reach .05, they lose it with any amount of alcohol. Is that correct?

**Mr Hamill:** That is correct. I thought that you were talking about testing.

**Mr TURNER:** They lose it if they take alcohol while driving.

**Mr Hamill:** Drivers of passenger vehicles or heavy vehicle licence holders have an effective zero blood alcohol limit.

**Mr TURNER:** That is correct. That is what I was saying. The point that I wanted to raise with the Minister was that it was brought to my attention—and I think that it is a valid point—that if a person who holds that type of licence is not driving a bus or a passenger vehicle—

**Mr Hamill:** Buses and taxis.

**Mr TURNER:** I was about to ask about a person who currently holds those licences and who is, say, on holidays and not driving a bus or a heavy vehicle but a private vehicle, and that person had a reading of .01 when he was pulled up, he would lose his licences.

**Mr Hamill:** No.

**Mr TURNER:** I was told that.

**Mr Hamill:** No.

**Mr TURNER:** It is not correct?

**Mr Hamill:** No.

**Mr TURNER:** I thank the Minister for that. I will relay that answer to the person who drew that to my attention.

**Mr Hamill:** If they are in charge of a heavy vehicle?

**Mr TURNER:** No, a private vehicle. They do not lose their licences?

**Mr Hamill:** They don't lose it if they are in charge of a private vehicle.

**Mr TURNER:** I will take the Minister's word for it. I have found him to be very conscientious, and I thank him for the answer. I will not take up any more of the time of the House. I have no objection to the remainder of the Bill.

**Mrs EDMOND** (Mount Coot-tha) (8.50 p.m.): I can honestly admit to have been eagerly awaiting this Bill, because it brings together some amendments that have been the subject of long-term lobbying and discussion within the community and also within the Minister's transport committee. It is also welcomed by local government members, as it clarifies different systems for parking regulations within their authority areas and also enables

them to access new parking technologies as they emerge.

The Minister has already pointed out in his second-reading speech the benefits of the Bill to be derived for local government, the Queensland Police Service and the Department of Transport. I believe that it is worth while highlighting the significant impact this Bill will have, especially upon local government. I think there are two key advantages for local government under the Traffic Amendment Bill. Firstly, the Bill will provide real clarity of law for local government. Secondly, the Bill will give local government the opportunity to increase its responsiveness to community needs.

There has been considerable confusion among local governments as to the exact nature of their powers and functions under the Traffic Act. I think the Traffic Amendment Bill goes a long way in providing local government with clear, concise and unambiguous legislation that will unravel the confusion as to exactly what powers and functions belong to local government under the Traffic Act. The benefit for local government will be the real opportunity to better understand its role and, therefore, to be in a position to be more effective in its operations under the amended Traffic Act. In this context of having clearly defined a number of local government's key functions and powers related to the management of parking, the Traffic Amendment Bill has taken these advantages a step further for local government.

How has the Bill provided additional advantages for local government? The Traffic Amendment Bill has critically examined specific issues, objectives and the needs of local government and, where possible, the Bill will broaden a number of these key powers and functions under the Traffic Act so that local governments can resolve these issues, meet their objectives and, accordingly, satisfy community needs.

I believe the Bill represents a mature analysis of the role of local government, that due consideration has been given to a number of long-term problems and, finally, that the drafting of this proposed law has seriously aimed to provide a better, more effective way of doing things. The better, more effective way of doing things will include the development of resident parking permit schemes that are entirely responsive to the needs of the community.

Local government will be able to approach each scheme purely on the merits of each residential area. How the scheme is operated, to whom the scheme applies and the duration of each scheme will all be issues to be dealt with solely by local government. The breadth of the

Bill will allow local government to fit the scheme to the individual needs of the residential area. There may be special needs that need to be taken into account when devising the conditions to be attached to the permit. For example, the location of the residential area may take into account the presence of a popular football ground that, during particular times of the year or on special occasions, creates particularly severe parking problems for the residents. Obviously, Lang Park falls into that category.

There are a variety of problems and circumstances associated with dealing with residential parking, and local government needs to be in a position to respond to each particular problem as it arises in order to effectively control parking. This Bill will enable local government to provide this response.

Mr Deputy Speaker, as you are aware, I have made a commitment to work with the Lang Park Trust, local aldermen, police, Department of Transport officials and, most importantly, local residents to minimise disruption and inconvenience caused by major games and events at Lang Park. Alderman David Hinchliffe has welcomed the expeditious introduction of this Bill that will simplify the Brisbane City Council's ability to control and supervise parking around the venue.

**Mr Hamill:** Something that the council had conceded.

**Mrs EDMOND:** Yes. I accept the Minister's reassurance. A residents' reference committee, representing different geographical groups, has been established. I look forward to positive moves in this direction. In the past, I realise little was done to manage traffic and control crowds, but I am determined that this cooperative approach will have benefits for all concerned.

Similarly, other institutions in the area can cause traffic and parking problems. Ithaca TAFE plays a valued and very important role as an educational facility and also a very supportive community role. Unfortunately, parking problems around the TAFE have had a negative impact. I had hoped that that problem would be addressed by the building of a TAFE car park. However, that has been temporarily stymied by the local RSL demanding payment for land on the creek bank, which may or may not have changed over the generations. This Bill may enable the Brisbane City Council to take other initiatives around that area and to address the residents' concerns.

Some inner city suburbs, such as Milton and Petrie Terrace, are very old and were built with narrow streets. Many of the houses are on

small blocks, lacking off-street parking. Parking for residents is a major problem. Although street parking can never be assumed as of right, this Bill does allow the council to introduce residential parking schemes to fit the circumstances. In doing so, one point I would like the Brisbane City Council to consider is the continuance of the ugly, inefficient and dangerous parking meters. I recall, from living in Scotland, its system of providing residential parking and also parking restrictions, and I would urge the council to consider it. While I may be incorrect in the details, it roughly translated to a system of coloured markings on the kerb to indicate parking limits. For example, a double yellow line indicated no stopping any time. A single yellow line meant there was a clearway at peak time. A double white line meant residents' parking only. And a single white line indicated paid parking.

Residents received parking stickers for a set yearly fee. Instead of individual coin-operated meters, parking fees were paid into a central ticketing machine and the ticket was displayed inside the windscreen for easy checking by parking officers. I believe this system is far more aesthetically pleasing. I realise it would need a change in concepts and education to follow it through. Certainly, 20 years ago, it was readily available, recognisable and widely used in Scotland. I believe that either this system, or an updated version of it, should be considered as a way of reducing street side clutter and improving the appearance, in particular, of our residential inner city areas. I shall pursue this with the Brisbane City Council now that it is more able to respond flexibly.

This Bill is required to clarify local government powers and functions, to clarify evidentiary provisions used by the Queensland Police Service, and to streamline the number of administrative functions undertaken by the Department of Transport. As I have indicated, it has strong support from local authorities. Indeed, it has evolved from consultation with the Local Government Association, the RACQ, the Queensland Road Transport Association, the Queensland Council for Civil Liberties, the Queensland Law Society and other reference and involved groups.

A range of licensing procedures have been streamlined. Although I do not wish to discuss these—however, I am sure other members will—I would like to touch on one area of concern. I have spoken often of the problems of road trauma, especially with regard to young drivers. I have also praised the role of defensive driving in addressing that lack of experience and skill which, when added to youthful bravado, is the

cause of many accidents. One move that I believe would show support and encourage more drivers to undertake defensive driving courses would be for insurance companies to offer a reduction in the excess for drivers under 25 years of age, commensurate with the cost of the defensive driving course—that is, an excess of \$500 to be reduced by the course cost of \$150 to \$350. I believe this would provide an incentive to more young drivers—and their parents, I guess—to undertake defensive driving courses. In looking at the reduction in claims for companies utilising these courses for their drivers, it would appear that insurance companies would benefit significantly financially as well as have the satisfaction of knowing that they are improving the driving skills of the younger, at risk generation. I urge the Minister to carefully consider this suggestion and also urge insurance companies to take note.

I welcome the recent recognition by insurance firms of the relatively reduced insurance risk for women drivers, expressed as a reduction in premiums. I believe the suggestion I have made tonight has similar commercial and social benefit.

I think that the Traffic Amendment Bill represents a sensible approach to the types of issues and problems that local governments are faced with on a daily administering and managing basis. Most significantly, I think this Bill will help rather than hinder, clarify rather than confuse and permit rather than prohibit local governments in their quest to achieve their goals and objectives. I have absolutely no hesitation in offering my wholehearted support to these constructive changes to the Traffic Act. I commend the Bill to the House.

**Mr BEATTIE** (Brisbane Central) (8.59 p.m.): Madam Deputy Speaker, it gives me a great deal of pleasure to speak in this debate, following your significant contribution earlier this evening, which obviously required an enormous amount of preparation.

Because it makes significant changes to the responsibilities of local governments, I support this Bill with a great degree of enthusiasm. I want to commence my contribution by illustrating to the House how beneficial these changes will be to the traffic and parking responsibilities of local government in Queensland. This Bill is keenly awaited by local government, in particular the Brisbane City Council. I know that my aldermanic colleagues David Hinchliffe and Maureen Hayes are eagerly awaiting its passage through this House and its receiving royal assent.

**Mrs Edmond:** And what good aldermen they are.

**Mr BEATTIE:** Indeed. The Bill will provide local authorities with the power to enforce parking regulations within their boundaries. Local government is currently restricted in its ability to enforce such regulations. Until now, local authorities have had to either declare such things as "traffic areas" or rely on the police to carry out the enforcement task. I will return to that point. This Bill will give local authorities the power to enforce parking subject only to their use of recognised official traffic signs.

Parking is a problem for local government and police, and in particular for my constituents in the inner suburbs of Brisbane. Police are not keen to use their finite resources to issue tickets for minor traffic offences such as parking infringements, and nor should they be. Hence, this Bill will potentially free up police resources for higher priority tasks and give local governments the control and management of parking within their area.

This will grant the Brisbane City Council in particular the power and indeed the responsibility to regulate and control parking in Brisbane. This is particularly important in my electorate of Brisbane Central. It will mean that the Brisbane City Council will be able to put in place parking management strategies to alleviate parking problems in various areas in my electorate, including Herston. In that suburb, a problem arises from parking associated with the Royal Brisbane Hospital and the Ballymore Rugby Union ground. In Kelvin Grove, problems result from the parking associated with the Kelvin Grove campus of QUT, and to a lesser extent the two schools in the area, the Kelvin Grove State High School and the Kelvin Grove State Primary School. In the long term, part of that problem will be solved by the provision of an inner-city rail loop, a matter that I have raised with the Minister on a number of occasions. I know that the Minister privately supports that project. As soon as the underground rail tunnels in Brisbane are completed, I have no doubt that he will enthusiastically support that concept. I can see the Minister nodding in agreement.

**Mr FitzGerald:** He's going to sleep, you fool.

**Mr BEATTIE:** The only fool here is the member for Lockyer, and he has been nodding off for years.

In Spring Hill, problems result from parking associated with a number of public and private institutions that are too numerous to mention. As well, there are general parking problems in New Farm, Teneriffe, Newstead, the Valley, Bowen Hills, Red Hill, Newmarket, Windsor, Wilston and the Grange.

Following the passage of this Bill, the Brisbane City Council will be able to declare areas or suburbs as designated parking areas, thereby giving the council the direct power and responsibility for enforcing parking regulations. The council will then be able to develop a scheme to control parking in the designated parking area. Such a scheme may use vouchers, permits or other means to ensure parking control and management. In fact, such schemes have been operating in cities such as Gympie and Ipswich. I am sure that the honourable member for Gympie would be aware of the scheme operating in his electorate. He is nodding in agreement. That scheme is based on a coupon parking system. This legislation enables the Brisbane City Council to experiment with that type of system.

My constituents in Herston and Kelvin Grove will be particularly delighted to learn of the passage of this Bill, especially the Herston/Kelvin Grove Residents Action Group and its president, Ann Boccabella. After this Bill becomes law, I will be able to refer parking problems to my colleague Alderman David Hinchliffe and to the Brisbane City Council. I look forward to doing that with more enthusiasm than anyone would appreciate.

**Mr Hamill:** As a conscientious alderman, he won't object to it.

**Mr BEATTIE:** Of course Mr Hinchliffe is a conscientious alderman. He is a man of considerable diligence and commitment who will no doubt take up the challenges created by those parking difficulties with the requisite level of enthusiasm.

I have worked closely with the Herston/Kelvin Grove Residents Action Group, the Windsor/Wilston Residents Action Group, the Wilston Residents Association, the Windsor and District Historical Society, the Newmarket Residents Association, the Spring Hill Association, the New Farm Neighbourhood Centre, the New Farm/Teneriffe Residents Association, the Grange Progress Association, the Valley Business Association and even the operators of Dooley's Hotel, who have over a long period confronted me and raised these parking problems. I am happy to say that we have now given the responsibility to the Brisbane City Council. It can take up the challenge and do something about the problem. I am delighted about that.

Giving control of kerbside and general parking to the Brisbane City Council is sensible, as the council currently controls parking in the CBD, but not the nearby—

**Mr FitzGerald** interjected.

**Mr BEATTIE:** The honourable member is not even in his correct seat. He knows the rules better than anybody else. The member does not need to grow onions to bring tears to our eyes. If he must interject, he should return to his usual seat to do so.

Giving the Brisbane City Council control of parking in the inner suburbs is a sensible proposition. As I said, until now the council had control of the CBD but not the nearby inner suburbs to which I have referred. This Bill gives the council control over parking in residential and urban communities in my electorate. The Bill clearly and unequivocally recognises the vital role of local government in the control and management of many of the issues dealt with under the Traffic Act. Where it has been necessary, this traffic and parking role has been clarified and highlighted by the Bill and, where appropriate, this role has been broadened in recognition of the important role of local government.

The level of concern in my electorate about the issue of parking is quite intense. I want to share with the House some of the problems that have been raised with me. I want to place on record some of the comments that have appeared in print in the letters to the editor of the *Courier-Mail* and the *Sunday Mail* that demonstrate the level of concern about parking. The *Courier-Mail* of 23 August contained a letter from G. Preston of Herston, which stated—

". . . residents near the Royal Brisbane Hospital . . . are faced with overcrowded streets seven days a week. I'll admit it was poor planning by successive State Governments that produced the problem, but lack of action from the council has prolonged it.

We have been promised bike tracks, traffic calming, etc., but so far the only action has been a few lower speed limit signs which, because they are never enforced, are never obeyed."

Members of the Government, including the Minister and me, have listened to those expressions of concern. This Bill addresses those concerns.

Another letter from Donna Breskvar of Kelvin Grove, stated—

"Why aren't people who live near Ballymore Park treated the same as people near QE II?"

The letter states further—

"We were promised some help by way of parking sign restrictions last year, but where are they?"

When and what is the Lord Mayor going to do to help relieve our stress . . . "

Indeed, under this Bill, the Lord Mayor has the power to do something about it. Other media reports refer to the various concerns that have been raised, including the effect on the quality of life of residents in the Herston area caused by parking difficulties.

In recent times, the parking problems associated with Ballymore have been very much on my agenda. I have attended a range of meetings with local community groups. I attended a public meeting involving the Queensland Rugby Union, the local residents, representatives of the Brisbane City Council and a range of other people to discuss some of the problems associated with parking and other matters involving Ballymore. This legislation gives the council the ammunition to deal with those problems.

I place on record my thanks to the Honourable the Minister for Tourism, Sport and Racing, Bob Gibbs, who was kind enough on two occasions to chair meetings to deal with the problems associated with Ballymore. As a result of those meetings, I believe that consensus has almost been reached on how to deal with these issues. The Brisbane City Council, which has the responsibility for resolving the problem, will now close off roads around Ballymore when major games are being played. The Lord Mayor, Jim Soorley, with whom I have discussed this problem, will be providing increased public transport to ferry people to the games so that the residents who live near Ballymore will not have their quality of life disrupted by major games. That service will be similar to the service provided at the QE II stadium.

So, the first issue here has been closing off roads, managing transport and, of course, parking. That will be done by the Brisbane City Council and this legislation will help. Also, the Queensland Rugby Union has agreed to clean up nearby streets after games. I think that is a positive contribution that should be acknowledged.

In terms of licensing control—the selling of alcohol—the QRU has made it very clear that alcohol will not be allowed to be taken into the ground. Its sale and distribution will be very carefully monitored. That is important for the protection of a good quality of life for nearby residents. The operation of the PA system during games will be monitored. The QRU is introducing a new system that I think will again improve the quality of life of the local residents. Their lives will not be disrupted in the way that they have been in the past.

Following consultation with the local community, a lot of progress has been made in trying to resolve this issue. I do not want to suggest to the House tonight that all matters have been resolved, because they have not, but there is a consultative process established. A number of people, including Ann Boccabella, Tony Pagano, Lesley Angus, Richard Nielsen, Lou Gugenberger, Kevin Booker and others are involved in a consultative process with both David Hinchliffe and myself to make certain that constructive discussions are taking place over a period of time involving the QRU to resolve the outstanding difficulties. I am happy to say that I think a lot of progress has been made. While we have a long way to go, the work has certainly started.

