WEDNESDAY, 16 NOVEMBER 1994

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

CRIMINAL JUSTICE COMMISSION

Report

Mr SPEAKER: Order! Honourable members, I have to advise the House that today I received from the Chairman of the Criminal Justice Commission a report on an investigation into the tow truck and smash repair industries.

PETITIONS

The Clerk announced the receipt of the following petitions—

PubTAB, Eidsvold Hotel

From **Mrs McCauley** (334 signatories) praying that action be taken to allow the operation of a PubTAB at the Eidsvold Hotel.

Cannabis

From **Mr Pitt** (20 signatories) praying that the statutory prohibition on the production and usage of cannabis be continued.

Eacham Shire Council

From **Mr Pitt** (142 signatories) praying that the Parliament of Queensland will take action against the Mayor and Council of Eacham Shire to (a) cease the planned sewerage scheme in Yungaburra; (b) provide clean and regular supplies of water to the township; and (c) instruct independent and acceptable persons to investigate the high level of rates.

Teachers

From **Mr Quinn** (7 signatories) praying that the Parliament of Queensland will ensure (a) that teachers are not suspended without pay prior to a court conviction or finding of fault by disciplinary procedures; (b) that there is a prompt investigation of complaints made against teachers; (c) that teachers are immediately informed of allegations made against them; (d) that action is taken to support teachers with a fair and effective disciplinary structure in the schools; and (e) that action is taken to penalise individuals who make frivolous or malicious complaints against teachers.

Bridge, Maria Creek

From **Mr Rowell** (180 signatories) praying that as a matter of priority a bridge be constructed over Maria Creek linking the townships of Mission Beach and Kurrimine Beach.

Reef and Rainforest Centre, Cardwell

From **Mr Rowell** (875 signatories) praying for the provision of immediate funding to refurbish Cardwell's Reef and Rainforest Centre to its original state.

Amalgamation of Albert Shire and Gold Coast City

From **Mr Veivers** (29 signatories) praying that a referendum of ratepayers be conducted in areas affected by the proposed amalgamation of Albert and Gold Coast Shires and (a) that results of this referendum be binding on Government; and (b) that the referendum wording include a no opinion vote.

Bunya Wildlife Park

From **Mrs Woodgate** (3 291 signatories) praying for the acquisition of land in Drapers Road, Warner, known as Bunya Wildlife Park, for purchase under the terms and conditions of the Government's Regional Open Space System.

Petitions received.

PAPERS

The following papers were laid on the table—

(a) Minister for Family Services and Aboriginal and Islander Affairs (Ms Warner)—

Overseas study visit to the United Kingdom during the period 8 to 19 August 1994—Report

(b) Minister for Environment and Heritage (Ms Robson)—

Annual Reports for 1993-94—

Wet Tropics Management Authority

National Trust of Queensland.

MINISTERIAL STATEMENT

Oyster Point

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (2.35 p.m.), by leave: Last night, the Commonwealth Minister for the Environment used the World Heritage Properties Conservation Act to stop further mangrove removal at Oyster Point. He has done this on the basis that the mangroves on the site are adjacent to a World Heritage area—a listing which, incidentally, occurred in 1981 under the Bjelke-Petersen and Fraser Governments——

Opposition members interjected.

Mr W. K. GOSS: I simply make that point because the Leader of the Opposition falsely told a number of media outlets overnight that this was something that was undertaken by this Government.

The National Party Government issued approvals for a major tourism development at the site in 1988, including permits to clear mangroves on the site. The company associated with this development failed, and Oyster Point was left in a degraded and scarred condition in which it has remained. The new developer then made revisions to the original project approved by the National Party Government. This Government subjected Mr Williams' revised project proposal to rigorous environmental assessment over a period of 12 months. This assessment acknowledged the existing disturbance to the site done by the previous permit holders; it was not a "greenfield" site.

The Queensland Government had been liaising with the Commonwealth officials in June and September of this year. During the course of this liaison, the Commonwealth received and commented upon the Queensland Government environmental review report that deals in detail with the removal of the mangroves. Strict environmental conditions and monitoring programs were incorporated in a draft deed of agreement involving the developer, the Queensland Government and the Cardwell Shire Council. The draft deed of agreement was provided to the Commonwealth Government for comment. The Queensland Government signed the deed of agreement for this project and issued the relevant permits only after Senator Faulkner agreed in writing on 29 September that this could be done.

Senator Faulkner had a copy of the proposed final deed of agreement for about one month before giving his consent, so he had plenty of time to examine it. The deed of agreement clearly provided for the removal of the mangroves. In his letter of 29 September agreeing to the project, Senator Faulkner expressed no concerns about the removal of mangroves.

Senator Faulkner telephoned me yesterday when much of the mangrove removal had already occurred. He said that he had scientific evidence about the effects of removing the mangroves, but he had not at that stage passed that information on to us. I undertook to have the information assessed as soon as he did provide it by experts from the Department of Primary Industries— scientists acknowledged by Senator Faulkner as experts in the field. Senator Faulkner included an earlier seagrass report from those same Department of Primary Industries experts in the evidence he sent to us, but that seagrass report was concerned with the distribution of seagrass beds rather than with the effects of mangrove removal on seagrass.

The DPI expert assessment was completed yesterday evening. The DPI experts conclude that the effect of mangrove removal on seagrass beds will be "minor" and populations of turtles and dugongs "are not expected to be adversely affected". The major practical evidence relating to the effects of mangrove removal on the nearby seagrass beds can be gleaned from the removal of those same mangroves during the 1970s and again in the 1980s, which was approved by the previous National Party Government.

The reports forwarded by Senator Faulkner to us yesterday point to a preponderance of seagrass in the area. Rather than suggesting that mangrove removal in the area would destroy seagrass beds, the actual evidence is that it has been consistent with the retention of the healthy seagrass beds that are still in the area today. The Minister for Primary Industries passed this information on to Senator Faulkner last night.

It is curious that Senator Faulkner acted so late. The only recent material he has presented to us is: our own DPI report, which does not deal with the effect of mangrove removal on seagrass beds; two fax messages from James Cook University nearly a fortnight old; a fax message from a PhD student at James Cook University; and a report from Professor Marsh, which makes no reference to the effects of the removal of mangroves on seagrass. In fact, the word "mangrove" does not even appear in her report.

MINISTERIAL STATEMENT

Allegation of Misleading of Parliament by Minister for Housing, Local Government and Planning

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (2.40 p.m.), by leave: Last night, on Channel 7, a claim was made that I

misled the Parliament in 1991. Those claims were totally untrue. A check of the *Hansard* records of 14 March 1991 and 9 April 1991 will show last night's Channel 7 program to be a grubby piece of journalism which was totally inaccurate.

Channel 7 took one sentence from an answer to a question and used this to claim that I had misled Parliament. This sentence was taken totally out of context and should have been read in the context of the question that was asked. To enable members to fully understand the events that occurred, I would like to explain in chronological detail the issues which transpired.

The central claim was that a letter had been written to the Commissioner of Police by police officers Reynolds and Harris on 20 September 1990 and that I misled the Parliament by claiming that this letter had been fabricated. On 14 March 1991, Mr Littleproud asked whether the Commissioner of Police had brought this letter to my attention. I will table a copy of this question and other questions in relation to this matter and also documents that were tabled at that time. My answer to Mr Littleproud was—

> "No, the matter was not brought to my attention by the Commissioner of Police. I will take the matter up with him and I will make the information available to the honourable member when the House resumes in three weeks' time."

The following day, 15 March 1991, I sent a memorandum to the Commissioner of Police setting out Mr Littleproud's question and asking him to provide advice to me in relation to that question. The Commissioner of Police contacted me personally and advised that he could not locate a copy of the letter dated 20 September 1990 and inquired if I would ask Mr Littleproud for a copy of the letter to enable him to further investigate the matter in order to provide me with a reply. I contacted Mr Littleproud, who advised me that he had tabled the letter and a copy could be obtained from the Table Office. I obtained the letter from the Table Office and gave it to the Commissioner of Police.

When the Parliament resumed on 9 April 1991, I informed the House—

> "The commissioner has advised me that a vigorous search was made of the records of the Police Department. That search has failed to locate any record of the Police Department ever receiving the letter from the two police officers, Reynolds and Harris."

I then tabled a letter from Commissioner Newnham stating this. This clearly placed on the record that I was unaware of the existence of this letter prior to 14 March and that the Commissioner of Police had advised me that he was unaware of its existence.

During question time that morning, the then Leader of the Opposition, Mr Cooper, asked me a question without notice in which he claimed that he had a copy of a letter from the Commissioner of Police to Senior Constable Harris acknowledging the existence of "the report", or letter. As I was unaware of the existence of this letter, I referred back to the advice I had been provided by the Commissioner of Police. When I completed my answer to Mr Cooper's question, I obtained a copy of the letter he had quoted and found that it was a letter dated 3 April 1991, which the commissioner had written to Harris after I provided him with a copy of the letter Mr Littleproud had tabled on 14 March 1991 and not the previous year. Following this, the member for Archerfield, Mr Palaszczuk, asked a question in the House of myself in relation to the letter tabled by the then Leader of the Opposition, and I informed the House that the then Leader of the Opposition had quite deliberately misled the House.

Mr Speaker, last night Channel 7 claimed—

> "This copy of that letter, supposedly never received and according to Mackenroth fabricated by Harris and Reynolds some six months after it was dated, clearly shows it was received by the Police Commissioner's office."

The *Hansard* records clearly show that at no stage did I claim that Harris and Reynolds had fabricated any letter and, further, the records show that I went to considerable lengths not only to provide an answer in relation to my knowledge of this letter, which was none, but also the Police Commissioner's knowledge, even to the extent of requiring him to provide a written statement that I could table in the Parliament.

MINISTERIAL STATEMENT

Director of Prosecutions

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (2.45 p.m.), by leave: Last night, on a Channel 7 program, a number of untrue statements were made. Much was made of a document called "the report", but in fact it is not a report at all but an opinion of the Director of Prosecutions. Much of it is on the public record through the PCJC's investigation of the matter—not that Channel 7 mentioned this, nor did Channel 7 mention that the Director of Prosecutions did in fact receive a very long

submission from Harris and Reynolds before finalising his opinion.

When the Director of Prosecutions makes a decision as to whether a prosecution should be brought, he writes an opinion on the matter which analyses and weighs up all the material, evidence and information pertaining to a possible prosecution. While extracts concerning this case do appear in the PCJC report, Director of Prosecutions' opinions are never published in full, in this or any jurisdiction. The reason is that they always bring within a small compass everything that can be adversely said about a person. When the Director of Prosecutions decides not to bring a prosecution, the person who is the beneficiary of that decision is entitled to the presumption of innocence.

Mr Borbidge interjected.

Mr SPEAKER: Order! I ask the Leader of the Opposition to stop interjecting.

Mr WELLS: The law says that a person is innocent until proven guilty. To release the Director of Prosecutions' opinions would completely undermine that cornerstone of our law. To release such opinions would do enormous damage to people who may be, and in fact sometimes are, entirely innocent of the charge brought against them.

Mr Borbidge: It didn't worry you with Joh.

Mr SPEAKER: Order! I now warn the Leader of the Opposition under Standing Order 123A. I am going to hear this statement.

Mr WELLS: I will take the Leader of the Opposition's interjection. It might be that there would be a very highly placed and very famous public figure in respect of whom charges were brought and in respect of whom there was a hung jury and in respect of whom the prosecutor decided not to continue the case. It might also be that there exists in the files of the Special Prosecutor or the Director of Prosecutions a mass of documents canvassing all the various criminal offences that such a person might have committed and in respect of which charges could have been brought. It might be that there would be such documents available, but I would not publish them and I would not table those documents for the reasons that I am now giving, whether I happen to like the person or not.