From the proclamation of this Bill in the next few weeks—and there will be no delay in its proclamation—the parking responsibilities in my electorate will rest with the Brisbane City Council. Alderman Maureen Hayes and I look forward to working with local residents to make certain that this legislation is effective. The extent of the parking problem in the inner suburbs is, indeed, extensive. Over the last four years, of all the issues that I have had to confront since I have been the member for Brisbane Central, parking has been one of the most important and it continually passes across my table. I intend to do what I can to make sure those parking problems are resolved. I also intend to encourage my aldermanic colleagues to take full advantage of this legislation.

I should say that one of the things that does annoy me is that parking and the issue of roads are always used by political candidates and political parties as a bit of a beat-up. I was annoyed to see in today's *Westside News* that the Liberal aldermanic candidate for Central was running around trying to blame the State Government for the proposed widening of Kelvin Grove Road. Three days ago, Amsterdam style brothels were being suggested; now she is trying to claim that the road widening of Kelvin Grove Road, which is being carried out by the Brisbane City Council, is suddenly a State Government responsibility. If she had a look at where the roads went, she would know that that part of Kelvin Grove Road is controlled by the Brisbane City Council. When she is whipping up enthusiasm for her campaign, she should at least get her facts right.

**Mr Ardill:** They don't worry about the facts.

**Mr BEATTIE:** They do not worry about facts. She is not the only one, either. Even some of my aldermanic colleagues are only too happy to blame the State Government for Ballymore

problems, but I think that has been clarified. I do want to table in the House some material I received from the Minister for Lands, including a full explanation of the nature and legal status of the Ballymore property. Many people seem to think that title to the Ballymore area is similar to that of Lang Park. It is not similar. During the 1960s, the State Government at that time gave a deed of grant to Ballymore which in fact is almost as secure for the controlling body as the normal Torrens title. So it can exercise rights in that area which are much more substantive than those available to the Lang Park Trust. It is not a matter for the State Government, nor is it a matter for the humble local member, to be suggesting to the members of that body that they can lose their legal rights, because we are prevented from doing so by the legal decision of the State Government in the 1960s. They have a deed of grant and it is about time everybody stopped trying to buck pass this issue and blame the State Government for matters which are beyond its legal responsibility. I table that documentation for the House.

I do want to say just briefly that the police will be pleased with that part of the Bill that deals with parking because it means that they will not have to run around worrying about parking; their time will be freed up to chase the felons and the crooks.

In the limited time left, I want to deal with three other important aspects of this Bill, one of which is the amendments relating to the prosecution of offences detected by red-light cameras. The Traffic Amendment Bill will rectify an anomaly which has been hindering the prosecution of offences recorded on red-light cameras. The amendment of section 44 (W) will strengthen evidentiary provisions by recognising a photograph and the things depicted in that photograph as evidence where it has been certified by the Commissioner for Police as having been taken at a specified location and time. Clearly, this amendment is vital to the effective prosecution of red-light camera detected offences and to the continued use of this technology in the Government's concerted campaign to increase road safety.

The Traffic Amendment Bill also clarifies the procedure to be followed after the detection of the offence on the red-light camera. The amendment of section 44(3) prescribes the material to accompany notices and summonses. It also provides for a statement to accompany the summons where the person has been nominated by someone else in a statutory declaration as being the person in charge of the vehicle at the time the alleged offence occurred.

The Bill also alters the time limitation imposed on an individual who has received a prescribed notice but was not the actual driver of the vehicle at the relevant time. The period in which a person receiving a prescribed notice may provide a statutory declaration identifying the actual person in charge of the vehicle is identified by section 44 (Q). This section will be amended to extend this period from the present 21 days to 28 days in order to establish consistency with the time frame imposed under the Self-enforcing Ticketable Notice Scheme—SETONS—which I talked about in debate on a Bill last week.

In terms of SETONS, section 45 (A) will be amended to redress a conflict between the Traffic Act and the Justices Act 1886 in relation to the Self-enforcing Ticketable Notice Scheme. With this amendment, the Traffic Act will now stipulate that, where a traffic offence notice falls under the SETONS scheme, the person must give written notice if the person wishes the matter to be determined by a court. The matter will not automatically proceed, as it does at present, to be heard by a court should the person not reply or take any further action in respect to the notice.

I move now to certification of radar accuracy. Another element of the Bill of which I would make specific mention is the amendment of evidentiary provisions relating to certification of radar accuracy as included in section 49. The Traffic Amendment Bill explicitly clarifies the terms under which the results of radar units will be recognised as prima facie evidence. With the amendment of the Act, certification made by the Commissioner of Police that the microwave vehicle speed indicator, that is, the radar unit, has been tested and found to be producing accurate results, and certification by the officer about the time and use of the unit will be considered prima facie evidence of the facts stated therein by a court of law.

The amendment also requires that the radar unit be tested according to the Australian standard which has been developed, Australian standard 2898.2. The officer giving certification about the use of the equipment must also attest to the fact that it was used in accordance with Australian standard 2898.2. The Traffic Amendment Bill canvasses a number of significant traffic issues of which I have touched on only a few. With amendments such as those I have outlined—radar accuracy certification, red-light camera evidentiary provisions and SETONS procedure—the Government is addressing community issues, streamlining enforcement and enhancing administration.

I am confident the issues addressed in the Bill will enhance the clarity and simplicity of the Traffic Act as it impacts upon local government powers and functions, the evidentiary provisions used by the Queensland Police Service and the administrative functions of the Department of Transport. In addition to that, I also make reference to those provisions about roadside vendors. One general parking problem which local government needs to be in a position to respond to and have power to deal with is roadside vendors. A better, more effective way of handling such vendors will mean that a prospective business seeking to operate as either a roadside vendor or as an itinerant vendor will not be faced with the dilemma of working out which licence should be applied for or to whom the application should be made.

This Bill provides for a system based on commonsense principles. The prospective licensee will now need to obtain only one licence, a roadside vending licence, rather than either of two licences, roadside vending or itinerant vending licences. The single roadside vending licence will be available from one administrative authority, that is, local government. This will replace the existing situation of having to obtain licences from any one of the three administering authorities, the Queensland Police Service, local government or the Department of Transport.

In a number of significant ways this Bill advances amendments to the regulation of traffic and how it will be managed in this city and, in particular, parking. On behalf of the residents and constituents of Brisbane Central, I am delighted this Bill is to become law.

**Ms SPENCE** (Mount Gravatt) (9.20 p.m.): I am pleased to speak in support of this Bill, which addresses a number of issues regarding traffic management and enforcement of regulations by giving local governments the power to control parking. This initiative is one that many of the residents in my electorate have also been eagerly awaiting.

The issue of parking and traffic management and the city council's ability to control them became a critical issue in my electorate when the Broncos football games commenced at the ANZ Stadium last year. Understandably, the people of Robertson, Macgregor and Salisbury who live near the stadium identified parking and traffic management as their major concern immediately the announcement was made to turn the under-used QE II stadium into a major football venue.

At a public meeting I organised in June of 1992 to ignite public interest and invite community effort to manage the problems that

might arise from the stadium's use, local residents revealed a high level of enthusiasm to become involved in community consultation and problem solving. Immediately, the Brisbane City Council, which has the responsibility of managing the stadium, picked up on the community's willingness to be involved and established a community representative committee with the aim of pro-actively solving problems.

The three mainstays of this group—Mr Paul Fitzgerald, Mr Harry Martin and Mr David Crowe—prepared reports after each game or concert with their assessment of the impact of these events upon the local community. Their reports, which they are still preparing, are presented to the Police Service, the venue management, the Transport Department, the Brisbane City Council Traffic Department and me on the Monday morning after each major event.

I would like to put on record my sincere appreciation of the efforts of those three men who have given freely of their time to patrol their suburbs before, during and after events to report accurately on crowd behaviour, crowd management, exiting procedures, litter and waste management procedures, bus operations, parking, traffic and transport operations. I emphasise the value of these reports because they have been used extensively by the agencies involved in ironing out problems as soon as they arose.

Few people would appreciate the extent of the work done by those three men in their role as community representatives over the last 18 months. I do have some appreciation of the extent of their efforts and would like to assure my constituents that they are well served by having such representatives safeguarding the amenity of their suburb.

Generally, the local community has accepted the increased usage of the ANZ Stadium and the irritations that have ensued because they have been involved and because the Brisbane City Council has quickly responded to community-identified problems. Local residents tell me that the process would not have achieved the success that it has without the generous assistance and commitment from the QE II Sport Centre Manager, Mr Steven Sharry, and the ANZ Stadium Manager, Mr John Smith.

The control of parking around the stadium has continued to be an issue of concern. Despite the barricades and security personnel controlling parking, recalcitrant motorists manage to break through and park illegally. Last year, I was able to take a delegation of community representatives to meet with the Minister for

Transport in order to discuss their requirements in relation to the management of parking. We are pleased with the outcome of that meeting at which David Hamill indicated his intention to amend the Traffic Act in order to ensure that local government would be absolutely certain of its powers and functions in relation to the management of parking. This Bill clarifies these issues so that local government will be left in no doubt as to its basic powers and functions under the Traffic Act.

I believe that local governments must be able to respond to, and cater for, the special parking needs of different groups of people. This Bill provides for this responsiveness through the introduction of resident parking permit schemes. The operation and management of these schemes is to be entirely the domain of local government. I understand that the Brisbane City Council has plans to create special traffic areas with recognised official traffic signs in the suburbs around the ANZ Stadium. This Bill gives the Brisbane City Council the power to appropriately enforce penalties for breaches of parking provisions where those breaches occur within its area. The Brisbane City Council has been supportive of these amendments as it will now be free to implement traffic and parking measures around the ANZ Stadium as it sees fit.

I would like to put on record my congratulations to the Lord Mayor, Jim Soorley. Without his commitment to community consultation I might have had a lot of unhappy residents living around that stadium. This example of consultation will set the benchmark for other venues to attain to ensure that quality of life issues are always a priority. This has been a win/win situation for all, with an added advantage to all Brisbane ratepayers, because Jim Soorley has turned the \$1m annual debt of the stadium into a \$3m profit. The facility has become a part of the local community and provides jobs for hundreds of people at each event. The recreation facilities at the QE II stadium and the club are patronised by the local community, and the ANZ newsletter sent out to 2 500 residents every month and the stadium hotline keep local residents informed.

I congratulate the Minister for Transport on introducing these amendments. They are long overdue. As the City of Brisbane continues to change from the sleepy backwater it once was to the vibrant, thriving city it has become, the problems of traffic management and car parking will continue to challenge us. Local government plays a vitally important role in the control and management of many of the issues dealt with under the Traffic Act, and the broadening of its

role in this Bill appropriately recognises this important function. I support the Bill.

**Hon. D. J. HAMILL** (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (9.26 p.m.), in reply: I believe that this has been a very constructive debate. I think that it is a test of a good piece of legislation if it enjoys the support of many members from both sides of the House. The attitude of the honourable member for Gregory is very refreshing. It is good to see at last a responsible spokesperson for the National Party in relation to road matters.

I certainly believe that the matter raised by the honourable member in relation to those who would be under the influence of some substance is an important issue. The views expressed by the honourable member in relation to that very important issue accord with the views that the Government holds in relation to road safety. It was a tragedy that, at another time in this place, the then member for Flinders did not share the same outlook in relation to road safety, particularly when it came to driving under the influence of alcohol. I am pleased that the member for Gregory demonstrates a far more responsible attitude with respect to road safety.

Members on both sides of the House commented favourably on the provisions of the Bill. I believe that, during this debate, we have been able to clear up a couple of matters of particular concern to some members. A comment made by the member for Mount Coot-tha is worthy of some consideration by the insurance industry. The member spoke about young drivers who are saddled with a significant excess in relation to claims made on their insurance. Insurers ought to take into consideration the civic-mindedness of young drivers who undertake defensive driving courses. Perhaps that could be reflected in some reduction in the burden which those young people would have to endure should they be involved in making an insurance claim. That is obviously a matter that is not strictly under the aegis of this particular piece of legislation, but perhaps the Treasurer might like to pursue that matter with the insurance industry.

A number of members commented about the parking provisions. The measures which this Bill brings to bear with respect to parking are measures that local government has been seeking. I believe they reflect this Government's view of local government as a very responsible arm of government; one which is close to the people and ought to be able to face up to the responsibility of parking regulations. Certainly a lot of local councils want to do that. This legislation unshackles the hands of local

government so that it can responsibly take on the parking issues, which may not be very pressing in some of the smaller centres around the State but certainly are pressing in south-east Queensland, on the Gold Coast, the Sunshine Coast and in Brisbane. I am pleased that honourable members have seen fit to support these elements of the Bill. The legislation deserves to be supported, and I thank the Opposition for its expression of support.

Motion agreed to.

### Committee

Hon. D. J. Hamill (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

**Mr HAMILL** (9.31 p.m.): I move the following amendment—

"At page 6, after line 6—

*insert—*

'(1A) Section 6 (10) commences immediately after the commencement of amendment 5 of the amendments of the *Traffic Act 1949* specified in the Schedule to the *Local Government Act 1993*.'

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 5, as read, agreed to.

Clause 6—

**Mr HAMILL** (9.32 p.m.): I move the following amendments—

"At page 10, line 6—

*omit* 'person who is'.

At page 12, lines 25 and 26—

*omit* subclause (10),

*insert—*

'(10) Section 9, definition "road", paragraph (b)—

*omit*.'

Amendments agreed to.

Clause 6, as amended, agreed to.

Clause 7—

**Mr JOHNSON** (9.33 p.m.): Clause 7 (11) (1) states—

"The chief executive may appoint an officer of the public service to be a superintendent of traffic."

Could the Minister explain what the powers of that superintendent of traffic would be and who would be eligible?

**Mr HAMILL:** In response to the honourable member, I point out that it is a power which currently exists under the Traffic Act. The chief executive of the Department of Transport, who is the legal successor of the Commissioner for Transport, had powers in relation to enforcement under the Traffic Act. Under the existing Traffic Act provisions and, indeed, under these new provisions those powers remain.

If the honourable member examined other clauses in the Bill, he would find that under the legislation both officers of the Department of Transport have responsibilities concurrent with those of the Commissioner of Police and officers of the Police Service. Although it is certainly not the intention of the Government to try to replicate the wide-ranging powers which a police officer has to enforce, this legislation vests those powers with an officer of the Department of Transport. There are responsibilities in relation to particular offences and also in relation to licensing matters which need to be exercised within the department by an officer given that authority by the chief executive of the department.

Clause 7, as read, agreed to.

Clause 8—

**Mr JOHNSON** (9.34 p.m.): In speaking to Clause 8, I note that a local government may install or remove official traffic signs. Proposed new section 12BA (1) (b) states—

". . . on a declared road, with the chief executive's written agreement."

My question relates to the instance of local authorities putting their own stop signs or give-way signs on roads or pedestrian crossings controlled by the Department of Transport. Is this going to untie the red tape that has existed in the past between local authorities and the Department of Transport?

**Mr HAMILL:** Clearly, the intention of this provision is to recognise that local government does have responsibilities in regard to traffic management, particularly in urban areas. Those responsibilities of local government are concurrent with the responsibilities of the Department of Transport, as the State authority responsibility for State-controlled roads. Obviously, one needs to read this in the light of the legislation that the House passed last night in relation to roads infrastructure.

Although we could not tolerate a situation in which a local authority might run out willy-nilly and

seek to impose its will in relation to traffic flows onto a declared road, there may well be very good reason why local government may be concerned about the impact of the traffic flows on a State-controlled road and, consequently, with the permission of the chief executive—who, after all, under the Transport Infrastructure Act has authority in relation to the provision of State-controlled infrastructure—that local authority may be allowed to go ahead and regulate traffic in that area. It really recognises responsibility on the part of the local authorities. We see the management of our road network, whether it be State-controlled roads or not, as a cooperative venture with local government.

Clause 8, as read, agreed to.

Clauses 9 and 10, as read, agreed to.

Clause 11—

**Mr JOHNSON** (9.36 p.m.): Clause 11, which inserts proposed new section 14B (1), refers to the transfer of the Traffic Engineering Trust Fund. The Department of Transport annual report for 1992-92 shows the figure of \$6,968,000 for expenditure for the year 1992-93, with a balance of \$397,000 at the end of June 1993. I ask the Minister: what has been the function of this fund in the past?

**Mr HAMILL:** In response to the honourable member, the Traffic Engineering Trust Fund has included the traffic improvement fee which is paid by the motorist as part of that general payment involving vehicle registration. As regards the Traffic Engineering Trust Fund, the existing section 14A (2) of the Traffic Act states—

"The traffic improvement fee collected under section 14 . . . the Director-General shall pay the amount of 20 per cent of the fee into the trust fund and the balance into the Consolidated Fund."

We see that 80 per cent of that traffic improvement fee, or levy, goes into consolidated revenue. That has been the practice, according to legislation, for a very long time.

Honourable members would recall that some time ago we abolished the Main Roads Fund, and vehicle registration moneys now flow into consolidated revenue. Likewise, we are saying that the 20 per cent which formerly went to the Traffic Engineering Trust Fund would similarly go to consolidated revenue. However, the fund has become somewhat obsolete. In the past, in conjunction with local authorities, it was used for the provision of, for example, traffic lights or technical safety enhancements. Time has passed over the initial purposes for which the fund was set up. The Transport Infrastructure

Act implements a range of measures under which local government can be supported by the State with respect to a whole range of matters—bikeways, set-down areas, and roadside furniture which refers to signs, traffic lights and so on. We certainly have no intention whatsoever of withdrawing from those cooperative provisions for safety along our road network. Indeed, the whole tenor of both the Transport Infrastructure Act and this legislation is, as I said before, a cooperative approach with local government, and that is something which we value very highly.