The suggestion on last night's television program that there was a cover-up in seeking to protect the integrity of the DP's opinion is ludicrous. As recently as 14 September 1993, I was advised by the Director of Prosecutions as follows—

> "In my opinion you should steadfastly take the position that it is improper for you to release any opinions or advice I tender to you which relate to the prosecution or non prosecution of suspected offenders.
>
> In the most recent annual report furnished by the England and Wales Director of Public Prosecutions to the Attorney-General, Mrs Barbara Mills QC, wrote:
>
> > 'The more open we can be, the better understanding and awareness the public will have of our role and duties. The public are entitled to know how the CPS approaches its cases, and to be given a broad indication of the reasoning which underlies our decisions. We cannot, however, provide details of decisions in individual cases—whether the decisions are to prosecute or not to prosecute. Any public discussion to prosecute would breach the confidence of those involved—witnesses, the victim and the accused, or suspect are entitled to expect. If a case has not been heard, the trial might be prejudiced. Similarly, public discussion of a decision not to prosecute could amount to a trial of the suspect without the safeguards which criminal proceedings are designed to provide.'
>
> It is the last sentence that I wish to draw particularly to your attention. It would be grossly unfair to disclose the reasons for not prosecuting a suspected offender for the publication of those reasons may reflect adversely on the character or even on the guilt of that person in circumstances where proof of the criminal conduct against him or her beyond a reasonable doubt is lacking."

This is why Director of Prosecutions' opinions are not published. This is why protecting the integrity of Director of Prosecutions' opinions is in fact protecting the integrity of our criminal justice system itself.

Now I refer to the question of Mr John Huey. I table a letter of today's date from the Director of Prosecutions in which the director confirms that there was no basis on which a prosecution against Huey could properly be brought. I also table a letter of today's date in which the Director of Prosecutions explains why he took that decision. The DP has given me permission to table both of these documents.

Honourable members will recall that a private prosecution was commenced against Huey. Of his own volition and without consulting me, the Director of Prosecutions took over that private prosecution. In doing so, he acted under a statutory power available to him by the Director of

Prosecutions Act 1984. What this means is that every piece of information held at the time by Harris and Reynolds was known to the Director of Prosecutions. The Director of Prosecutions subsequently advised me that, in his opinion, there were no grounds on which a prosecution could properly be brought. In so far as the Department of Attorney-General and the Director of Prosecutions were concerned, the matter was legally closed. No prosecution was to be brought by the Director of Prosecutions or any officer of my department.

Shortly after receiving the director's opinion, I received a letter from the Criminal Justice Commission dated 5 September 1990 in which a copy of the Director of Prosecutions' memorandum of advice was requested. I table that letter. In response, I forwarded a copy of the Director of Prosecutions' opinion to the CJC. This was to enable them to deal with disciplinary or administrative matters, not matters relating to a legal prosecution. The legal prosecution matters were concluded by the Director of Prosecutions, as I said in Parliament.

An element of the program last night was the allegation that there was a markedly different response from myself and from the then Minister for Police after receiving this report. There was, in fact, no difference between my response and his. When the Director of Prosecutions decided that no prosecution could proceed on the evidence he had considered, it was my obligation to state this. But whether a person should be prosecuted and whether any administrative action should be taken are two different questions. When a matter has been legally concluded, that does not also mean that administrative or departmental actions also cease. That is why I gave a copy of the Director of Prosecutions' opinion to the Minister for Police. He asked me whether he could show it to his senior officers for purposes relating to administration of the Police Service.

A further allegation was that I misled Parliament because I told the Criminal Justice Commission and its parliamentary committee that I was sending them the Director of Prosecutions' opinion so they could deal with any outstanding administrative or disciplinary matters. This was said to be misleading Parliament because I had said no further legal action would be taken, yet the police and the parliamentary committee were still dealing with elements of the matter. As already stated, the Director of Prosecutions' legal determination did not mean that other matters were also concluded. The examination that the PCJC undertook, which may have involved questions of misconduct—a matter which is within the province of the CJC and its committee—was obviously ongoing.

Again, I am alleged to have misled Parliament by virtue of a letter to the CJC some months after my statement that there would be no further legal action. In this letter, I simply thanked the CJC for finalising outstanding matters. These were, of course, matters within the CJC's jurisdiction, not within the Director of Prosecutions' province. As Attorney-General, I speak only with respect to matters within my department.

The matter of whether there was evidence to bring a prosecution against Huey on the basis of the brief which had been provided to the director was closed when he determined that no prosecutions could be undertaken. It was closed when I told the House it was closed, and it is closed now.

MINISTERIAL STATEMENT

Link-Up (Qld) Aboriginal Corporation

Hon. A. M. WARNER (South Brisbane—Minister for Family Services and Aboriginal and Islander Affairs) (2.54 p.m.), by leave: Yesterday in this Parliament, the member for Western Downs made a scurrilous attack on the Link-Up organisation, which aims to reunite Aboriginal families who have been torn apart by the assimilation policies of previous Governments. His unwarranted—and cowardly—criticisms of this worthwhile and hardworking organisation are evidence that the honourable member has not got a clue about the portfolio he so pitifully shadows.

On a number of occasions, Mr Littleproud's ignorance about the most basic issues of my department has astounded me. Yesterday, he sunk to a new low by publicly denigrating an organisation which in no way deserved such a cynical attack. In fact, Link-Up deserves the community's support in the work it is doing for the Aboriginal community, and I wholeheartedly applaud its efforts.

Link-Up receives $38,452 from my department under the Family and Individual Support Program. It also receives substantial funding from the Aboriginal and Torres Strait Islander Commission under the black deaths in custody initiative. I will take this opportunity to give the honourable member a quick history lesson in the hope that he will have some semblance of understanding about the atrocities which occurred in the name of assimilation.

Simply put, Aboriginal children were taken from their parents and given to white families, quite often without any documentation.

Mr Littleproud: $50,000 for reunions.

Ms WARNER: I am coming to that. In my view, 13 reunions in two years is a remarkable effort because, in many cases, there were no records of children being removed. Mr Littleproud unfairly compared the work of Link-Up with the work of Jigsaw, also a highly reputable organisation, which has many more official records at its disposal to assist people to find their families.

After Mr Littleproud's attack yesterday, I asked my department to examine Link-Up's audit records, and the assessment was that they have a clean bill of health. All accountability documents have been received and are in order. Mr Littleproud conveniently neglected to point out that Link-Up's audit report is totally unqualified. As with most audit report, the auditors have suggested ways to improve the organisation's internal controls. Perhaps Mr Littleproud should learn to understand how to read audit reports. Unfortunately, Mr Littleproud went off without checking his facts, and he has damaged the good name of Link-Up.

I spoke to the coordinator of Link-Up, Ms Beverley Johnston, yesterday, who was extremely distressed by the allegations. Ms Johnston has worked single-handedly for nine years to reunite Aboriginal families. In early 1993, she managed to attract extra funding for five staff, who needed to be trained in what is a very sensitive process. It takes time to establish an organisation of this nature, and a great deal of effort must be put in before concrete results can be seen.

I might add that raw statistics are not always reflective of all the work undertaken by an organisation. When you consider the lack of records, much of Link-Up's work goes into trying to reunite people, but sadly, family members cannot be found. A substantial part of Link-Up's work involves direct counselling, assisting people to gain cultural awareness and regain their cultural identity. The organisation services people across the State, often involving interstate negotiations.

The member for Western Downs owes Link-Up an apology. I suggest he should have the good grace to acknowledge when he has got it wrong. He has deliberately misrepresented the facts to pursue a senseless vendetta against this organisation. Link-Up is struggling to help the Aboriginal community come to terms with the legacy of enforced removal of Aboriginal children from their families. On this occasion, the aptly named member opposite has little to be proud of.

PERSONAL EXPLANATION

Mr BEATTIE (Brisbane Central) (2.59 p.m.), by leave: Last night, Channel 7 broadcast a dishonest, defamatory and scurrilous report which reflected adversely on me personally as Chairman of the first Parliamentary Criminal Justice Committee and on all the members of that committee of all political parties. The defamatory claims in the Channel 7 report in relation to both my parliamentary committee and me personally are inaccurate, wrong and misleading. At no time did Channel 7 or its reporter, Chris Adams, seek to contact me to either obtain a response or to ascertain the correct factual situation. Both my committee and myself acted impartially, independently and thoroughly in relation to the Huey allegations. It is important that I put clearly on public record a total denial of the incorrect, unprofessional, defamatory and sloppy report by Channel 7.

In particular, in relation to Channel 7's allegations, the key facts are these. The New South Wales police officers were engaged at the PCJC's request and were at all times accountable and responsible to the PCJC, not the CJC. The police officers operated under terms of reference established by the PCJC and conveyed to them personally by me at a series of meetings.

Secondly, the PCJC's powers are set out in the Criminal Justice Act. The investigation undertaken by the two New South Wales police officers at the direction of the PCJC was in accordance with that Act. No other investigation was legally possible or appropriate.

Thirdly, Butler and the other complainants concurred with the process established by the PCJC and raised no objections or reservations about them with the committee during the period of the investigation. Their criticism emerged only after the independent New South Wales investigators produced a report with adverse findings to the complainants.

Fourthly, Channel 7 also totally ignored the Court of Appeal judgment in Dennis William John Heffernan v. Gordon Lyle Harris, Appeal No. 106 of 1992, which I table for the information of the House.

In conclusion, I must point out that just because the complainants—Butler, Harris, Reynolds and Channel 7—did not obtain the outcome they wanted from the independent New South Wales police investigation, that does not mean that they are correct in their allegations or that they are entitled to call themselves whistleblowers. They should accept the outcome of the independent police investigation and stop acting like petulant children.

PERSONAL EXPLANATION

Mr LITTLEPROUD (Western Downs) (3.02 p.m.), by leave: I believe that I have been wrongly accused of making a false allegation. In response to comments made by me yesterday in this House during the Matters of Public Interest debate relating to the Link-Up (Qld) Aboriginal Corporation, the Minister for Family Services is reported in the *Courier-Mail* today as saying—

> "In the case of the young girl claiming discrimination, the constitution of Link-Up is to reunify Aboriginals with Aboriginals."

I table the relevant objects of this organisation, the second of which indicates clearly that its role is to assist all those Aboriginal people——

Ms WARNER: I rise to a point of order. I was actually misquoted in the *Courier-Mail* this morning.

Mr LITTLEPROUD: I take that as an apology.

Mr SPEAKER: Order! No, I heard that the Minister had been misrepresented.

QUESTIONS WITHOUT NOTICE

Allegations made on Channel 7 Program

Mr BORBIDGE: I refer the Minister for Justice and Attorney-General to statements by former CJC investigator Peter Mahon on last night's Channel 7 program the *Report* that a CJC investigation into paedophilia in Queensland was nobbled because—

> "People in positions of power were involved in the activity and wanted to cover up the whole situation."

I ask: will the Attorney-General investigate Mr Mahon's claim that he was instructed to run dead on the paedophilia issue in order to protect prominent Queenslanders in positions of power?

Mr WELLS: I do not have any clear idea of what these allegations are since I have not seen tonight's television program. When I see tonight's television program, undoubtedly all sorts of things will be clarified as to what is in the minds of those people. I am very happy to answer the honourable member's question in more detail tomorrow.

Allegations made on Channel 7 Program

Mr BORBIDGE: I direct a further question to the Attorney-General. I refer to last night's program and the very serious allegations made by a former employee of the Criminal Justice Commission, a former police officer in the State of Victoria and a former member of the Bureau of Criminal Intelligence. I ask the Attorney-General: what action does he propose to take following the very serious allegations made by Mr Mahon on Channel 7 last night?