Clause 11, as read, agreed to.

Clause 12—

**Mr JOHNSON** (9.40 p.m.): In speaking to clause 12 (19) on page 18, line 13 of the Bill, I refer to an officer of the law apprehending a driver of a motor vehicle whom he or she suspects is under the influence of a drug other than alcohol. Has the regulation been changed in terms of how long the police can detain that person? I know that the police have the power to apprehend, but how long can they hold people before a blood test is taken? Does the Minister follow what I mean? If the police suspect a person to be under the influence of, for example, marijuana, under this legislation they can take a blood test. How long can the police hold a person under this clause?

**Mr HAMILL:** In response to the honourable member's question, the Traffic Act does not provide for the holding a person who is a suspect. I will take the matter on notice, and I will be happy to correspond with the honourable member about it. It really relates to general police powers of detention. I will seek some expert advice from the law officers in relation to it.

Clause 12, as read, agreed to.

Clauses 13 to 24, as read, agreed to.

Clause 25—

**Mr HAMILL** (9.42 p.m.): I move the following amendment—

"At page 28, line 2—

*omit* 'chief executive', *insert* 'Commissioner'."

Amendment agreed to.

Clause 25, as amended, agreed to.

Clauses 26 and 27, as read, agreed to.

Clause 28—

**Mr HAMILL** (9.43 p.m.): I move the following amendment—

"At page 31, line 3—

*omit* 'Commissioner', *insert* 'chief executive'."

Amendment agreed to.

Clause 28, as amended, agreed to.

Clauses 29 to 31, as read, agreed to.

Clause 32—

**Mr HAMILL** (9.44 p.m.) I move the following amendment—

"At page 33, lines 17 to 22—

*omit* subclause (9),

*insert*—

'(9) Section 49 (1) (n) (i) and (ii)—

*omit, insert*—

(i) purporting to be issued under regulations about motor vehicle registrations made under the *Transport Infrastructure (Roads) Act 1991* or a law of another State or a Territory corresponding to the regulations (a "corresponding law"); or

(ii) purporting to be signed by the chief executive, an entity responsible for registering motor vehicles under a corresponding law, or a person authorised by the chief executive or entity;'. '."

Amendment agreed to.

Clause 32, as amended, agreed to.

Clauses 33 to 37, as read, agreed to.

Clause 38—

**Mr HAMILL** (9.45 p.m.) I move the following amendment—

"At page 42, lines 26 and 27—

*omit, insert*—

'(4D) If the person is served with an enforcement order notice that includes a statement mentioned in subsection (4C)—'."

Amendment agreed to.

Clause 38, as amended, agreed to.

Clauses 39 to 48, as read, agreed to.

Schedule—

**Mr HAMILL** (9.45 p.m.) I move the following amendment—

"At page 56, line 19—

*omit* 'and imprisonment:', *insert* '6 months.'."

The Schedule to the Bill comprises a number of matters that contain regulatory powers that embody the legislative provisions. In

that context, I advise the honourable member for Gregory that section 9 (a) of the Act contains a provision that allows a person to be held for a time that is reasonable for a medical practitioner to attend. I trust that in responding in that way, I have addressed the matter about which the honourable member was inquiring a little earlier in the Committee stage.

**Mr JOHNSON:** In relation to that matter, my concern is for the situation when it is not convenient for a medical practitioner to be available.

**Mr HAMILL:** The provision of the Act refers to a time that is reasonable. That requires an objective test in relation to any matter that may come before a magistrate. Obviously, every case needs to be judged upon its merits.

Amendment agreed to.

Schedule, as amended, agreed to.

Bill reported, with amendments.

### Third Reading

Bill, on motion of Mr Hamill, by leave, read a third time.

## LAND TITLE BILL

### Second Reading

Debate resumed from 16 February (see p. 6906).

**Mr HOBBS** (Warrego) (9.49 p.m.): The Bill before the House is the result of the many years of work and planning that have gone into streamlining the process of the registration of interest in land in Queensland. The automatic titling system will provide an avenue by which to streamline that titling system. Last week, members were given the opportunity to view that system at Parliament House. It will hold all the freehold titles in Queensland. I hope that members of this House were able to take advantage of that seminar in order to be able to understand how the system works.

**Mr T. B. Sullivan:** Very impressive, wasn't it?

**Mr HOBBS:** It was very impressive, and I believe that it will certainly enhance the titling system, which has been in place for quite some time, for many years to come. The Torrens system of registration of land interests has been used in Queensland for many years, and it has served us well. But time marches on, and modern technology and community demands require that we upgrade our system and that we provide the best service possible to the people of Queensland. This Bill repeals 18 other Real

Property Acts. It will cut red tape, which will make it a lot easier for people dealing with land matters, whether it be real estate agents, lawyers, home owners or whoever. Something like 200 to 300 pages of principal legislation and 500 pages of amending legislation will be removed from the system, which will benefit everybody concerned.

The details of the automated titling system will take some time for people to understand. However, accurately managing the current paper format, which consists of some 1.7 million live certificates of title, is a cumbersome and time-consuming process. All of Queensland's land titles are stored in land registries in Brisbane, Rockhampton and Townsville. A lot of other titles are stored with lawyers, banks and suchlike. We hope that we will be able to curtail the paper warfare facing many Queenslanders.

The automated titling system process will transform that information into an electronic format, which will take some two years at least to complete. Presently, documents are received from clients, and fees are assessed manually. The original title is retrieved from the register and the details on both copies of the title are endorsed. The documents are forwarded to the titles and examination area. The documents are then received from the titles and endorsement area. The content of the documents is examined, and the title is verified. Past documents and verified titles are then forwarded to the registration area and so on. The documents are registered by affixing the signature and seal of the registrar. The documents and duplicates of title are forwarded to the delivery area. Quite a lot of this process will be eliminated.

Under the automated titling system, assessment and receipt fees will be paid electronically. Documents will be forwarded quickly to the examination area. The details will be entered onto the ATS database. Again, this should be done very quickly. One of the benefits of this system to Queenslanders will be the availability of searching facilities from clients' offices. The details of this system will be available to accredited offices, such as lawyers, banks and whoever pays the fee and can demonstrate that they are accredited clients. That will make it much better for people who wish to deal with the department.

Under the new system, we will have over-the-counter registration, Statewide access to the register, and register security. That is pretty important. At present, banks and suchlike handle titles. I suppose that they are reasonably safe, but they have experienced a lot of robberies lately. However, the thieves are more

concerned about money and are not too worried about land titles. I will address that issue later on.

The Bill mentions that increased revenue will benefit the department. Maybe it will, but we cannot be totally sure about that. One of the big advantages is the elimination of deteriorating paper. Titles do last for a long time, but a lot of them have to be replaced. This legislation will bring about savings in that area. There is a proviso in the legislation that certificates of title will only be available if the lot is not subject to a bill of mortgage. This section will probably cause some difficulties for a while. The department will hold the records in the computer system, and that is fine. But some people will still like to be able to obtain their title. Under the system, unless the title is free of mortgage, they will not be able to get hold of it. But they will be able to get hold of a copy. We hope that they will understand that that is the best system. It will certainly save the paper warfare that we have had in the past.

The safety of titles held in the custody of lawyers is something that has always concerned many of us. We all know about the Peter Palmer issue. Apparently, he had access to some certificates of title and was able to transfer them into his name. He then borrowed money on those titles and was able to get away with quite a lot of it. Hopefully, under the new system that will not happen. There will be a tightening up of the witness system. That may not stop fraud in the future, but it may help to curtail it.

There are some aspects of the new system that will help to speed up the process of subdivision, particularly of those people surrendering part of a subdivision for parkland. I understand that that section is welcomed by the industry. We hope that those savings will be passed on to the community. Sketch plans are something to which surveyors are and have always been opposed. I think they serve a valuable purpose. A lot of people do not have the skills to draw up professional plans. Maybe they do not need to have a professional draw up a plan for what is a fairly minor change. Sketch plans will help. They have been available in the past, and it is good that they will continue.

The easements for service aspect is also covered in the Bill. In the future, adjoining blocks of land may use the one easement. That will assist developers, particularly those who might sell off one block with only one means of access. That will make the process a lot easier for everybody, the Government included.

The most important aspect of the Bill is the security and the accuracy of the register. Computers can go wrong—they can be bugged or catch viruses. My understanding is that the

system will be reasonably secure, with excellent backup. We hope that is the case. I hope the Minister will be able to assure the people of Queensland that every effort—not a cent will be spared—in making sure that security of title is paramount. Things can go wrong, and we accept that, but we have to do everything humanly possible to make sure that we have a secure system. The Torrens system is secure, but it is a mammoth task to use it to find titles.

**Mr T. B. Sullivan:** What about all those titles in dust-filled boxes that were sitting there for years? You'd hardly call that secure.

**Mr HOBBS:** They are secure. The Lands Department does have copies of those titles. The banks and lawyers have the other copies. If people lose them, they can obtain other copies from the department, as the member should know. Maybe he does not know that, but that can be done.

**Madam DEPUTY SPEAKER** (Ms Power): Order! Members will cease interjecting from other than their correct seats.

**Mr HOBBS:** It must be ensured that a person signing a document is who he or she purports to be. The Peter Palmer case illustrated the way in which things can go wrong if the identity of a person is not established. Hopefully, this system will ensure that a witness to the signing of a document—who will be a nominated person—will establish to the best of their ability the identity of the person signing the document. As we all appreciate, things can go wrong. I suppose that this is the best system that can be put in place at this time.

I support this legislation. I want to make one more point before I turn to some of the negative features of the Bill. On the whole, I believe that this Bill is a positive measure. I appreciate the way in which the legislation has been framed. It contains provisions that will assist every Queenslanders. The legislation is framed in a professional manner rather than a political manner. There has been a tendency for legislation to reflect the perceived sins of the previous Government. That applies particularly to legislation relating to the Department of Primary Industries, the framing of which tends to stoop to gutter level. It is pleasing that the Lands Department approaches such matters on a more professional basis.

I question the provisions of clause 59. It refers to the unilateral severing of a joint tenancy by a joint tenant through the registration of a transfer. Although arguments can be mounted for and against this clause, I believe that the Minister is on the right track. This provision means that if the relationship between a married

couple is not good, the block of land on which they reside may be split, if it is freehold. One partner can sell his or her share to a third party without the entire block having to be sold. Some people may be of the view that, if the block in question is a small block, it should remain as one entity. My personal opinion is that this provision is the right way to go.

We must not forget the events of the past few years in relation to the Titles Office. The concept of the automated titling system commenced many years ago, and funding has been forthcoming in recent years. However, there has been a deterioration in the ability of the Department of Lands to handle the titling system. The present sorry state of the Titles Office must be placed on record. The blame for that can be sheeted home only to the Government of the day, not the people who work in the department. It is not their fault. Whether he likes it or not, the Minister must wear the blame for this.

The Minister has changed the system of titling. He is the one who holds the reins. At present, many business people are not able to have their titles processed. Some people are waiting to receive finance, but they cannot have their applications processed. Some people want to join two or three blocks together, but they cannot do so because of the backlog that exists in the processing of applications. Nobody else is to blame. The Minister may attempt to blame the National Party, but he has been in charge for long enough. He really has to cop it. I hope that the Minister is man enough to say that perhaps he could have done something to overcome the problems that have been created.

In recent years, many experienced Titles Office staff have left. They knew how to make the system work.

**Mr Santoro:** That was a big problem, wasn't it?

**Mr HOBBS:** It was. Unfortunately, those people left and took their expertise with them. The remaining staff members were trying their hardest.

**Mr Santoro:** Fighting against the odds, they were—fighting against the odds.

**Mr HOBBS:** They were. As well, there was an increase in the number of applications being lodged.

**Mr T. B. Sullivan:** Did you write this speech, Santo?

**Mr HOBBS:** The member for Clayfield did not write this speech. He represents an area in which many problems have been caused by the backlog in the Titles Office. Applications just

cannot be processed; it is as simple as that. Most Government members would have received complaints from lawyers who are not able to have transfers processed. Many members have been in touch with the Minister about this issue, and we know that he is trying. However, the fact remains that the Minister stuffed it up, and he has to wear it. I am confident that the Minister will accept the blame.

We must try to alleviate the current backlog. The Minister must appoint as many personnel as possible to the Titles Office. I am aware that quite a few additional staff have been appointed to date. Many of those people are from areas quite foreign to the Titles Office. They are doing their best. However, the simple fact of the matter is that the Government should have thought much more carefully before changing to the new titling system. The old system should have carried on full steam ahead. I appreciate that additional funds had to be provided for the computer connected with the new titling system. It makes sense that superior computers were required to cope with the large number of titles that will no doubt be lodged in the future.

Developers, home owners and anyone else who sought a transfer of title was not able to have his or her application processed.

**Mr Santoro:** They're almost going broke.

**Mr HOBBS:** As the member for Clayfield said, they are almost going broke. It has been brought to my attention that, because of the huge delays being experienced, some people have been paying a much higher interest rate. Those people were already on a penalty rate because their application had been delayed. In some cases, people have to seek bridging finance to carry them through.

**Mr Santoro:** That doesn't do very much for the cost of housing, does it?

**Mr HOBBS:** It all has a flow-on effect. We really must try to clear the backlog. The Minister has stated that 18 months will go by before the Titles Office catches up with the backlog. Even then, some 1 300 applications will be waiting to be processed.

**Mr Smith:** I didn't actually say that, but I will clarify that.

**Mr HOBBS:** That figure was quoted in the newspaper. It seemed pretty high to me. I would appreciate clarification on that matter.

**Mr Santoro:** It's improving, anyway, and that's good.

**Mr HOBBS:** We do not know whether it is improving, and that is the point on which I seek clarification. Various figures have been quoted.

We have heard that the backlog is 40 000 titles, and the figure of 38 000 titles has also been mentioned. I am led to believe that the correct figure is 38 000. The Minister claims that the figure is 27 000, so we will dodge between those figures. The point is that the backlog is still enormous. We really cannot leave the Minister alone until that backlog is cleared; it is as simple as that. The Minister must make every effort to resolve this delay.

Quite frankly, a period of 18 months' delay is not good enough. Some people will fail financially unless this problem is resolved. The Minister must find the necessary funds to enable the backlog to be cleared. The Government cannot keep blaming the departments or people within the Government circles. The Government cannot keep saying that the departments can do more. A department can do so much, but the tools have to be provided to enable those people to work.

I do not doubt that morale is low in the Lands Department. Morale is low in most of the departments. Honourable members need only look at the DPI. Public servants in that department are just about ready to walk out. I think that situation in the Lands Department is a little better, but not much.

**Mr Smith:** It depends who you talk to. It is certainly not the people Mr Santoro talks to.

**Mr Santoro:** I can't handle the leaks. Seriously, there are so many people talking to me from your department, I can't handle them.

**Mr HOBBS:** I thank the member for Clayfield for the interjection. I believe that it sums up the situation quite well.

In conclusion, I am saying that the Minister has a problem and he is the only person who can fix it. I am prepared to help the Minister fix that problem in any way I possibly can.

**Mr Santoro:** I will make the same offer, shortly.

**Mr HOBBS:** The member for Clayfield will also make the same offer. Some positive things need to happen. Of course, Government members would not know about business. Last night, when speaking on another Bill, they proved that they did not even know about freeholding. How would they get on as financial advisers? They would not even get to Grade 1.

**Mr Hollis** interjected.

**Mr HOBBS:** The honourable member can talk! He would change his mind five times in the one day. He would change his mind from \$5 to \$10, from \$5 to \$3, and then to \$2.

**An Opposition member** interjected.

**Mr HOBBS:** I have practised a bit of auctioneering at different times. I believe that there is a lot of work to do in the Lands Department. I believe in the system that the Minister is implementing, as do I am sure most members on the Opposition side. We will give it all the support we can, provided that the Minister provides the funds that are required and the backing that is required for the department to do it. I know that extra funds may be needed down the track to keep the computer base going and such like. We accept that. However, the Minister really must do something about the backlog in his department. It just cannot go on. Queensland cannot afford to have a backlog of that magnitude. Members of the Opposition support the legislation, and we hope that the Minister can do something about that backlog.

**Mr NUNN** (Hervey Bay) (10.13 a.m.): I have wondered why this review was not undertaken during the 30-odd years that the Opposition was in power.

**Mr FitzGerald:** We didn't have computers 30 years ago, you dill.

**Mr NUNN:** The reform of this Act does not depend on a computer——

**Mr DEPUTY SPEAKER** (Mr Palaszczuk): Order! The Chair finds the term "dill" unparliamentary and asks that it be withdrawn.

**Mr FITZGERALD:** I withdraw.

**Mr NUNN:** Mr Deputy Speaker, I am extremely grateful to you for your protection. I have listened to the member for Warrego. I now know why the National Party did not attempt to reform the Real Property Acts. The reason is that they did not understand those Acts and they did not have the wit or the will to amend them.