Mr WELLS: The honourable member has to be aware that the Attorney-General's Department does not have an investigative arm. If a prosecution is recommended to us, if a brief is sent by anybody to the Director of Prosecutions Office for a prosecution in respect of any such matter, then that will be considered and justice will be done impartially and entirely fairly. But in the absence of any information as to what the person on the television program last night was talking about, it is impossible for the Attorney-General's Department to take any action.

Mr FitzGerald: We said "investigation".

Mr WELLS: I know that the member opposite said "investigation", but what he does not seem to grasp is that investigations in this State are carried out by the Police Service. Sometimes they are carried out by the CJC.

Mr Littleproud interjected.

Mr SPEAKER: Order! I warn the member for Western Downs.

Mr WELLS: The Attorney-General's Department is a department of lawyers; it is not a department of police officers.

Might I say that in respect of matters relating to my portfolio the Government has been extremely energetic. It has reformed the law in a number of respects. Under this Government, the law relating to offences against children has been made considerably tougher. I refer to the amendments that were introduced in 1990, which toughened the law considerably against those people who were breaching it.

In addition, a large number of appeals against soft sentences have been initiated by the Attorney-General's Department on the advice of the Director of Prosecutions. Many of those appeals have been successful. Some of them, as in the case of the Queen v. H, have resulted in a completely new regimen of sentencing, which has had the result that people who are convicted of these kinds of offences are routinely imprisoned instead of simply receiving a rap over the knuckles, as they used to when the honourable member was in Government.

In addition, I have made, I think, two references to the Court of Appeal under section 669 seeking a determination from the Court of Appeal that would ensure that, to the maximum degree, the evidence of child complainants was able to be put into the record. A great deal of effort has gone into this by the Department of the Attorney-General. However, it does not have police officers and it does not conduct investigations.

Storage of Dangerous Chemicals

Mr PITT: I ask the Minister for Primary Industries: in the light of alarmist statements and conflicting comments by different members of the Opposition about the storage of dangerous chemicals, can he provide reassurance to the public that proper procedures are followed with the handling of chemicals?

Mr CASEY: The honourable member is correct when he refers to the "alarmist statements" that have been raised in this House and in the community by certain members opposite. It is a pity that the member for Barambah, who has in the main been making these remarks, is not here today. In this House on 25 October, he made comments and painted a picture of leaky drums at a chemical storehouse at Mutdapilly near Ipswich. He painted a scene of mass death about to descend upon the people throughout south-east Queensland. Because of that storehouse, he claimed that everybody in the Brisbane region was being threatened by this chemical time bomb, as he called it. That was on 25 October in this Parliament. On 26 October, I responded in this Parliament.

Mr FitzGerald: When are you going to get rid of them?

Mr CASEY: I am pleased to hear the member for Lockyer interjecting because, on 26 October, so confident was I that proper storage of these chemicals was being carried out, I approved that the member for Lockyer, who is the member for the area, could inspect the site at his leisure with his own photographer from the Ipswich *Times*. The member had a look at the site and he was reported as making these remarks about the comments made by the member for Barambah—

> ". . . Mr Fitzgerald yesterday declared the storage of 23 tonnes of arsenic compound in his electorate to be satisfactory."

The article also went on to say—

> "Mr FitzGerald said he was convinced the facility posed no threat to the area, after inspecting the depot."

So whom are we going to believe? Doom and gloom——

Mr FitzGerald: What else did I say? Keep going.

Mr CASEY: Yes, I will go on. What else did the member say? He stated that he would much rather it not be on a property in his electorate and that it be got rid of.

As I told the Parliament on 26 October, this Government is working on a process of gradually getting rid of this stuff that was left to us by the previous Government in this State.

But there is more. Like the man from Demtel, "There is more." A few days later, aided and abetted by Opposition members, along with their friend from the Green Party, another allegation was made that there was another major storage on the banks of the Brisbane River that was causing all sorts of trouble and hazards for the people of Queensland. It was claimed that between 200 and 400 badly damaged and corroded drums of dangerous chemicals—another time bomb about to explode—were being stored on the banks of the Brisbane River. Fortunately, at the time I was on the move and was able to inspect the area myself. What did I see? A couple of hundred drums of concentrated guava juice that had been rejected.

Yet the member for Barambah is still saying, "I stand by what I said. All this stuff is a dangerous time bomb." I presume he might have even been referring to the guava juice. The last point that I want to make is that this same man was a member of the Parliamentary Public Accounts Committee of the previous Government that signed the declarations in relation to what should be done for drought relief, which the previous Government had not been doing. He has been criticising and putting forward other policies in his own local paper and in other places and, when he was confronted with this matter, he said simply that he had just signed it, that he had only just come on the committee a day or two before, so he just signed the report and the recommendation. Fancy putting the storage of dangerous chemicals in the hands of people such as this, who carry on in such an irresponsible way!

Crime Stoppers Program

Mr PITT: I ask the Minister for Police and Minister for Corrective Services: is he aware of the recognition of the Crime Stoppers program? Can he inform the House of what impact that has had in the Townsville area?

Mr BRADDY: The Crime Stoppers program has been a very successful program. As members may recall, last year the Queensland Crime Stoppers received awards in the international Crime Stoppers awards, winning first place in the greatest dollars recovered section, first place in the most improved category and second place in the number of crimes cleared category. So Queenslanders have adopted Crime Stoppers enthusiastically to the extent that Queensland is now an international pacesetter in relation to community cooperation

with police in stopping crime through this organisation.