**Mr HOBBS:** I rise to a point of order. I think it should be pointed out to the member that it was the National Party that introduced that legislation.

**Mr DEPUTY SPEAKER:** Order! There is no point of order. The Chair considers that to be a frivolous point of order. If members take any more frivolous points of order, I will warn them.

**Mr FitzGerald:** That's true but, isn't it?

**Mr NUNN:** With all due respect, the member for Warrego—thankfully, for the Opposition—is not the National Party. He is simply the member for Warrego. He is stumbling about, trying to do his best, and it is a very bad best at that.

As I was saying before I was so rudely interrupted, growth in Queensland is certainly proceeding at a great rate, and this is putting a tremendous strain on the officers of the Lands

Department, especially those in the Titles Office. People are streaming up here from the southern States—refugees from the cold, hard, deathly hand of the Premiers in those southern States—and they are causing a great upsurge in dealings in real estate in Queensland. It is only natural that, as the workload increases, some backlog would occur in the Titles Office. Some mistakes have probably been made, but they will be rectified under the new automated titling system.

**Mr Hobbs:** Under the National Party.

**Mr NUNN:** "Under" would be right. The result is, of course, the need for reform of the Real Property Acts, which have proved to be cumbersome and outdated. The Land Title Bill introduced by the Minister will provide, in plain English, a legislative basis for the introduction of the automated titling system. In addition, it will consolidate the six Real Property Acts—some dating back to the late 1800s—into one Act that is more easily managed and understood. It is surprising, of course, that the National Party did not do this when it was in Government.

I take on board the fact that the National Party was thinking about doing it. Members of the previous National Party Government were great thinkers, very deep thinkers. However, somehow, a succession of its Lands Ministers just did not get around to it. I would say that it was a case of neglect. It is that neglect that allowed the Peter Palmer scam to take on the monumental proportions that it did. The Palmer scam ultimately cost Queensland taxpayers millions of dollars in compensation.

Clauses 173 to 175 deal with the matter of compensation for the loss of title. In fact, clause 174—in particular, clause 174(b)—is already known as the Peter Palmer clause. The Bill outlines the circumstances under which a person is entitled to be indemnified by the State. It also points out the circumstances under which a person will not be entitled to be indemnified by the State.

The matter of the provision of land for public purposes has always been a matter for debate. In fact, at present there is a dispute over the use of public land in Hervey Bay, which I hope will be resolved by the time I return to my electorate.

Clause 51 deals with the dedication of public use land in any plan or subdivision. Any such land is vested in the State at the time of registration and requires no further action. It should be noted that while the whole of the owner's interest in the lot to be so dedicated must be vested in the site, allowance is made for the reservation of certain rights to the registered owner of interest below the surface. Part 5 of the

Bill deals with the joint holders of land and clause 59 allows for the unilateral severing of a joint tenancy by one of the joint tenants through the registration of a transfer. This could not be done under the previous Act. At times, this caused great distress and hardship for one or more of the partners. A joint tenant who wished to divest himself of his share in an asset sometimes found himself locked in and held captive by the whim or caprice of a partner. This part of the Bill will prevent that from occurring. The clause frees up a joint tenant's ability to deal with his share of the lot.

In the Adjournment debate last week, I spoke about the introduction of the automated titling system. There is no doubt that the registration of titles in this State needs to be accelerated. The introduction of the ATS will do this. Solicitors and those who deal in land welcome the changes. All the solicitors to whom I have spoken are waiting anxiously for these changes to be implemented, and I know that they will be very pleased.

A briefing and demonstration of the new system was held on two days last week. I am sure that all those who were interested would have attended. I attended the demonstration on the second day. Not many people were there that day, but I am told that the crowd was bigger on the first day. I am sure that all those people who attended did benefit from the demonstration. We can only await the arrival of this inception with great interest and great confidence. I know that the officers who are putting it all together are doing a marvellous job, as was instanced by the demonstration.

All in all, the interests of Queensland are well served by this legislation. I support the Bill.

**Mr SANTORO** (Clayfield—Deputy Leader of the Liberal Party) (10.20 p.m.): This Bill contains many sensible reforms and updates to the law of Torrens land titling which, as a general statement of principle and with specific exceptions that I shall mention shortly, I support.

**Mr Smith:** Don't stop there.

**Mr SANTORO:** No, I will not stop here, because I am actually going to say some nice things about the Minister, the Titles Office and the Minister's department. However, as I am sure the Minister will anticipate, I will not be agreeing with everything that he is doing or saying.

Whether the Department of Lands as it is currently set up is capable of implementing this is very much open to question. It is significant to note that this Bill was largely prepared by the Law Reform Commission, by lawyers with expertise in the land law area and experienced officers from the Queensland Titles Office. Further input from

the Litigation Reform Commission is acknowledged. Once again, it is lawyers who have—and indeed must have—the main input into the design and operation of a Torrens land titling system. It is appropriate to remember that the Lands Department has, in the past, had responsibility for the technical aspects of the survey function in land titling; however, it has absolutely no background in the legal and operational aspects of a titling system.

Following the transfer of the Titles Office to the Lands Department some years ago, a gradual slide into chaos has occurred. The first thing the Lands Department did was to pass over the Titles Office management personnel and instead install surveyor types into senior positions. These people had little idea about what they were dealing with, and a number of highly questionable things occurred. It is, for instance, possible that large numbers of dealings registered during the last few years are not really registered at all, as the surveyor types just decided that they would do some things their way regardless of the Real Property Acts and Regulations. After a fuss was made about some of these things, amendments appeared some six months later just to make it right. The six-month delay was, I suppose, so that no-one could say, "I told you so." They were prospective only. I advise the Minister that, to this day, if someone decided to try it out in the Supreme Court, I am told by many people who practise in this field that there are a great many dealings that could indeed be at risk.

More recently, the Lands Department has embarked on a great empire-building scheme. I will not go into too much detail about this, because I have spoken about it extensively in the past in this place. The cornerstone of that empire building appears to be to place a mini Titles Office in every unlikely small town in Queensland. Following the "Sports rorts" affair, I must analyse the electorates and their "marginality" of where these things have popped up. From the available evidence, they are costing an absolute fortune to run. I do not have actual figures, because the Minister either refuses to answer questions on this subject or gives blatantly false answers.

Most of these mini Titles Offices have almost nothing to do, as banks, building societies and financial institutions which lodge nearly all the dealings have centralised their security functions to Brisbane or are actively closing their regional securities centres at this time. I do not say that it is a good thing that those particular facilities are being closed down in country centres, but the reality is that it is happening. As a result of that, the potential

business that those mini Titles Offices could be conducting is just not happening.

One major result of the great empire-building scheme has been to spread the working maps all over the State. I have spoken about this previously. It is important to underline the significance of this for the Minister and members who have an interest in this. I suggest that this is particularly silly, as the vast majority of the users are in Brisbane, and the plans which are accessed through the working maps are in Brisbane. The grab for empire has changed a look at the working map—note the plan numbers; go and get copies of the plans in to fax the mini Titles Office; get it to photocopy the area of the working map in question and fax it back to Brisbane; look hard at it, and then ring the mini Titles Office and request it to read the small plan numbers which are no longer legible after faxing; and then, and only then, go and get plan copies. I am sure that the Minister would appreciate that this causes great inconvenience for the vast majority of users. The surveyors, the searchers and the legal profession all protested and were, as usual, ignored.

Anyway, the effect of the empire building was to accelerate the descent into chaos dramatically. As this Government has given a number of public undertakings about no new taxes and has stated that the size of tax increases will be limited to the increase in inflation, the Lands Department was no doubt put under a similar constraint. Being a Lands Department with a good grasp of the dingo problem, it solved the problem of empire building with no extra funds by taking resources from the central register and using them to man the 35 empire outposts. Indeed, it did not just take resources, it stripped Brisbane of its resources.

The descent into chaos got faster. The voices in the wilderness—mine and those of many industry bodies—got louder, and the Lands Department simply ignored them. The Lands Department management, who are devoid of persons with an understanding of the true function of a titles register, pushed on regardless.

I reflect on one of the pleas which the honourable member for Warrego made to the Minister, that is, to bring in resources to clear up the backlog. I was almost going to interject on the honourable member for Warrego and ask him to ask the Minister to bring back some of the very experienced and competent people who, because of all sorts of pressures—some very overt pressures—from the top, were taken out of the Titles Office, very much to its detriment. In fact, it is my understanding that some of the

people who left the Titles Office and who were sacked recently spent a reasonable amount of time at nights and during weekends helping to clear up the backlog together with some private providers of those services. It is my understanding that they still managed to perform a relatively competent service. The Minister may care to dispute that, but I just caution him not to get too hysterical in his protestations about what I have said. I am not joking when I say that every time I make a speech in this Parliament about this particular issue—

**Mr Smith:** The newspaper wants to publish it.

**Mr SANTORO:** It is not just one newspaper. This issue has been covered in the provincial newspapers, the *Gold Coast Bulletin* and the *Courier-Mail*.

**Mr Smith** interjected.

**Mr SANTORO:** If the Minister listens, he will actually learn something. People have told me things that perhaps they are not telling the Minister, or perhaps he is not listening.

**Mr Smith:** I'm listening, but I am hearing the same message.

**Mr SANTORO:** Hopefully, the message will finally sink in and the Minister will actually do something about this. The problem is still there.

**Mr Smith** interjected.

**Mr SANTORO:** My sources are pretty good. I have put questions on the notice paper.

**Mr Smith:** You've made more retractions in this place than any other member of this House.

**Mr SANTORO:** I have not made retractions in this place about this particular situation. I stand by everything that I have said about this. I am still waiting for the Minister to answer the questions that I have placed on notice about the costings of the mini Titles Offices. There were a lot of people within the Titles Office who made available to me the internal telephone books and the precise names and overhead costs involved in manning those mini offices. I gave the Minister those figures. I will repeat them if he does not make many more interjections.

**Mr Smith** interjected.

**Mr SANTORO:** There is nothing. I referred to annual reports, Auditor-General's reports and the telephone books that list the names of the people who are employed in the provision of titling services. The Minister has not replied. It is my understanding that the Minister was given the correct answers, but someone then pulled them back because it was too much

of an admission to make that the Minister has stripped the Brisbane office and manned the mini Titles Offices. The Minister is lucky to have a good manager. The only thing that will save the Minister is that he has a good fellow from Canada—only if the Minister gives him the reins, takes the dogs off him and lets him get on with the job of fixing the Titles Office. Then he will do a good job for the Minister. That is one good decision the Minister made, but he cannot tell me that the mini Titles Offices scattered throughout Queensland are costing the few dollars that he insulted the Parliament with in relation to costings.

**Mr Smith** interjected.

**Mr SANTORO:** The Minister will have 30 minutes within which to reply. I ask him to put on record what he thinks it costs to run the mini Titles Offices empire. I can tell him that the leaks will keep coming. The Minister's reply will be circulated—not by me; people just naturally acquire them, and the photocopiers run hot.

**Mr T. B. Sullivan:** You're responsible for more rubbish in people's letterboxes than anybody else.

**Mr SANTORO:** I will take that interjection from the honourable member for Chermside. Recently in my electorate I circulated a leaflet about an issue which is of enormous concern to the people who live in the area in which the honourable member lives. He has the good fortune of being in my constituency and he is well served. I put an item of correspondence in the mail boxes in the area where the honourable member lives. Those doing the drop ran out of material. It so happened that a block of houses around his house missed out. A member of his family was perfectly entitled to ring me and say, "Would you send me the material which you distributed but which unfortunately did not reach our letterboxes?" He cannot have it both ways. I try to give it to him, but when for an honest reason it does not reach him, his family can ring me up and say, "Santo, send us your communications because we think they are worth while."

I return now to the Bill. Somewhere along the way in all this, the computerisation of the Titles Register, which was commenced by the previous Government—I say this for the sake of the honourable member who spoke before me—and which was well advanced got killed off. First it was starved of funds and then the inter-departmental jealousies finally did it to death when the Lands Department decided that it wanted complete ownership of the system, rather than sharing it with CITEC.

The descent into chaos accelerated. Next, a genius in the Lands Department management decided that even if those pesky banks insisted on centralising their securities departments, they would darn well force them to lodge documents according to regions, anyway. The banks and professional bodies screamed in protest and were ignored as usual. This particular piece of brilliance required lodgers to wait in four lodging queues instead of one and effectively quadrupled the effort by all concerned with not one benefit being gained by any stakeholder in the system—except perhaps by the empire builders who were determined at all costs to show that their empire was needed and loved.

Throughout this amazing performance, the department tried to pretend to the world that all was well by issuing phoney performance statistics. All the users knew they were laughable and some even collected their own accurate performance figures. The major users protested on many occasions about the phoney figures and all they got was at best evasiveness and at worst, they have suggested to me, lies.

The experienced Titles Office management despaired at all this silliness, and left in droves. That is one of the major reason why most of the these problems exist. Most of the accumulated wealth of knowledge on how to handle the inevitable unusual and complex situations has gone. Those that remain are bitter and angry at the way the empire builders from the Lands Department have treated the professional—in the classical sense—and experienced Titles Office staff so badly.

That is how the present state of chaos arose. Not some highly questionable increase in volumes going through the Titles Office. When one looks at the volume over a longer period one finds that there has not been any significant increase in volume, which is what was suggested by the honourable member who spoke prior to me. The Honourable the Minister suggested this in a media release which was covered by the *Gold Coast Bulletin*. There has not been a 27 per cent increase in transactions in the past 12 months. The Minister knows that the figures show barely a 3 per cent increase per year. I challenge the Minister to table in this Parliament the figures that show the increase in these transactions.

It was not a failure by the previous Government to computerise the register. The previous Government did set about it and this Government—and we suspect more particularly the Lands Department management—first starved that project of funds and then finally

killed it off and replaced it with much trumpeting with their own more expensive scheme.

None of the transparent excuses being trotted out by the Minister and his advisers can withstand scrutiny. I think the member for Hervey Bay should try to avoid embarrassing himself by checking the facts before he sets out to "set the record straight for once and for all" as he tried to do the other night. By now, he and everyone else in this Parliament should have realised that, in relation to the Titles Office, nothing which this department or this Minister says can be relied upon.

We have witnessed galloping empire building disguised as regionalisation by a department which did not—and from all evidence still does not—have any idea of how to run a titles office. It was a systematic stripping of the register of the resources which it needed by an administration which needed to pretend that operating a mail service from 34 mini Titles Offices in some of the most unlikely places is indeed a traditional activity of the Titles Office. It was a systematic attempt to disguise that this grab for empire and the charges that the department makes for the services provided by the empire—or more correctly fails to make—is blatantly in breach of Public Finance Standard 320, which requires that services be priced at a level to encourage rational economic choice and efficiency in service provision. It is an attempt to avoid disclosing that nearly every practice noted as objectionable in the "National Competition Review—The Hilmer Report" is being carried out by this department. I ask the Minister to make some comment as to how he can allow contravention of the findings of the Hilmer report to keep occurring. I have raised this issue before. The Minister said that I am constantly raising these issues. Until I get answers, I will continue to do so. People will keep on talking and reporting until the problem is fixed.

Worst of all, it put the integrity of the register at risk, because the Lands Department simply does not understand its importance. To say that the "professional" Titles Office employees are cheering when I air the problems in this place is an understatement. My mail delivery is stuffed with notes of support. The phones have run hot. They have had enough of this incompetent, empire building management. They will keep on supplying me with information. I have nothing to hide. I will keep on telling them and anybody else who cares to listen.

I now want to turn briefly to a more philosophical question. Why do we need a Titles Office at all? I can hear the cries of outrage coming from the Minister and from members opposite.

**Mr T. B. Sullivan:** Dead silence!

**Mr SANTORO:** There is no dead silence. I use that particular phrase in the metaphorical sense. Being late at night, the honourable member for Chermside, who is never alert, always seems to miss it. For all that, we should stop and ask that question. Might there be a better way than to have an army of public servants, an empire of mini Titles Offices, and a senior management with almost no idea of what they are fiddling with?

It turns out that there are viable alternatives, including one which is alive and well in the United States. I ask the Minister to consider and answer the question, if not tonight, then at some other time. In much of the United States, they do not have a titles office as such. Each local authority operates a deeds registry, much like the old system which is still partially in use in Sydney and Melbourne. The guarantee of title indefeasibility which the Torrens system gives and which requires a titles office is provided by private title insurance companies. Provided the insurer is of adequate strength and the policy is sensibly written, this system is quite acceptable to all concerned in the areas where it operates. The financial institutions cheerfully lend to purchasers. All the other title-dependant functions can be made to operate quite satisfactorily without armies of empire builders armed with a desire to control the world with ever bigger computers.

I am not suggesting to the Minister that this is the answer to Queensland's problems. Because of other commitments I was unable to have a look at the system that was on display here recently. In due course I will make contact with the Titles Office and request a briefing, if it is of no great inconvenience. I believe that we should examine the alternative model as it shows that here is a function which could well be completely unnecessary for the Government to be involved in. Of course, the vested interests of the Lands Department may stifle this idea, but it is worthy of consideration. I tabled the analysis in Parliament. I gave the Minister all the statistics and I gave him a stack of footnotes that indicated from where I had derived the statistics. Yet I have still not received the answer. In the absence of that answer, all I can suggest is that my sources and my analysis are very accurate, and I look forward to receiving from the Minister some fair dinkum answers.