The northern police region based in Townsville can take particular credit for its very successful cooperation. Last year, Crime Stoppers in the northern region received 369 calls, which resulted in 42 arrests, 110 charges and the recovery of over $3m in drugs as a result of information received. This year, the northern region is on track to probably exceed that number of calls and that number of arrests by the end of the year. In fact, on 8 November, following information received through Crime Stoppers, a number of drug raids were conducted in Ayr and Home Hill. Raids were conducted on about 25 residences in that area and 22 arrests were made. These raids, in fact, came about through the information received through the Crime Stoppers program. Therefore, the success of the Crime Stoppers program in the Townsville area is a great encouragement to the organisation, and I would wish that other parts of Queensland continue with the same enthusiasm.

Mr G. Harris

Mrs SHELDON: I refer the Minister for Justice and Attorney-General and Minister for the Arts to the Channel 7 documentary the *Report* screened last night, which showed how the CJC reneged on a 1991 undertaking to Gordon Harris that he would receive a hearing before the commission, with a right for counsel to both call and cross-examine witnesses. Instead, on the morning of 12 December 1991 when that hearing was to commence, the then head of the Misconduct Division, Mark Le Grand, disqualified himself and the hearing promised to Harris was adjourned indefinitely, never to be reconvened. I ask the Attorney-General: does he, as the State's principal legal officer and the Minister responsible for the CJC, sanction this disgraceful denial of natural justice and, if he does, on what basis?

Mr WELLS: Is it not extraordinary that the honourable the Deputy Leader of the Coalition talks about a disgraceful denial of natural justice and then stands up and gives one side of the story without allowing the other side of the story to be told.

I am not aware of what the CJC's side of the story is, but I will ask the CJC. It might prefer that the answer to the question be given by the chairperson of the PCJC. However, in any case I will ask it what the answer is to the question. It is a matter that lies entirely within its province. As a courtesy to the honourable the Deputy Leader of the Coalition, I will try to get that information for her and put it——

Mr Borbidge: What do you do besides take your salary? You don't seem to be responsible for anything.

Mr WELLS: What I do is show great and undeserved courtesy to honourable members opposite. In order to further that project of pity for which I am motivated, I will get that information from the CJC, and if it prefers the chairman of the parliamentary committee to convey it to her, I will allow him to do that.

Queensland Electricity Commission

Mr LIVINGSTONE: In directing a question to the Treasurer, I refer to newspaper reports this morning in which the Opposition Leader criticised the State Government's corporatisation strategy and the $770m profit announced by the Queensland electricity supply industry, and I ask: can the Treasurer advise what the State Government's approach is to the distribution of the QEC's profit and whether this will impact on its ability to carry out further expansion?

Mr FITZGERALD: I rise to a point of order. Mr Speaker, I draw your attention to Order of the Day No. 2. That Bill concerns the electricity industry and deals with the corporatisation of it. I believe that the question is not in order.

Mr SPEAKER: Order! I rule that that question is in order.

Mr De LACY: Thank you, Mr Speaker.

Mr Borbidge: So we can ask any question about any matter before the House?

Mr De LACY: Members opposite can ask any question.

Mr FitzGerald: You get away with this and your Standing Orders don't mean anything in this place.

Mr SPEAKER: Order! I find that comment offensive and I ask that it be withdrawn.

Mr FITZGERALD: In deference to you, Mr Speaker. I have no disrespect for you. But the comment that the Treasurer made that he can do anything is disrespectful to you, Mr Speaker. The Treasurer said, "Anything you can get away with", and that is disrespectful to you, Mr Speaker. I would ask him to withdraw it.

Mr De LACY: The honourable member should not get excited. Is it not strange that every time we announce a good result in Queensland, it is somehow bad for Queensland, according to the Leader of the Opposition.

Mr W. K. Goss: Bad for them.

Mr De LACY: Yes, that is probably what is happening. Instead of being bad for Queensland, it is bad for the National Party. And

the Leader of the Opposition tends to confuse that a bit.

What really does amuse me is that every time there is another good performance in Queensland, particularly a performance such as that of the Queensland Electricity Commission, which has recorded a $770m profit—an increased profit, a lower debt, a better debt/equity ratio and lower charges—Mr Borbidge, Mrs Sheldon and everybody else jumps up and says, "I told you so. This is the beginning of the end. This is the end of the world as we now know it. They made this big profit. I told you that this would happen under the Goss Government. They are going down the same track as John Cain."

What honourable members opposite seem to forget is that the QEC not only made a $770m profit but also carried out all of its capital works from its revenue, and its debt position has improved and continues to improve. The debt/equity ratio gets better all the time. Yet we hear Opposition members screaming. Mr Borbidge warned us about a lust for spending. Yesterday, he said that we are going to take it all from them and spend it. A month or two ago, the Leader of the Opposition said that we were going to force them to repay debt. He said that trading enterprises forced to reduce their debt have done so at the expense of the very cash reserves that provide them with the capacity to undertake new works and new services without incurring further debt. So he said that we are making them reduce debt. The Opposition Leader then comes to the quaint position that somehow reducing debt weakens their position. So I presume that the obverse is that, if they have more debt, they are in a stronger position. The Leader of the Opposition turns every financial principle on its head.

Mr Hamill: He's been listening to Mrs Sheldon again.

Mr De LACY: That is right; he is getting his economic advice from Mrs Sheldon.

I will pose this question: when we are paying off all capital works from revenue and increasing profits, what will happen to the money? We cannot take it back to the State and spend it on services, because that would be immoral. We cannot reduce debt. So the question is: what will we do with it?

Mr Borbidge: Bring on a proper debate.

Mr De LACY: We would love to have a proper debate, given the type of economic logic that we are hearing from the other side. The Opposition Leader said, "If you reduce debt, you will get into trouble. Don't reduce debt." The only other thing that we could do is put it on the TAB. Is that what the Opposition Leader wants us to do with it? We would get it back then, anyway.

Mrs SHELDON: I rise to a point of order. This rubbish is distorting our question time.

Mr SPEAKER: Order! That point of order is out of order.

Apprenticeships

Mr LIVINGSTONE: I ask the Minister for Employment, Training and Industrial Relations: can he advise the House of the latest developments in relation to apprenticeship numbers in Queensland?