I join the honourable member for Warrego in saying that we in the Opposition are willing to assist the Minister and cooperate with him. We will do so by providing the Minister with reliable information, as I have been doing for the past four to six months. I started providing such

information about a year and a half ago. We will certainly do our best to assist the Minister, but I think that, when it comes to this issue, he should come down to earth, pay a bit of attention and take a bit more interest in the Titles Office. In that way I am sure that he will receive some cooperation and achieve results.

**Mr DOLLIN** (Maryborough) (10.40 p.m.):

The purpose of this Bill is to consolidate the existing Real Property Acts, particularly the Real Property Act 1861 and the Real Property Act 1877. It will enable reform of the land titling legislation as well as updating and streamlining the process of registration of interest in land.

There are no major policy changes contained in this Bill that change the law radically. It is based substantially on the draft Bill, which is included in the Law Reform Commission's report No. 40 on the consolidation of the Real Property Acts.

In consultation with the commission, additions and alterations have been made to the Law Reform Commission Bill to allow for the introduction of what is known as the automated titling system. Those additions and alterations simplify the administration of the land titling function, and allow a simple appropriation of the Torrens system of registration of land interests.

There are a number of initiatives in this Bill that will give greater flexibility to the Torrens titles system operating in this State. These initiatives will also result in reduced costs to the end user. The registrar will have the power to register a caveat in favour of the proprietor whose rights appear to the registrar to be endangered, or prejudiced by fraud. That is a precaution well worth having, considering the past fraudulent activities of some solicitors.

Provision has been made in this Bill for the registrar to maintain an administrative advice file. That will be a means of making prospective buyers aware of heritage listings, contaminated land and so on. We have had too many instances, even here in Brisbane, of unscrupulous agents and developers bringing ill health and ruin to families by purchasing cheap, contaminated land and then selling it off to unsuspecting people.

This Bill also provides for a joint tenant to sever a joint tenancy by action of one of the joint tenants. That means that if a property is owned by two or more people, and one person wishes to sell, that person will be able to sell his or her part of the whole property. Under the current legislation, the whole property has to be dealt with. This provision will save money and overcome a lot of problems. This Bill will also allow a variation of leases, as long as the variation

does not increase or decrease the base area of a party to the lease. At present, the legislation does not allow any variation other than by termination, and reregistration of a new lease, which is a very expensive procedure. Mortgagees will be able to vary the priority of their mortgages by registering an instrument of variation. The current law does not allow for this. That means that a person could raise a second mortgage, provided that person had the consent of the first mortgagee. That will save a lot of time and money in comparison with the current system.

The Bill allows a caveatee to serve on a caveator a notice to start court proceedings to establish claims made by the caveator. Under the current system, there is no obligation for a caveator to act promptly to prove his interest in the ownership of land. In the past, this manoeuvre was used to tie up land by continually issuing caveats. Certain types of easements for the supply of service, such as water, gas, power and sewerage will be created merely by the registration of the appropriate plan. At present, a further document is needed to activate the easements, which is time consuming and expensive.

As a result of the Peter Palmer frauds, the provisions in the Bill have been tightened to exclude specifically court-awarded damages being reimbursed from consolidated revenue. The intention of the legislation is to direct the recovery of those damages from the Solicitors Fidelity Guarantee Fund, as it should be. The taxpayers of this State should never again be put in the position of having to put their hands into their pockets to replace the money that has been stolen by crooked and greedy solicitors. For the information of honourable members, I point out that Peter Mark Palmer, a solicitor who practised on the Gold Coast, had forged transfers of title to land to himself, or to companies controlled by him, using certificates of title or deeds left in safe custody with his firm. The properties were mortgaged to various financial institutions for approximately \$3.3m. That money was then applied to Mr Peter Palmer's own use. He is now in his right place, and that is gaol.

I turn now to another aspect of the Bill. The old legislation allowed equitable mortgagees to lodge a caveat to protect their equitable interest. Equitable mortgagees are persons who do not register a mortgage but rely on their physical possession of a certificate of title as security for the money loaned to them. As I mentioned earlier, under the provisions of this Bill, as a certificate of title will be issued only when the land is unencumbered by a mortgage, the

equitable mortgagee has the security of a clear certificate of title and, therefore, does not need the benefit of a caveat. If the equitable mortgagee wishes to have a better security, the mortgagee is entitled to register a mortgage.

The Torrens system of registration has always recognised the power of the Registrar of Titles to correct the register and the instruments that form part of it. The Law Reform Commission in its report recommended that a registrar have the power to correct obvious errors in instruments at the time of their lodgment for registration. Although the power is a particularly useful one, its use has been restricted to ensure that the rights of other people who are party to the document will not be adversely affected by the corrections. The security and accuracy of the register is the cornerstone of the Torrens system. The role of a witness to the execution of documents dealing with land is considered to be of particular importance. Therefore, the legislation places a particular onus on the witness to ensure that, before witnessing a document, witnesses must satisfy themselves that the person executing the document is who he or she says he or she is, is entitled to execute the document and that the parties executing the document are present at the time of execution. As an additional safeguard, the witness must not be a party to the transaction contained in the instrument. This should put to rest some of the concerns the honourable member for Warrego expressed regarding security of titles.

The Bill consolidates the law relating to real property into one Act. It underpins the introduction of the automated titling system. It provides through that system and legislation a streamlining of the land title registration operating in this State, and it repeals certain outdated statutes. I am very pleased to support the Bill.

**Mr LINGARD** (Beaudesert—Deputy Leader of the Opposition) (10.48 p.m.): In rising to speak to this Land Title Bill, I note the introduction of provisions to computerise and simplify the freehold land register. Considering that the Government has had three years since the release of the report of the Queensland Law Reform Commission to implement its recommendations, they are long overdue. Indeed, the project has been on the Government's own agenda since 1989. I also note the Government's extremely slow, longwinded response in addressing the legitimate concerns of industry that have been expressed long, loud and clear but which, unfortunately, fell on deaf ears.

However, the problems encountered by business and industry are still a long way from

being solved. It seems rather perverse that the Goss Government, in its rush to implement reform after reform, has acted at a snail's pace in relation to the Titles Office. It is also testimony to the Goss Government's inability to administer and manage even the simplest of responsibilities. The Government has failed to implement its own policies, or the recommendations of the Law Reform Commission, in an economical and effective manner. After all, it has committed up to \$10m to overhauling a system that worked without delays or complications before Labor came to office. It has committed millions of dollars to getting the computer system right the second time. What an economical bunch they are. What a responsible way to administer taxpayers' money. Let us look at the disgraceful record of the implementation of the overhaul of the Titles Office.

I refer to the 1989 annual report of the Department of Lands, which stated—

"The Department plans to develop an automated titles system and consultants are currently preparing their requirements specification. ATS is a three-year project to develop a computerised relational data base of legal interest in titles, including current details of ownership and encumbrances."

How commendable. But was it achieved? Of course not! Otherwise, the ATS system would have been up and running in 1992, and the Minister and I would not be standing in this House debating it. That same annual report also promised, in addition to the establishment of an automated title register, the development of supporting systems, including automated searching facilities. But the Government was not content to stop there. It further promised a "prompt, one-day delivery of accurate information". What an achievement that would be if that were the case today, rather than the current reality of an avalanche of unprocessed documents.

All that this Government has managed to do is deliver an utterly inefficient, mismanaged, totally useless service and a register that is in such a shambles that, by the Minister's own admission, will take another 18 months to put right.

There is more. That same 1989-90 Department of Lands Annual Report goes on to boast about the performance targets achieved at that time. These included, firstly, the registration of documents passed at pre-lodgment examination—two days at that time; secondly, the registration of documents not passed at pre-lodgment examination—four days at that time;

thirdly, the issue of new titles after registration—two days at that time.

The Labor Government is still spouting about its planned ATS system, even going so far as promising that it will facilitate regionalisation by going on-line to every land service centre in the State. I am glad that the staff in those centres did not hold their breath and I am glad to see the provincial towns in which those centres are located benefiting so thoroughly from the productive implementation of the regionalisation policy.

Interestingly, this annual report also stated that tender documentation for ATS was completed in August 1990, with the assistance, of course, of external consultants to design the functional specification. That report stated—

"System development work is expected to commence early in the 1991/92 financial year. Progress of this project awaits the outcome of the Information Policy Board review on the appropriate technology platform."

This Government is big on promises that are invisible on delivery. But the investigations go on, as noted in the dubious achievements listed in the report. There was an investigation into the possibility of establishing a joint venture to develop and design the software and an investigation into the practicability of establishing a single register. No wonder it has taken four years to get the computer system off the ground, when it has taken two years just to work out how to do it.

By 1991-92 there was yet another story and more excuses, justifications and vindications of the Government's obvious inability to manage the modification of the Titles Office. The achievements listed this year included the completion of the tendering process for the software design of ATS. No wonder tenderers in this State are up in arms at the ridiculous cost they have to carry in competing for protracted tenders.

So, still no ATS. But there were staff consultations. Every staff member was required to put his or her two cents worth into the process—not at the beginning of the planning stage, as any logical administrator of the process would ensure, but to be incorporated in the final proposed stage of the project team, which would be presented in the 1992-93 year. This is akin to building a high-rise without examining the foundations. And one can only assume that the staff found no major flaws in the proposal.

Yet what a sizzling pace this department sets. At least by 1992-93 it decided that it would introduce a computerised system for title

registration by 1994. It had decided to streamline the titling process by including freehold land, Crown leasehold land, foreign ownership of land and Crown reserves on the ATS system. So after three years, the department was able to make a decision. I wish I could say that that was the only achievement of the department in three years. But, unfortunately, in the process of dithering, procrastinating and wasting of time and resources, the backlog of unregistered titles and incomplete searches snowballed, making the relatively simple and straightforward task of maintaining the titles register a red tape nightmare.

By late 1993, the Goss Government could not even manage to organise a photocopy from the Titles Office in under three weeks, whereas it had taken little more than four hours to complete 18 months beforehand. The delays in photocopying prompted the Law Society to install a photocopier so that its members could use it to speed up the process. What a monumental mess on behalf of the Government—the private sector had to move in to rectify the internal shambles of an inadequately run department in order to get a simple photocopy done.

Developers have reported delays of up to two months in obtaining new titles, and a backlog of up to 42 000 documents, costing thousands of dollars in interest. The effect is passed on to the average Queenslander, with one developer saying that delays have added as much as \$800 onto the cost of a \$50,000 block of land. It is creating massive problems for home builders, who cannot get finance to construct until registration is approved. The system of title and land registers is fundamental to almost every financial transaction in this State, because most involved mortgages over land.

In New South Wales, a title search takes five minutes and registration normally occurs within 24 hours. In Victoria, both title searches and lodgments are completed in 24 hours. Yet the Minister protests that the backlog of up to 23 000 documents is normal. Once again, the ALP is unwilling to admit there is a problem. The Minister has not even had the courage to admit that the bureaucratic delays in the Titles Office were causing unnecessary havoc for banks and developers and costing the State millions in shelved investment plans. Developers have also claimed that the regionalisation program has been a contemptible flop that has been fuelling the delays in the system. This includes the depletion and overloading of qualified staff from the Brisbane office, while staff in regional offices sit idly at their desks with no computer link-up to the central system.

This Government has a lamentable record in updating the Titles Office. Its red tape is strangling the development potential and growth of the State. How long will it take to get it right? This whole process has been one which has caused many people to incur costs, and that should never have occurred. It really has been a disgrace for the ALP.

**Mr VAUGHAN** (Nudgee) (10.58 p.m.): As the Minister has indicated, currently there are some 1.7 million "live" certificates of title stored in the department's land registries in Brisbane, Rockhampton and Townsville. These records are in paper format, a large amount of which consists of large, cumbersome volumes which are over 100 years old. Needless to say, the current manual method of registering interests in land which has operated since the early 1860s is awkward, time consuming, inefficient and costly.

This Bill will not only update and streamline the process of registration of interests in land but also bring about reforms in land titling legislation by consolidating existing Acts, including some which date back to 1861 and 1867. This Bill consolidates and reforms the law relating to the registration of freehold land and interests in freehold land.

Significantly, the Bill provides for the introduction of an automated titling system to replace the present cumbersome, out-of-date manual system. The Minister, in his introductory speech, outlined how the current paper-based land title registration system for the registration of interests in land will be converted to an electronic-based system—that is, the ATS. Over the next two years, the entire history of all the dealings in all freehold land will be recorded in an electronic data base which will constitute the land titles register.

Although the new system will streamline and refine the land registration process, it will not initially cure or eliminate the delays that have occurred in the processing of titles that have been caused by the present high number of lodgments. There will be short-term benefits, but the major benefits will occur in the longer term. There will be an initial reduction in the time taken to search each title. As the current records are progressively transferred into the new electronic database and as staff are trained and become familiar with the new system, registration times will be reduced.

Ultimately, any registered interests in land and the documents associated with the creation of those interests throughout the State will be searchable. Clients—solicitors, banks, etc.—will be able from their own office to conduct a search of any title. With the progressive conversion of existing certificates of title held in the titles

register into the electronic database on a one lot, one title basis, each lot will have its own title, to be known as an indefeasible title. Each indefeasible title—which is defined in the Bill as being the current particulars in the freehold land register relating to the lot—will detail the current information as to registered proprietors, registered mortgages, leases, etc. The Bill provides that a person may search and obtain a copy, including a copy certified by the registrar, of the indefeasible title of a lot, a registered instrument or an instrument that has been lodged but is not registered. There is also provision for the registrar to issue a certificate of title at the written request of the registered owner, provided that the lot is not encumbered by mortgage. If a mortgage is registered, a certificate will not be issued.

With the introduction of the automated titling system, as there is no necessity to issue certificates of title, it is intended to limit the number of certificates held outside the electronic data base, primarily to enhance the security of the register. As we are all aware, at present certificates of title—which are valuable documents—are either held by the owners, their solicitors, their banks or in some other safe place. Once the automated titling system is in place, it will not be necessary for a certificate of title to be held in this manner. In fact, as I understand it, it will pay holders of certificates of title to return their certificates to the registrar rather than run the risk of losing them or having them stolen and then having to go to the trouble and expense of having them replaced. The greater security provided by the automated titling system will also help reduce the possibility of fraud, as has occurred in recent times. Other members have touched on that issue.

Since this legislation consolidates and reforms the law relating to the registration of freehold land and interests in freehold land, which will result in the repeal of some 18 Real Property Acts dating back to 1861, for the record I would like to make brief reference to the history of the system of land title in this State, which has been provided to me by the Parliamentary Library.

Land titling in Queensland is based on the Torrens system. The Torrens system was devised by Sir Robert Torrens of South Australia. It set out to allow registration of title that would be reliable, simple, cheap, speedy and suited to the social needs of the community. The first ever legislation in Australia to give effect to the Torrens system was the South Australian Real Property Act 1858. Queensland embraced the Torrens system when it enacted the Real Property Act of 1861. This legislation provided

that land alienated or granted by the Crown after the date of commencement was automatically to be under the Torrens system. In the case of Queensland, 1 January 1862 was the commencement date.

Only land alienated by the Crown before the introduction of the Torrens system retains its status as old system land. In the case of this land, the Torrens legislation established a procedure whereby the holder of the fee simple estate may apply to bring the land under the legislation. In Queensland, the conversion of land to the Torrens system was virtually completed by 1973 when the Queensland Law Reform Commission published its report on property law reform. In order to ensure that the last few thousand acres of old system land in the State were converted to the Torrens system, the commission recommended legislation designed to compel the registration of such land. This was done via sections 250 to 254 of the Property Law Act 1974.

The Torrens system of land transfer is where title to land—either as the owner of the estate in fee simple, mortgagor, mortgagee, lessor or lessee—is vested and divested upon registration of the appropriate instrument, for example, a transfer, mortgage or lease. The Torrens system is in contrast to the general law system under which title is vested and divested upon the execution of an instrument, for example, conveyance, mortgage or lease.

The Torrens system allocates a leading role to the State in good title, where "good title" means that the evidence of a person's right is cogent and conclusive. Under the Torrens system, the issuance of a certificate of title, with some exceptions, is conclusive of the applicant's estate in land. The system registers land title as opposed to simply registering or recording evidence of such title.

The Torrens system has a number of objectives. The first is to provide a register from which persons who propose to deal with land can discover all the facts relevant to the title. The second objective is to ensure that a person dealing with land that is subject to the system is not adversely affected by any infirmities in his vendor's title that do not appear on the register, thus saving the difficulty and expense of going behind the register to investigate the title. Thirdly, the Torrens system aims to provide a guarantee by the State that the picture presented by the register book is true and complete. If this turns out not to be the case, compensation is to be paid to any person who suffers loss either through the land being made subject to the system or else through the

register not disclosing all the facts relevant to the title.

For those who may be interested, the land area of Queensland, which covers approximately 1.7 million square kilometres, is divided into three broad categories—public land, private land and Aboriginal and Torres Strait Islander land. The approximate percentages of total land area proportioned between the three categories are: private land, 90.5 per cent; public land, 6.9 per cent; and Aboriginal and Torres Strait Islander land, 2.6 per cent.