Mr FOLEY: I am pleased to inform the House that apprenticeship numbers are significantly up when compared with this time last year. In the year to yesterday, 15 November, some 10 110 apprenticeships were commenced in Queensland. That is an increase of 3 034—that is, up 42 per cent on the same period a year ago. As at yesterday, some 22 842 apprentices were registered—up 3 928 on the same time last year.

I am sure all honourable members would welcome that strong growth in apprenticeship intake numbers. However, there are no grounds for complacency, because the strong economic growth in this State is putting the State's skills base under pressure. There is a demand for skilled workers, which is increasing sharply, particularly in the building and construction sector. Those skills shortages are threatening specific industries in specific parts of the State. That is why, for example, we have action under way such as the Train to Gain campaign in Cairns to encourage construction industry training in cooperation with the industry groups themselves.

I note the comment of the Honourable the Treasurer, because it is a good example of industry working together with training providers to use economic growth as a basis for employment and training initiatives. This has been made possible through reforms to the training system, for example, the movement to competency-based training rather than time-based training, the adoption of the Queensland State training wage award, improvements in recognition of prior learning, and support for the group training companies.

As to the number of trainees as opposed to apprentices—traineeship commencement is down by a little over 8.7 per cent, from 3 182 to 2 904. That demonstrates that there is no basis for complacency. One expects that the initiatives set out in the Commonwealth White Paper Working Nation will improve these figures. But it should be said that for employers it has never

been easier to train apprentices and trainees, and employers throughout this great State should be encouraged to remember that investment in the training of people is more important than investment in mere technology.

Mr G. Harris and Mr J. Reynolds; Former Superintendent J. Huey

Mr BEANLAND: In directing a question to the Minister for Justice and Attorney-General and Minister for the Arts, I refer to claims that both the Criminal Justice Commission and the Police Union required that former police officers Gordon Harris and John Reynolds sign agreements guaranteeing they would remain silent on all matters relating to former Superintendent John Huey before being released from the police force with their benefits intact, and I ask: in the interests of justice and the reform process that the Minister oversees via his ministerial responsibilities for the CJC, will he cause the publication of those agreements and give the reasons for this secrecy?

Mr WELLS: That is a matter for the police or, indeed, for the CJC.

Mr Beanland interjected.

Mr WELLS: It is not. I really must explain to the honourable member opposite, since he still does not seem to understand, that the Attorney-General is responsible for the Department of the Attorney-General. The Attorney-General——

Mr Stephan interjected.

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

Mr WELLS: The Attorney-General is not responsible for these kinds of agreements that might be entered into in respect of agencies that are either autonomous or under the control of another Minister. If the honourable member wishes to know something about the CJC in respect of these kinds of operations, there is a parliamentary committee which has the capacity to call officers of the CJC before it, the capacity to require them to give evidence under oath and the capacity to report that information to this Parliament.

If the honourable member cannot understand the lines of responsibility that have been set up by statutes which he voted for, then the honourable member is a very poor representative indeed of his constituency, and a very poor representative of the Opposition on matters concerning justice. He really needs to grasp the elementary legal fact that the power to require this kind of information of the CJC rests with this Parliament itself and not with the Minister who has the responsibility for ensuring that the CJC has a budget.

Mr G. Harris and Mr J. Reynolds; Former Superintendent J. Huey

Mr BEANLAND: I direct a second question to the Minister for Justice and Attorney-General and Minister for the Arts.

An Opposition member: I bet you he doesn't know.

Mr BEANLAND: He will not know! I refer to the fact that the sudden decision to enable the resignation from the Queensland Police Service of Messrs Reynolds and Harris, albeit only after they had signed secrecy agreements, followed closely on an indication in the Supreme Court that the August 1990 report of the Director of Prosecutions concerning Mr Huey could be made public, and I ask: will the Minister order an investigation of the potential links between the timing and conditions attaching to the resignations of Messrs Reynolds and Harris and the impending potential release of the Director of Prosecutions' report on Huey? If not, why not?

Mr WELLS: As I said before, investigations are done by the police. If the honourable member wants an investigation done, he should ask the Minister for Police.

Report on Business in Beenleigh Region

Mr BARTON: I ask the Minister for Business, Industry and Regional Development: is he aware of the recently released report on the Beenleigh region prepared by the Beenleigh office of the Labour Market Adjustment Committee? Will the report assist the Government to support business development in this region?

Mr ELDER: The short answer is, "Yes" and "It will." As members would appreciate and understand, the Brisbane-Gold Coast corridor is one of the fastest-growing regions of Australia. Immense pressures will be placed on that region over the next two decades and beyond, and the member for Waterford is well aware of that fact. The right time to have commenced proper planning for that region was 10 years ago. However, when the National Party was in Government, it was keener on looking after its mates in that corridor than considering sensible, long-term planning in that region.

Mr Borbidge: Who are you referring to?

Mr ELDER: I am referring to the honourable member. He cannot wait to take the Tuxan shoe colour change out of his drawer, but

I can tell him that it will be a while before he gets the opportunity to do so.

As a result of National Party inaction, inadequate planning has been undertaken in that corridor. As Industry Minister, that is of concern to me. For some time, my major concern is the fact that not enough industrial land——

An Opposition member interjected.

Mr ELDER: Members opposite all have the Tuxan in their drawers. They have been waiting for years to pull it out, but they will be waiting a lot longer.

Unless the lack of industrial land is addressed, we will have an area undergoing immense growth that is a nice place in which to live and play, but where there are inadequate employment opportunities. In other words, the Brisbane-Gold Coast corridor will not be a place in which to work. Those opposite would have to acknowledge that that is a recipe for disaster, both socially and economically. People will have to commute a long way, and many other social problems will be experienced in that region. If we do not take some positive action, we will not be able to provide meaningful, full-time jobs for the people of that region.

The study referred to by the honourable member for Waterford has generated a lot of interest in the community. Along with the Albert Shire Council, the community is examining what it can do to help cater for industrial land in that corridor. As a Government, we are now working with the Albert Shire Council through a number of processes, of which SEQ 2001 is one——

Mr Elliott interjected.