The Minister has outlined the significant aspects of the Bill and other speakers have dealt with its various provisions. I support the Bill. I take this opportunity to compliment those who have been associated with its production. I acknowledge also the job done by those who work in the Titles Office, particularly having regard to the pressure under which they have been working in recent times.

**Mr CONNOR (Nerang) (11.07 p.m.):** I want to talk about the security of titles in my electorate. As members are aware, the electorate of Nerang covers virtually all of the hinterland of the Gold Coast. I want to bring to the attention of the Minister the fact that half of the land in my electorate is vacant Crown land and could be subject to a Mabo-style claim. The Minister may not be aware that the Bandjalung tribe, which is based in Lismore, has made a claim for northern New South Wales and south-east Queensland up to the Logan River, which includes all of the Gold Coast and in particular my electorate. As I have explained, half of the land in my electorate is vacant Crown land.

I want to point out some areas of significance that are contained in my electorate. It includes State forests, the Hinze Dam, the Lamington National Park and the Springbrook National Park, all of which are subject to claim. I remind the Minister that a great deal of development is occurring on the Gold Coast, in particular in the Albert Shire and in my electorate. As I understand it, that is the fastest growing area in Australia. The council is in the process of constructing the necessary infrastructure to cope with that growth. In order to provide that infrastructure, it is necessary that some of the Crown land in the area be rezoned. As I understand it, that presents a problem. I point out also that the Kumbamari tribe, which is based on the Gold Coast, is not party to the claim of the Bandjalung tribe and has distanced itself totally from that claim.

I draw the Minister's attention to the fact that the New South Wales Government has suspended all freeholding and leaseholding of land that is subject to a Mabo-style native title

claim. That was done on the basis that the title to such land cannot be guaranteed. I ask the Minister: is this Government able to issue new titles—either leasehold or freehold—to Crown land that is subject to a Mabo claim? Queensland has complementary native title legislation to that passed by the Federal Parliament. However, to this date, the Queensland legislation has not been proclaimed. Does that legislation extend the requirements of the title sufficiently that the Minister is able to issue those titles?

**Mr DEPUTY SPEAKER** (Mr Palaszczuk): Order! The member will resume his seat. The Chair has been very tolerant for the past three minutes. Could the member for Nerang please explain to the Chair the relevance of his contribution to the Bill before the House?

**Mr CONNOR:** As I understand it, this is a land Bill. What I am talking about is whether or not a land title can be held in my electorate. I am speaking purely as a local member. All I am seeking from the Minister is some indication as to whether or not the land titles in my electorate are potentially viable.

**Mr DEPUTY SPEAKER:** Order! The honourable member is drawing a very longbow in regard to the Bill before the House. The Bill is about freehold titles.

**Mr CONNOR:** I am talking about freehold titles. If the council wishes to be able to put in place this infrastructure, it needs a freehold—

**Mr DEPUTY SPEAKER:** Order! I am going to make a ruling. I will allow the member to continue for a short time longer, but if he does not return to the contents of the Bill, I shall sit him down.

**Mr CONNOR:** As I said, I will not be much longer. It is quite a straightforward issue. All I am seeking is some indication from the Minister.

In New South Wales, Mabo-style claims are having a direct effect on the legality of extending freehold titles. That is the point I am trying to make. The New South Wales Government intends to seek further legal advice. It is amending legislation to enable the extension of freehold titles over the land that is subject to a Mabo-style claim. The question I am asking the Minister is: does he intend to, or does he need to, extend titles on freehold land in my electorate? As I have said, half of my electorate is subject to a Mabo-style claim. As I have also said, we need to know whether that freehold title can be extended so that we can put in place the infrastructure necessary in order to develop this land.

The Bandjalung claim that I mentioned extends into the Ballina area in northern New

South Wales where there is a fair amount of Crown land. In that area, in order for the Government to be able to extend freehold title so that the infrastructure necessary to proceed with projects could be put in place by the council, it had to freeze the title. It could not extend any titles whatsoever. As I said, the New South Wales Government is in the process of framing amending legislation so that these sales can go ahead. I would like to put the question again: does the existing Mabo legislation in Queensland have the same effect, or will it have to be amended? Many people in my electorate work in the building industry and they need this development in order to make a living. I simply ask the Minister whether there will be any delays in the freeholding of this title. As I said, I am speaking purely as a local member.

**Mr DEPUTY SPEAKER:** Order! The Chair has been extremely tolerant with the honourable member for Nerang. The Chair asks for the last time: is the honourable member for Nerang going to return to the Bill or not?

**Mr CONNOR:** I will return to the Bill, and I will conclude what I am saying. At present, as a result of the conversion to a computerised system, the Titles Office is in a mess. I am combining the concept of the Titles Office with Mabo legislation. All I am asking for is an assurance from the Minister that he will try to clear up this mess as soon as possible.

**Hon. G. N. SMITH** (Townsville—Minister for Lands) (11.14 p.m.), in reply: I thank all members for their contributions. I also congratulate the Opposition spokesman on his diligence in taking advantage of the briefing that was made available to all members over a period of two days. I think that tonight he has demonstrated that he understands the issues involved. I appreciate the fact that he has largely confined his comments to the Bill before the House and that he has indicated that the Opposition supports the Bill.

This Bill consolidates some 17 pieces of primary legislation comprising something like 200 to 300 pages and 500 pages of supporting legislation into a much smaller and composite Bill. Of course, most importantly, the legislation has been framed so that it can be easily understood. I think that is going to be of great benefit to everyone who has dealings with the Lands Department.

One issue raised by a number of members was that of security. I think it has been demonstrated that lodgment in electronic form is an acceptable form of lodgment around the world. Unless one has clear title to a property, somebody else holds the title, be it a financial

institution or whoever else. There is perhaps not a lot of change in that respect.

The member for Warrego expressed concern that proprietors would not be able to get a certificate of title if the property is mortgaged. Currently, a proprietor whose property is encumbered by a mortgage does not hold that certificate of title. As I mentioned before, it is held by the financial institution that provided the funds. The honourable member also stated that clause 59 means that when a joint tenancy is severed, resulting in tenants in common, the lot is effectively subdivided. That is not the case. The interest of tenants in common can certainly be sold but, in lay terms, the tenants effectively hold a half interest.

The current difficulties being experienced within the title operations of the Lands Department are not as a result of the automation of the titling system. I will say more about that later. The honourable member for Warrego did not pursue that point to any great extent; however, other members did.

It was alleged—I refuted it at the time—that I had said that there were 20 000 working documents in hand. This is not dealt with by the Bill; I am just providing some additional information. I have said, and I repeat, that the normal range of documents in hand is something like 14 000. There has been some increase but, effectively, the present workload is, I think, about 27 per cent higher than historic levels. I think that recently that figure has crept up to about 36 per cent.

When people talk about delays in the Titles Office, they use a broad brush. There are a whole series of different actions involved in the Titles Office. I think that those people who are interested in time delays ought to acquaint themselves with the workings of the Titles Office. Certainly, delays can be serious for developers, particularly in regard to the registration of plans. Certainly, the odd title goes astray. But, basically, the delay in the issuing of title is not as great as is generally thought.

I would like to talk about searches undertaken in mini Titles Offices. There are not 34 mini Titles Offices in Queensland. I have made that quite clear before. In fact, Queensland has three registries—the Brisbane, Townsville and Rockhampton registries. Searches are able to be initiated from the department's 34 offices by means of Docfax. The standard time in which we hope to provide that service is around about four hours, and it is still running at four hours. Occasionally, that service can take six hours. To call a Docfax search a mini Titles Office is quite ridiculous. A mini Titles Office merely provides an initial search. I think the honourable member who

raised that point should endeavour to properly understand the processes.

I move now to another point that was raised about the Titles Office. The Titles Office actually separated into the Office of Freehold Titles in 1988. The honourable member is persisting with his claim about the need for legal expertise. The previous Government appointed a CEO who was not a lawyer. I really did not think that Mr Santoro said anything more tonight than he has said on other occasions. He said that he had other matters to attend to. He has also been fairly vocal about the Titles Office. I am disappointed that he did not take the opportunity to attend the demonstration sessions the other day. The Opposition spokesman and a number of other Opposition members attended. I am sure that they were very much enlightened by the information that they received. I have made some inquiries about the type of system which the honourable member proposes, which exists in the United States.

**Mr Santoro:** I didn't propose it; I asked you to think about it.

**Mr SMITH:** I can give the member an answer on the spot. The fact is that it varies from State to State. There is very little involvement with local government. It is a system of individual insurance arrangements that is largely regarded as the worst in the world. I really do not know where the member got his information.

Mr Lingard spoke about the origins of the ATS system. That is fair enough. It was identified in 1989. The system then envisaged would have meant a proposed turnaround of about one day. When this Government came to power, it had a look at the systems that were proposed and being developed. The system that is being put in place looks at a turnaround within minutes—virtually an over-the-counter operation. That will be much better than anything that was ever proposed by the previous Government, which really let things go to a pretty deplorable extent.

Mr Lingard suggested that the way to go was to beef up the existing paper-based system and then everything would be hunky-dory. If that sort of thing was allowed to prevail, we would still be back in the days of the spinning jenny. Those are unrealistic comments that are not to be taken very seriously.

I can only assume that the member for Nerang made his remarks in innocence, because this Bill clearly deals with freehold title. The Native Titles Act has passed through the Federal Parliament and has been proclaimed. The Queensland Native Titles Act certainly has not been proclaimed. The questions that the

honourable member asked have no relevance to matters before the House tonight.

Motion agreed to.

### Committee

Hon. G. N. Smith (Townsville—Minister for Lands) in charge of the Bill.

Clauses 1 to 120, as read, agreed to.

Clause 121—

**Mr SMITH** (11.24 p.m.): I move the following amendment—

"At page 51, line 12, after 'by'—

*insert* 'or for'."

Amendment agreed to.

Clause 121, as amended, agreed to.

Clauses 122 to 194, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

**Mr SMITH** (11.25 p.m.): I move the following amendment—

"At page 82, after line 10—

*insert*—

'DISTRICT COURTS ACT 1967

1. Section 99, from '91 of' to 'and section'—

*omit*.

INTEGRATED RESORT DEVELOPMENT  
ACT 1987

1. Section 65, definition "Real Property Acts"—

*omit*.

2. Section 65, definition "proprietor"—

*omit* 'registered or entitled to immediate registration under the Real Property Acts as the proprietor of that land',

*insert* 'registered, or entitled to be registered, under the Land Title Act 1994 as the owner of the land'.

3. Section 78 (3)—

*omit* 'entitled, otherwise than as a transferee, to be registered under the Real Property Acts as',

*insert* ', otherwise than as a transferee,'.

4. Section 94, definition "proprietor"—

*omit* 'registered or entitled to immediate registration under the Real Property Acts as the proprietor of that lot',

*insert* 'registered, or entitled to be

registered, under the Land Title Act 1994 as the owner of the land'.

5. Section 94, definition "Real Property Acts"—

*omit*.

6. Section 106 (3)—

*omit* 'entitled, otherwise than as a transferee, to be registered under the Real Property Acts as',

*insert* ', otherwise than as a transferee,'.

LOCAL GOVERNMENT (PLANNING  
AND ENVIRONMENT) ACT 1990

1. Section 1.4, definition "allotment"—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

2. Section 1.4, definition "Real Property Acts"—

*omit*.

3. Section 1.4, definition "registering authority", paragraphs (a) and (b)—

*omit, insert*—

'(a) the Registrar of Titles; or'

4. Section 1.4, definition "subdivision", paragraph (c)—

*omit, insert*—

'(c) the creation of an indefeasible title under the Land Title Act 1994 for a part of the land; or'.

5. Section 5.3 (7), from 'for a purpose' to 'the Registrar of Titles'—

*omit, insert*—

'so that it can be lodged in a different order in relation to other instruments'.

6. Section 5.11 (13)—

*omit*.

PROPERTY LAW ACT 1974

1. Section 4, definitions "bank", "bankrupt", "land under the provisions of the Real Property Acts", "nomination of trustees", "Real Property Acts" and "will"—

*omit*.

2. Section 4, definition "conveyance"—

*omit* 'within the meaning of the Real Property Acts',

*insert* 'of an interest in land'.

3. Section 4, definition "disposition"—

*omit* 'nomination of trustees,'.

4. Section 4, definition "registered land"—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

5. Section 5 (1) (b)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

6. Section 5 (1) (b)—

*omit* 'those Acts', *insert* 'that Act'.

7. Section 30 (2)—

*omit, insert—*

'(2) An interest in remainder created after the commencement of this Act must not be registered in the freehold land register.

'(2A) Subsection (2) has effect despite anything in the Land Title Act 1994.'

8. Section 45 (5) (b)—

*omit, insert—*

'(b) how instruments are validly executed under the Land Title Act 1994; or'.

9. Section 46 (7)—

*omit, insert—*

'(7) This section does not affect how instruments are validly executed under the Land Title Act 1994.'

10. Section 53 (4)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

11. Section 73 (3) (b)—

*omit, insert—*

'(b) the Land Title Act 1994.'

12. Section 74(1)—

*omit, insert—*

'74. (1) A purchaser under an instalment contract for the sale of land registered under the Land Title Act 1994 may, by a caveat under that Act that is expressed to be lodged under this section, forbid the registration of any instrument affecting the land the subject of the contract until completion of the instalment contract.

'(1A) A caveat lodged under this section is taken, for the purposes of the Land Title Act 1994, to have been lodged other than under Part 7, Division 2 of that Act.'

13. Section 74 (3)—

*omit* 'under section 102 of the Real Property Act 1861',

*insert* 'in relation to caveats under the Land Title Act 1994'.

14. Section 77, heading—

*omit* 'and interpretation of terms'.

15. Section 77 (1) (b) (i)—

*omit, insert—*

'(i) the Land Title Act 1994; or'.

16. Section 77 (2)—

*omit, insert—*

'Definitions

'77A. In this Part—

"instrument of mortgage" includes—

- (a) an instrument of mortgage under the Land Title Act 1994; and
- (b) a memorandum of mortgage under the Land Act, the Miners' Homestead Leases Act or the Mineral Resources Act;

"principal money" includes any annuity, rent charge or principal money secured or charged by an instrument of mortgage registered under the Land Title Act 1994.'

17. After section 80 (3)—

*insert—*

'(3A) Subsection (3) (a) does not apply to a certificate of title or other document of title if, under the Land Title Act 1994, it must be cancelled and not be redelivered to the mortgagee.'

18. Section 84 (4)—

*omit* 'the Real Property Acts',

*insert* 'any 1 or more of the Acts repealed by the Land Title Act 1994'.

19. Section 86 (2)—

*omit* 'a bill of mortgage registered under the Real Property Acts',

*insert* 'an instrument of mortgage registered under the Land Title Act 1994'.

20. Section 101 (4) (b)—

*omit* 'section 63 of the Real Property Act 1861',

*insert* 'the Land Title Act 1994'.

21. Section 101 (4) (b)—

*omit* 'that section', *insert* 'that Act'.

22. Section 101 (5)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

23. Section 113 (4)—

*omit, insert—*

'(4) For a registered lease of registered

land, this section is subject to the Land Title Act 1994.'

24. Section 115 (2)—

*omit* 'Real Property Acts, including section 54 of the Real Property Act 1861',

*insert* 'Land Title Act 1994'.

25. Section 128 (11) (b)—

*omit, insert*—

'(b) the lessee, if the lease is of registered land and the lessee is in possession of the leased premises, has the protection given by the Land Title Act 1994 to—

(i) if the lessee's interest in the lease is held by the lessee as a registered proprietor— a registered proprietor; or

(ii) if the lease is an unregistered short lease (within the meaning of the Land Title Act 1994)—the interest of a lessee under a short lease.'

26. Section 168 (2)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

27. Section 173 (3)—

*omit, insert*—

'(4) The power of a registered proprietor under the Land Title Act 1994 to revoke a power of attorney is subject to this section.'

28. Section 175—

*insert*—

'(2A) This section is in addition to any other method of proof authorised by law.'

29. Section 175 (4)—

*omit*.

30. Section 176 (2)—

*omit*.

31. Section 183, definition "owner", paragraph (c)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

32. Section 202 (1)—

*omit* 'Real Property Acts, under those Acts',

*insert* 'the Land Title Act 1994, under that Act'.

33. Section 242 (2) (b)—

*omit* 'referred to in section 115 of the Real Property Act 1861',

*insert* 'mentioned in Schedule 1 of the Land Title Act 1994'.

34. After s 254, in Pt 18—

*insert*—

'Continuation of Division after commencement of Land Title Act 1994

'254A.(1) In this section—

"repealed Acts" means the Real Property Act 1861 and the Real Property Act 1877.

'(2) This Division continues to operate after the commencement of the Land Title Act 1994 with all changes necessary to take account of enactment of that Act and any changes prescribed by regulation.

'(3) The repealed Acts continue to apply to the extent necessary for the continued operation of this Division but subject to any changes prescribed by regulation.'

PUBLIC OFFICERS' SUPERANNUATION BENEFITS RECOVERY ACT 1988

1. Section 20 (3)—

*omit* 'Real Property Act 1861–1986', *insert* 'Land Title Act 1994'.

2. Section 20 (4)—

*omit* 'Real Property Act 1877–1988', *insert* 'Land Title Act 1994'.

3. Section 20 (4)—

*omit* 'Real Property Act 1861–1988', *insert* 'that Act'.

PUBLIC TRUSTEE ACT 1978

1. Section 6, definitions "Real Property Acts" and "will"—

*omit*.

2. Section 6, definition "registering authority"—

*omit* 'under the Real Property Acts, the Registrar of Dealings under the Land Act 1962–1978'.

3. Section 28 (3)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

4. Section 28 (4)—

*omit, insert*—

'(4) Freehold land under the Land Title Act 1994 accepted or taken by the Public Trustee under subsection (1) may be transferred under the Land Title Act 1994 to the Public Trustee as trustee under this section.'

## 5. Section 127—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

## 6. Section 138 (2) (a)—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

## 7. Section 138 (2) (a)—

*omit* 'proprietor of any estate or interest in any land under those Acts',

*insert* 'owner or proprietor of land under that Act'.

## QUEENSLAND BUILDING

## SERVICES AUTHORITY ACT 1991

## 1. Section 4, definitions "owner", "Real Property Acts" and "Registrar of Titles"—

*omit, insert—*

' "owner" of land means—

(a) for freehold land—the registered owner of the land under the Land Title Act 1994; or

(b) for land held under a statutory lease or licence giving a right to possession of the land—the lessee or licensee;

"Registrar of Titles", for land that is not under the Land Title Act 1994, means the officer responsible for keeping a register for the land;'

## 2. Section 46—

*insert—*

'(5) In this section—

"register" means—

(a) for freehold land—the freehold land register; or

(b) for other land—the relevant register for the land.'

## SOUTH BANK CORPORATION ACT 1989

## 1. Section 4, definitions "Real Property Acts" and "Registrar of Titles"—

*omit.*

## 2. Section 4, definition "South Bank public land"—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

## 3. Section 13A (5)—

*omit, insert—*

'(5) If particulars of an interest in land in the Parkland Precinct may be recorded in the freehold land register, the Corporation

and the Council may transfer the interest only if the Minister has consented in writing.

'(6) Subsection (5) does not apply to a short lease within the meaning of the Land Title Act 1994.'

## 4. Section 14 (1)—

*omit, insert—*

'Recording of vesting of land

'14.(1) The Registrar of Titles or anyone else required or permitted to record particulars necessary to identify interests in land must, on the written request of the Corporation, record the particulars of any interest in land vesting in the Corporation, or in the Corporation and the Council, under this Act.'

## 5. Section 23 (5) (a)—

*omit, insert—*

'(a) a short lease within the meaning of the Land Titles Act 1994 or an interest the particulars of which may not be recorded in the freehold land register; or'.

## 6. Section 24 (1) (b)—

*omit* 'proprietor', *insert* 'owner'.

## 7. Section 24 (3)—

*omit, insert—*

'(3) On notification in the Gazette of the approval of the Governor in Council to the permanent closure of the road and on application by the Corporation to the Minister administering the Land Act 1962, a deed of grant must be issued in the name of the Corporation for the land consisting of the road and the Registrar of Titles must register the deed of grant.'

## 8. Section 25 (1), definition "land"—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

## 9. Section 25 (1), definition "lot"—

*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.

## 10. Section 25 (4)—

*omit* 'owner', *insert* 'registered owner'.

## 11. Section 25 (5) (d)—

*omit, insert—*

'(d) otherwise comply with the requirements of the Land Title Act 1994.'

## 12. Section 25 (6)—

*omit* 'Real Property Act 1861', *insert* 'Land Title Act 1994'.

13. Section 25 (11) and (12)—  
*omit.*
14. Section 25A (1)—  
*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.
15. Section 25A (2)—  
*omit, insert—*  
'(2) The Land Title Act 1994 applies to stratum lots in the same way as it applies to other land except to the extent that it is inconsistent with this Act or incapable of applying.'
16. Section 25A (15) (b)—  
*omit* 'register', *insert* 'freehold land register'.
17. Section 25A (17)—  
*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.
18. Section 25A (17) (b)—  
*omit, insert—*  
'(b) create a separate indefeasible title for each stratum lot created by the registration of the relevant plan by recording a separate set of particulars for each lot in the freehold land register; and'.
19. Section 25A (17) (c)—  
*omit* 'register', *insert* 'freehold land register'.
20. Section 25A (18)—  
*omit* 'Real Property Acts, taken to form part of the register',  
*insert* 'Land Title Act 1994, taken to be recorded in the freehold land register'.
21. Section 25B (2) (a)—  
*omit* 'owner', *insert* 'registered owner'.
22. Section 25F (1)—  
*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.
23. Section 25G (2)—  
*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.
24. Section 25G (2) (b)—  
*omit* 'proprietor', *insert* 'owner'.
25. Section 25G (12)—  
*omit* 'Real Property Acts', *insert* 'Land Title Act 1994'.
26. Section 25G (13)—  
*omit, insert—*

'(13) In creating an indefeasible title for land benefited or burdened by an easement created under this section, the Registrar of Titles must record the easement against the indefeasible title in the way the Registrar of Titles considers appropriate.'

#### STAMP ACT 1894

1. Section 30 (2)—  
*omit, insert—*  
'(2) The Registrar of Titles may accept a caveat for lodgment only if it is properly stamped or exempt from duty.'
2. Section 56FD (2)—  
*omit, insert—*  
'(2) After the request is recorded, the Registrar of Titles may register an instrument affecting the land only if the Commissioner consents in writing to the registration of the instrument.'
3. Section 56FG (b)—  
*omit* 'Real Property Act 1861–1986', *insert* 'Land Title Act 1994'.
4. Section 66A—  
*omit* 'Real Property Act 1861–1985 or the Real Property Act 1877–1981',  
*insert* 'Land Title Act 1994'.
5. First Schedule (Caveat)—  
*omit* 'Real Property Act 1861–1985 or the Real Property Act 1877–1981',  
*insert* 'Land Title Act 1994'.
6. First Schedule (Request)—  
*omit* 'Real Property Act 1861–1988 and the Real Property Act 1877–1988',  
*insert* 'Land Title Act 1994'.
- #### STATE HOUSING ACT 1945
1. Section 22 (3)—  
*omit.*
2. Section 23A (9)—  
*omit* "'The Real Property Acts, 1861 to 1963'",  
*insert* 'the Land Title Act 1994'.
3. Section 24A (6) (a)—  
*omit* 'a memorandum of transfer, correct for registration under "The Real Property Acts, 1891 to 1960,"',  
*insert* 'an instrument of transfer capable of registration under the Land Title Act 1994'.
4. Section 24A (8)—

*omit* 'a memorandum of transfer, correct for registration under "The Real Property Acts, 1861 to 1960,"',

*insert* 'an instrument of transfer capable of registration under the Land Title Act 1994'.

5. Section 24A (12)—

*omit* "'The Real Property Acts, 1861 to 1960,'" ,

*insert* 'the Land Title Act 1994'.

6. Section 26D (3)—

*omit* 'Real Property Act 1861–1981',  
*insert* 'Land Title Act 1994'.

SUGAR INDUSTRY ACT 1991

1. Section 11.7 (4)—

*omit* 'Real Property Act 1861–1990'.

*insert* 'Land Title Act 1994'.

SUGAR MILLING RATIONALISATION

ACT 1991

1. Section 23 (1)—

*omit* 'Real Property Act 1861 or the Land Act 1962, the Governor in Council may, by order in council,' ,

*insert* 'Land Title Act 1994 or the Land Act 1962, a regulation may'.

2. Section 23 (1) (b)—

*omit* 'order in council', *insert* 'regulation'.

3. Section 23 (2)—

*omit* 'order in council', *insert* 'regulation'.

4. Section 24 (1)—

*omit* 'Real Property Act 1861 or the Land Act 1962, the Governor in Council may, by order in council,' ,

*insert* 'Land Title Act 1994 or the Land Act 1962, a regulation may'.

5. Section 24 (1)—

*omit* 'with the order in council', *insert* 'with the regulation'.

6. Section 24 (2)—

*omit* 'order in council', *insert* 'regulation'.

7. Section 24 (4)—

*omit, insert—*

'(4) An easement declared under subsection (1) to be capable of registration under the Land Title Act 1994 or the Land

Act 1962 may be registered under section 25.'

8. Section 25 (2)—

*omit* 'the form prescribed by the Real Property Act 1861',

*insert* 'the appropriate form under the Land Title Act 1994'.

9. Section 25 (3)—

*omit.*

10. Section 25 (4) (b) and (c)—

*omit, insert—*

'(b) any other documentation required by the Registrar of Titles;'

11. Section 25 (5)—

*omit* 'The instrument of title for the land concerned is not',

*insert* 'No instrument of title for the land concerned is'.

12. Section 25 (6)—

*omit.*

13. Section 26, heading—

*omit, insert—*

'Details in regulation'.

14. Section 26—

*omit* 'An order in council', *insert* 'A regulation'.

TRUSTEE COMPANIES ACT 1968

1. Section 4, definitions "bank" and "will"—

*omit.*

2. Sections 17, 18 and 19, from 'including in' to 'those Acts'—

*omit, insert—*

'(including the right to be registered under the Land Title Act 1994 as personal representative)'

3. Section 39 (2), from 'under the' to 'those Acts'—

*omit, insert—*

'under the Land Title Act 1994, or of recording the trustee company as owner or proprietor of land under that Act'.

TRUSTS ACT 1973

1. Section 5, definitions "bank", "Local Authority", "Minister" and "property"—

*omit.*

2. Section 5, definition "Registrar"—

*omit* 'appointed under The Registrar of Titles Act of 1884'.

3. Section 11 (5)—

- omit.*
4. Section 33 (5)—  
*omit* 'Real Property Act 1861–1972',  
*insert* 'Land Title Act 1994'.
5. Section 56 (9)—  
*omit.*
6. Section 113 (1)—  
*omit* 'Real Property Act 1861–1978',  
*insert* 'Land Title Act 1994'.
- Amendment agreed to.  
Schedule 2, as amended, agreed to.  
Bill reported, with amendments.

### Third Reading

Bill, on motion of Mr Smith, by leave, read a third time.

### ADJOURNMENT

**Hon. T. M. MACKENROTH**  
(Chatsworth—Leader of the House)  
(11.27 p.m.): I move—

"That the House do now adjourn."

### Electricity Powerlines, Toowoomba

**Mr COOPER** (Crows Nest) (11.27 p.m.): I wish to raise again in this House an issue in relation to the upgrading of the electricity powerlines in Boundary Street, Toowoomba. I have spoken in this place before about this issue, and I reiterate from the start a recognition of the need for electricity to meet the needs of future consumption. I have no argument with that at all. But what I do have an argument with is the charade of so-called consultation between the South West Queensland Electricity Board and local residents.

This matter started with a visit to my electorate office by the general manager of SWQEB, Mr Jurij Petrewskyj and its chief engineer, Mr Peter Brennan, to inform me of pending upgrading. This I appreciated, because I felt that it was the start of a new era—that of taking the affected community into their confidence. A public meeting of 220 residents demonstrated their concerns and elected a committee to make representations on their behalf. This committee was headed by Mr John Iseppi, Mr Gus Napier, Mr John O'Sullivan, Mr Roger Fuss, and Mr David Custance, among many others.

These people recognised the need for electricity but also recognised that the proposed route was not in the public interest. Instead of

simply complaining, they gave weeks of their precious time to investigating alternative routes. They did this by suggesting a route up the eastern escarpment of the Great Divide. Countless hours were expended doing these investigations. I involved the Minister—who I am pleased to see is in the House—who also spent valuable time examining the alternative routes.

Similarly, the Chairman of SWQEB, Mr Graeme Andrews, was most amenable to the concerns of the affected citizens. What went wrong was the dominance of the bureaucracy over the elected representatives and their various constituencies. Despite the involvement of the community justice program, whose role was to mediate the dispute, the involved elected representatives and the concerns of the affected citizens all went for nothing. The community justice people meant well but they had no effective jurisdiction to intervene. That body needs more teeth.

The SWQEB bureaucrats ignored everything except their own pig-headed and dogmatic position of winning the day for their argument at all costs. Their arrogance had to be seen to be believed. The people did not matter a damn. Why on earth they ever embarked on such a deception I will never know, because they have now dashed any confidence or credibility that people could have had in the so-called consultative process.

This process is now damned as a farce and a charade. Worse still, it has demonstrated clearly the ascendancy of the bureaucracy over the elected representatives and the people. The elected representatives include members of Parliament such as myself, as the member for Crows Nest; the member for Toowoomba South, Mr Mike Horan; the member for Toowoomba North, Mr Graham Healy; the member for Cunningham, Mr Tony Elliott, and the Minister for Mines and Energy. The lifestyle and quality of life of all the affected citizens—in spite of their genuine efforts—counted for nought in the face of arrogant bureaucrats who just had to have their way. Their perceived success will live forever in infamy and has completely shattered any future attempts at so-called consultation. If any Government or semi-Government body ever again suggests consultation, these people will laugh themselves sick at the thought. The SWQEB bureaucrats had better not enter my office again or seek any support for anything in the name of the consultation. In my opinion, the Government must decide who runs the State. It is supposed to be the people, but obviously it is not. This episode has destroyed the people's faith in the consultative process once and for all. It has made a mockery of the new consultative

process and reinforced the people's view of democracy as cynical and false.

Everyone knew that an alternative route might cost the consumer more, but they were prepared to pay more for their electricity in order to enjoy a better quality of life. Quite obviously, quality of life and consideration for the taxpayers who pay their salaries means nothing to these bureaucrats, Mr Petrewski and Mr Brennan, who far exceeded their authority. Their job was to put forward the technical and economic proposal on behalf of their masters, SWQEB, and the Government—no more and no less. Instead, they set about to impose their proposal as their will and nothing was going to stop them. At every turn, they interfered and influenced far beyond their authority and over and above the will of the people and their elected representatives. This whole disgraceful episode has been a massive slap in the face for the consultative process and the quality of life of the affected people and strikes at the heart of democracy itself.

We can all feel justifiably indignant and ashamed that these two people could have their way in such circumstances. Their credibility and their actions will forever stand condemned, and the damage they have done will justifiably be held against them for as long as they hold their positions. My heart goes out to those people who made such a dignified and creditable effort to do the right thing and to work with those people who, in the initial stages, seemingly were genuine but, in the final analysis, duped them, led them on and eventually had their day. They will live to regret it.

### **Security of Vehicle Loads**

**Mrs EDMOND** (11.32 p.m.): This speech I am giving tonight gives me no pleasure. It is with great sadness, in fact, that I am bringing these matters to the attention of the House. For several years, I have received complaints from a variety of constituents and also people passing my electorate office about loose material falling from trucks.

Motor cyclists have complained about stones and gravel falling from trucks and flying up at them and even loose packing matter scattered from empty trucks. Pedestrians, too, have complained of the apparent disregard of truck operators for the safety of other road users from flying stones and debris. We have, in Ashgrove, witnessed a large boulder crashing off a truck and rolling down the sloped streets. I table a copy of the report of that incident.

I have personally witnessed a truck driving blithely on while its load of concrete pipes bounced off the truck and across the road,

causing havoc and panic in the motorists following, including myself. On several occasions, I have drawn these incidents to the attention of truck operators and manufacturers of building and quarrying products and expressed my concern that major accidents had been avoided by good luck, not good management, and could have serious legal implications for the operators.

While the incidents I have outlined did not cause death or injury, they had the potential to do so and have one thing in common. They all arose from the poor packaging and securing, and hence, dangerous transportation of the goods involved. They also showed either ignorance or blatant disregard for the laws regarding the safe transport of such materials where it is clearly spelled out that all loads shall be safely and securely fastened and, in particular, in section 77 (d) of the Traffic Regulations, that a load shall be "so arranged, contained, fastened or covered that neither the load nor any part of it will fall or otherwise escape from such vehicle".

Late last year, the visit to my office by a very brave young lass highlighted the urgent need to act on this negligence and to enforce these regulations as rigorously as we pursue other safety issues such as weight limits, drink-driving and speeding. I will briefly outline enough of this case to show the reasons for my concerns and the urgent need for adequately secured loads.

This lass sustained shocking facial injuries. She has large scars running down her face, one eye is closed, with further scars underneath it. Her teeth were badly chipped and broken. But the worst damage involved the bone structure of the central part of her face. The bones around her eyes, cheekbones and the bridge of her nose were all smashed and displaced.

The future for this girl will involve lengthy, ongoing surgery to try to rebuild her face and minimise disfigurement, although tragically it will never be able to return her natural attractive appearance. This lass was not involved in a major traffic accident or hit by a train. She was hit by a piece of broken brick, flying off a truck with such force that it broke through flaps in the laminated windscreen of the car in which she was a passenger.

It is worth noting that if the driver of the vehicle had been struck and similarly knocked unconscious and injured, there would most likely have been a double fatal car crash. The bricks on this load were packed and secured by a common method, that of using steel tension straps on a palette and the palettes stacked on a truck without any covering material or truck sides, for easy loading and unloading. This method commonly appears to cause fractures of the

bricks. I say "commonly", because I have since made particular note of brick palettes whenever I see them, and a significant proportion have some broken bricks. Once a brick is broken or dislodged, the tension strap becomes ineffectual and increasing numbers of bricks are loosened and can fly out.

As I indicated, I have raised these issues earlier and informally with transport operators, with particular reference to the dust and gravel thrown off by uncovered quarry trucks. Operators have excused their "thoughtless" behaviour on the grounds of time efficiency and the costs involved. I think it needs stressing that the cost of such accidents as I have described are extensive to the community and immeasurable to the people involved. In this particular case, the cost to the community has been estimated as close to \$200,000, while the cost of preventing the accident by either plastic binding, tarpaulin covering or truck sides would have been minimal.

It would appear from observing truck loads that to the operator the relative importance of safe loading is in direct proportion to the value of the load. For example, all care is taken with electrical goods compared to "cheap" loads, such as quarry materials, which are packed with minimum concern that approaches negligence.

As I indicated, I have been concerned about this. I put on notice that I will be pursuing this matter relentlessly, with the full support, I hope, of the Minister. I will be pursuing it vigorously. I also urge the Minister to review the paltry \$50 fine and bring in a significant fine that reflects the seriousness of this risky behaviour. I would like to say that this tragedy was a freak accident—

Time expired.

### **Brisbane City Council Election, Labor Candidates**

**Mr SANTORO** (11.37 p.m.): Here in Queensland, taxpayers suffer under the huge burden of being governed at three levels by Labor governments—headed by Keating, Goss and Soorley, or Curly, Larry and Moe.

The next level of government to face the people is Queensland's local authorities, and with regard to the Brisbane City Council, the taxpayers of Queensland would be well within their rights to ask how much extra the upcoming elections will cost them through hidden Labor rotting of the system.

The Labor Party's printing machines will be working overtime printing those words "not produced at taxpayers expense" at the bottom of the junk mail that they will be stuffing in letterboxes. But just whose printing and copying

and folding machines will also be working overtime, using whose paper and envelopes, and whose postage allowances?

Let us consider some of Labor's candidates for Brisbane City Council wards. The candidate for the ward of Holland Park, Geoff Allen, works as an electorate officer for Garrie Gibson, MP, the Federal member for Moreton. In the ward of Moorooka, Labor's candidate is Mark Bailey, who works for Anne Warner, MLA. I am told that her office is the Socialist Left's training department!

In the ward of Chandler, Labor's candidate is Scott Patterson. He works for Terry Mackenroth, MLA, but many of his potential constituents have been complaining to me that he has apparently been door-knocking full time since last October. In the ward of Marchant, poor Terry Hampson is yet again trying to win a seat for Labor. He works for Molly Robson, MLA. One would think Terry would learn, by the way, that life would be much less painful if he ceased fighting pre-selection contests against the number-stackers of the AWU faction of the Labor Party—the Swans, Kaisers and Ludwigs—who can miraculously arrange for long-dead and buried branch members to arise and vote on plebiscite day so the AWU nobodies like Stirling Hinchliffe can put up a good showing. Speaking of Hinchliffe himself—he is Labor's candidate for the ward of Hamilton. He lost one pre-selection battle so he moved across 10 suburbs—the whole of northern Brisbane—to win the right to tell the people of Hamilton how much he cares about their local problems and issues—what a fraud! Why am I not surprised to have been told that Stirling Hinchliffe works for Con Sciacca, the eternal ministerial bridesmaid?

In the ward of Runcorn, of course, we have Gail MacPherson who, surprise of all surprises, works for the Local Government Department as a research officer. It seems that Wayne Swan's double standards—which are boundless in their variety—are being displayed yet again. A well-known argument used by Swan when he was State Secretary of the ALP in the past to prevent Labor members from outside his AWU faction from running for office is that electorate staff should not run for office; their job is to help the member for whom they work. Either the new State Secretary of the ALP, Mike Kaiser, is again displaying his floundering incompetence in the job, or the Socialist Left of the Labor Party—where so many of the council candidates have their power base—is now taking over the party. That could explain why Swan decided to get out before he was kicked out of ALP headquarters.

In total, that is five Labor candidates for the Brisbane City Council elections who work, or

have worked, for sitting Labor members and minders. Some questions need to be asked about these Labor candidates. Have these people, employed at taxpayers' expense, elected to take leave without pay while they run their campaigns? Are they accumulating annual leave with 17.5 per cent loading, long service leave, sick leave, superannuation and such benefits at the taxpayers' expense while being employed by members and Ministers in positions in which their primary task must be to help that member's constituents with State or Federal matters? Are all those benefits accruing while these people run their campaigns? Whose telephones are being used when those candidates muster their factional followers to swoop like vultures on unsuspecting postal voters, cornering the poor pensioners in their own kitchens? Whose telephones muster the party faithful to stacked meetings of local organisations which, in all likelihood, are Labor front organisations that actually do nothing, except wait patiently for their yearly cheque from Ros Kelly. The frightening and expensive truth is that all of the phone calls, paper, postage, printing, folding, envelopes, car expenses, wages and entitlements may very well be funded by the taxpayer, not by the ALP's hidden slush funds.

The intent of electoral legislation in force throughout Australia is that any funds paid to members cannot be used for party political activities. However, Labor in the 1990s is a far cry from the principled organisation of, say, Chifley's era. These days, Labor's principles, morals, rules, policies and procedures are thrown out when it comes to getting jobs for their mates. What is worse is that, in a country where Labor has given us one million unemployed, those candidates, who already have highly paid jobs, are immorally—probably illegally—using taxpayers' money for blatant party politics.

Labor boasts as one of its principles the right to a fair day's pay for a fair day's work. When can Queensland's taxpayers expect to receive a fair day's work from these Labor lackeys, who are now Labor candidates in the BCC election? When can taxpayers expect a full and honest accounting of campaign costs? I hope that members opposite and the Premier of this State are able to do that. I call on the ALP State Secretary, Mike Kaiser, the Premier, or any other Labor member of this place, to supply the details.

Time expired.

**Mr S. Radloff**

**Mr PEARCE** (Fitzroy) (11.43 p.m.): I rise in this House to pay tribute to a man who has given 30 years of his life to local government, Councillor Stan Radloff, who will retire on 26 March from the Mount Morgan Shire Council, where he has been a councillor for 30 years, including the last six years as chairman. He was a good councillor and worked very hard for his community.

For many years, the name Stan Radloff has been virtually synonymous with the town of Mount Morgan. Stan will not contest the next local council elections owing to health problems. I know that it was a hard pill for him to swallow—to retire from a job that he loved so much. Mount Morgan is in his blood, and he has given much of his life to working with its people. He has been a member of the Labor Party since 1955. He let his membership lapse between 1988 and 1991, but he is now back working hard for the cause. He has been prominent in such activities as Meals on Wheels, the Pensioners League, and scouts. He was a member of the Mount Morgan General Hospital Board for 30 years, and the town's fire board for 20 years. Currently, he is chairman of the local ambulance committee and a member of Lions and other community service organisations. He was an employee of Queensland Rail for seven years, and of Mount Morgan Limited for 30 years. Stan knows the names and backgrounds of every long-term resident in Mount Morgan.

During my time as a State member for central Queensland, I have come to know Stan well. One thing is clear: he loves the town of Mount Morgan dearly. Although Mount Morgan is disadvantaged by a small rate base, Stan, through the local council, has struggled to improve the quality of life for the town's ratepayers. It has one of the lowest redemptions of any local authority in Queensland. That is an indication of how hard he has worked. He has been able to keep down the amount in loans, and he has not put the council into debt. In a recent comment to the *Rockhampton Morning Bulletin*, Stan said—

"In Local Government, you soon find out that all the brightest ideas amount to nothing unless you have the money required."

The long battle for the Mount Morgan Shire Council to improve the town's water supply is a good example of what Stan was talking about. The town's small rate base did not generate sufficient revenue to enable the council to allocate the necessary funds to improve the water supply. Because it was a town that had reached its economic peak, it was difficult to get Governments to listen to the council. The record

of the National Party in looking after rural towns, especially Labor-voting towns, was appalling. Basic infrastructure, such as water treatment for places such as Mount Morgan, had been neglected for decades by a succession of National Party Governments. They all wrote off Mount Morgan and other rural towns as having no future.

But Stan Radloff, on behalf of the town's residents, refused to accept that attitude, as he battled to keep their spirit alive. Paul Braddy, the honourable member for the electorate of Rockhampton, which used to take in Mount Morgan, backed Stan and his council's push for an improved water supply. In the 1990s, as the candidate for that area, I was able to take over from Paul and work with Stan, the Water Resources Commission and the Minister for Primary Industries, Ed Casey, to follow this issue through. I am pleased to say that Mount Morgan now has a water treatment plant. Stan Radloff deserves recognition for his determination in sticking with this issue until he won and delivered the goods for the people of the Mount. Prior to this, Stan and the Mount Morgan Shire Council worked with the State Government to arrange for a handover of Dam Seven from Mount Morgan Limited, thereby giving the town an extra 12 months' supply of water. There are still discolouration problems with the water in Mount Morgan owing to the poor condition of the reticulation system. However, I understand that this problem may soon be addressed.

Stan is not an academic by any means. In common with many others in public life, he found dealing with the media difficult at times. However, in common with many people who live in rural Queensland, Stan is a gentleman who has a genuine concern for people. He has enormous respect for the elderly residents of the town—those people who have for all their lives called Mount Morgan home. He believes that the town has survived because of their spirit and endurance. His pet hate is the knockers—people who knock everything in their town, do not understand the history of the town, or have little knowledge of the council's limited budget.

Stan Radloff has been a great ambassador for Mount Morgan. He is respected by his peers. He has an excellent working relationship with Government departments, and has earned the respect of Ministers on the Government side of the House.

Some weeks ago, I spoke with Stan about this year's local elections. He indicated that he had given it his best, and was considering calling an end to life in the public arena. His 30 years of service with the Mount Morgan Shire Council has

been a great achievement. On behalf of the State Government, Mount Morgan residents and the thousands of central Queenslanders who know and respect Stan Radloff, let me say: congratulations on a job well done. To his good wife Leonie, his two sons and daughter, I thank them for sharing Stan with us. They have much to be proud of.

### **Myalgic Encephalomyelitis**

**Mr HORAN** (Toowoomba South) (11.48 p.m.) Tonight, I address this House on a health matter of extreme concern to a growing number of Queenslanders, and that is the insidious and debilitating chronic fatigue syndrome, or myalgic encephalomyelitis. It is of great concern to the victims, their families and the wide community that there is little being done to combat the vicious effects of this disease in Australia. CFS support groups are being stonewalled by funding restrictions. The lack of funds provided in Australia for education and research into this pervasive and invasive epidemic reflects the unenlightened and unresponsive view of the disease by Australian State and Federal Governments.

I call CFS an epidemic, because that is exactly what it is, with its insurgent capacity to affect a single victim, or a whole community. A common misconception is that CFS/ME is a new sickness. In fact, research indicates that Florence Nightingale was a sufferer. Headlines have been made only relatively recently, when a symposium of doctors meeting in Europe on an entirely different matter casually mentioned a strange illness that they were encountering, and that they thought was endemic only in their own respective backyards. As discussion proceeded, they began to realise that what England considered its Royal Free Hospital disease was what Australians called yuppie flu and New Zealanders called the Tapinui flu; and that the same symptoms constituted the same disease under various labels. In fact, it has been called the disease of a thousand names, which indicates how many countries it has infiltrated, and how difficult it is to pinpoint.

The gradual acceptance by the medical profession continued along with some research. However, an inclination to ignore the disease as psychosomatic, or all in the mind, still persists within the medical profession today. The relatively intangible nature of the illness only adds to its capacity to spread throughout the Queensland community. Along with the obvious personal disaster it can wreak on the individual, there is a wider and equally tragic potential for the State and the nation.

A New South Wales finding has estimated that the economic cost is in excess of \$85m. The September *Queensland M.E. Quarterly* stated—

"CFS isn't only a personal disaster for those who have it—frequently sufferers are those whom the community as a whole can least afford to lose; the present and future achievers, planners and innovators. Very often the adult sufferers are those in management or leadership positions—in the home, business world or in public life. The loss of this talent . . . is incalculable."

At this point, I would like to add that this information came from a 60 year old, who lives near Toowoomba. He is a sufferer of CFS. Until he was struck down with the disease 18 years ago, he led an exceptionally active life. He had an exemplary 20-year career in the army before he retired as a major. He is just as committed now in his battle for answers to this mysterious and devastating illness. After 18 years, the Department of Social Security recognised his complaint, and he is now on a disability support pension. He is grateful for this assistance. However, he said, "This does not get over the want to work nor the feeling of one's life being a waste of time."

The difficulty in diagnosing the disease causes severe physiological distress to sufferers. The mental trauma extends from the uncertainty about the unknown course the illness will take, the lethargy and mental drain, the gradual isolation that can occur from friends and the wider community, and the loss of self-esteem and confidence. I would like to quote from an excellent response to non-believers from a 16-year-old Toowoomba schoolgirl, Donna Lee Wilson. This is from a school assignment she felt compelled to write as the daughter of a CFS sufferer and as one who wanted desperately to enunciate her first-hand experience of the disease and the impact that it had on her life as well as the life of her ill mother. She said—

"I don't know of any other disease that is as complicated or as misunderstood as this . . . What other disease occurs in epidemics and yet is not felt to be terribly infectious? What other disease affects virtually every organ in the human body besides CFS? What other disease is so devastating that it will take an Olympic athlete and make them limp in bed and yet many patients walk around looking perfectly healthy?"

Victims of this illness need to feel grief: grief for the loss of the person they used to be and the person they want to be."

A major source of comfort for ME or CFS sufferers is the ME Society. I would like to place on record my sincere admiration and respect for this support group. It is making very real inroads into the established ignorance and resistance of Australian society to accept the prevalence and power of the disease with its awareness campaign and thrust to gain funding for research.

It is apparent after all these years that more doctors are starting to pay attention to this illness instead of putting it in the too-hard basket. This is all well and good, but the society and the sufferers need Government assistance to continue the fight to quell the spread of the disease. Presently, there is a dearth of Government money for sufficient research. The ME Society donates \$100,000 annually to the cause. However, not a single dollar is supplied by State or Federal Governments. If the respective Governments are reminded of the economic loss of \$85m to this country through medical bills and lost working hours, something might be done. However, the reality is that, to date, the State and Federal Governments have neglected the approaches of the ME Society and sufferers to increase research opportunities and to instil a greater understanding in the general community.

Time expired.

### **Misrepresentation of Member for Redcliffe**

**Mr HOLLIS** (Redcliffe) (11.53 p.m.): I rise to speak in order to rebut the scandalous, outrageous allegations about my propriety placed before this House last night by the member for Aspley. The member is not noted for sparkling contribution to debate in this place. However, prior to last evening's presentation, I did credit him with a degree of honesty and perhaps some credibility. That observation has now flown out the window—just as the member concerned flies out from under the bed or wardrobes to reinforce his image as the Queensland Liberal Party's own stud.

I would like to deal with a couple of those allegations. The first allegation, of course, is that the person who wrote the letter at issue has been banned from my office. The person stated that he was banned from the office for disloyalty to the party. He was banned from my office also because of his dress and manner. When somebody walks into my office wearing a sarong without a top and then uses obscene language in front of my electorate officer and my

constituents, I believe it is quite right and proper that any member would tell that man that he would no longer be welcome past the front desk of that office.

The second allegation was about the breakaway, mushroom branches of the Labor Party in Redcliffe. He also stated that members can ring all over Australia at will and can use the office phone for business. I would like to talk about those breakaway branches. The reason we have breakaway branches in Redcliffe is the behaviour of this person at meetings of the party. Again, he uses obscene language and threatens people. People move out of those branches where those sorts of meetings are held and into other branches so that they can enjoy being a member of the great party that we are.

**Mr Springborg:** He should be expelled.

**Mr HOLLIS:** I think he should be expelled; I agree with the honourable member. The other allegation was in relation to the phones. This allegation causes me the most concern. I believe that all members in this place do the right thing by their constituents and the right thing by their colleagues. The member stated—

"It is a scandalous allegation against the MLA who oversees parliamentary accountability in Queensland."

That is the only honest thing the member said in that speech.

I wish to relate the details of the STD calls for the phone in my office. This morning I received the bill, which is dated 26 January 1994 and which was for \$13.67—and we could make a lot of phone calls across Australia for that much! The bill dated 26 November 1993 was for \$16.34 in STD calls. The bill dated 26 September 1993 was for \$18.24 in STD calls. The bill dated 26 December 1993 was for \$27—that was a big month. And this is a phone that is allegedly used by all of the business people in Redcliffe to ring all over Australia! That on its own proves what a scandalous, outrageous allegation this was.

This gentleman also mentioned the Federal member for Petrie, Mr Gary Johns, who, he said, would not pay for the postage of some minutes of a branch meeting. When he made that allegation, he failed to mention that some terrible references, in not the most polite language, were made about Gary Johns and me. No wonder the member for Petrie would not want to put his hand in his pocket, as I do every month—and it is private money—to pay for the delivery of those minutes which castigated him. I believe that Gary Johns should be commended for what he said, which was—

"Dear Waldo,

I referred you to the party, a move I now regret. Do me and the party a favour—resign!"

I would like Waldo to resign. I expect that the party will expel him. In conclusion, I again repeat that these are scandalous, outrageous allegations. The member bringing these allegations to this place should be well reminded that people who live in glass houses should not throw stones.

Motion agreed to.

The House adjourned at 11.58 p.m.