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

Mr ELDER: —to formulate an appropriate development control plan, particularly for the Yatala area, because we see that as a strategic site. It is not appropriate to go looking for bits and pieces of land and then trying to gel them together. We need large sites to be set aside in order to achieve efficiency of industry usage. There is a brewery in that area. It expanded recently, which has made a significant contribution to that area, and it is likely to expand again. We must facilitate the development of like industries alongside that brewery—for instance, packaging and warehousing—in order to create manufacturing opportunities in the region.

The members for Waterford and Albert are well aware of those issues, and I commend them for their interest in the matter. I know that this issue is also of interest to the member for Logan.

Mr Cooper: He knows about the brewery, I can tell you.

Mr ELDER: I point out to the honourable member that, at the end of the day, it has been this Government that has had to make the hard decisions on that corridor. Members opposite abrogated their responsibility for it years ago. It has been this Government that has had to look after the future citizens of the electorates of the members for Southport and Nerang and the general population living along that corridor. Members can rest assured that this Government will do it.

Opposition members interjected.

Mr SPEAKER: Order! I thought we had been going well today. I was going to buy a few people a beer. I call the member for Waterford.

Information Technology and Telecommunications Industry

Mr BARTON: I direct a second question to the Minister for Business, Industry and Regional Development. The inaugural Queensland Information Technology and Telecommunication Awards for Excellence were held at Movie World on the——

Mr Cooper interjected.

Mr SPEAKER: Order! I warn the member for Crows Nest under Standing Order 123A.

Mr BARTON:—Gold Coast on 5 November. I ask the Minister: how has this industry developed in recent years, and how important is it to the future of manufacturing industry in Queensland?

Mr ELDER: Members opposite should sit tight; here comes part 2! The awards were a good illustration of the development of the information technology and telecommunications industry in Queensland over the past five years. We have seen a major miracle in relation to that particular industry. Five years ago, it was a very minor and insignificant industry in this State, with no future, no planning and no direction. Today, it is a thriving and expanding industry and an increasing contributor to the Queensland economy.

This Government has encouraged the development——

Mr Connor: What about the Bond University Technology Park—who set that up?

Mr ELDER: Ah, the member for Nerang. As I said yesterday, the only person in this place who needs seasonally adjusting is the member for Nerang.

This Government has encouraged and developed the IT and T industry through the establishment of an Information Industries Board and an Information Policy Board and by ensuring

that Government purchases in the IT and T area are carefully targeted to foster and encourage that industry. The member for Waterford ably represented me at that awards evening, and he knows exactly how much that industry has grown. At the awards evening, there were 142 nominations from 73 different companies.

The other illustration over the past five years has been those companies that have been prepared to relocate into Brisbane to build that critical mass of industries. Examples of that have been Telecom, with its consumer and commercial division—its largest division—relocating into Queensland; the Gartner Group; the AT & T cable plant; and, most recently, Apple Computers has now located its regional headquarters—the Centre for Excellence in the Pacific Region—here in Brisbane. Those larger businesses have moved here and are playing an important role.

But even more importantly, we are seeing the major growth in small enterprises, the small operators—those that have been flexible and able to respond to new developments and innovation. Some of those business are now some of the world leaders in taking that new development and innovation and commercialising it overseas in the export area. The IT and T industry is an area that is important in its own right, but, as I have said previously, it is important in enabling the growth in manufacturing that we have seen. That growth in the use of technology and innovation in manufacturing has been generated by the growth in the IT and T sector.

I say again to the member for Waterford, because he sits on my committee and has played an instrumental role in terms of developing policy in this area, that it is an important industry and that the awards were awards of excellence that recognised the efforts of those Queensland companies. This Government will continually be committed to developing the important IT and T sector in this State, one that enables us to broaden and sophisticate an economy—something that was ignored by the Opposition when it was in Government.

Messrs Reynolds and Harris

Mr LINGARD: In directing a question to the Attorney-General and Minister for Justice and the Arts, I refer to the gross contradictions between the interpretation of the motivations between Messrs Reynolds and Harris in relation to their investigations of John Huey expressed by the Director of Prosecutions, who praised them, and the conclusions of so-called independent police officers employed by the CJC, who castigated them. I ask: does the Attorney-General have faith in the conclusions concerning Messrs Reynolds and Harris expressed by the Director of Prosecutions in his report of 28 August 1990?

Mr WELLS: I do not know the contradictions that the honourable member is referring to but, yes, I have faith in the information which the Director of Prosecutions gives me on all subjects. I have a right to rely on professional advice that I am given by the senior legal officers of my department. I might say that the Director of Prosecutions, who is not only a former Public Defender and a former District Court judge, but has served this State as Director of Prosecutions for a number of years, is one of the most eminent lawyers in Queensland.

When the Director of Prosecutions says to me that there are no grounds on which a prosecution can properly be brought, then in any practical sense I do not have any choice but to accept his advice. That is exactly what I did; I reported that advice to the Parliament. As a result of doing this, the Opposition is now alleging, through interjections, that I am covering up by virtue of the fact that I act on the legal advice of the Director of Prosecutions.

Mr FitzGerald: Who said that?

Mr WELLS: That is what I have heard said in this Chamber. As a result of this, the Opposition is constantly making the inquiries that they are now making. I have no practical alternative but to act on the advice of the Director of Prosecutions. When he says that a matter is closed and when he says that no prosecution can be brought, then no prosecution can be brought.

I would say that it is a rather unseemly spectacle to see senior members of the Opposition tying their credibility to that of a television show on Channel 7 aired last night. That television show was a rather remarkable piece of drama. For the honourable member to tie his credibility to that does no honour to his credibility.

Shredding of Heiner Documents

Mr LINGARD: In directing a question to the Minister for Family Services and Aboriginal and Islander Affairs, I refer to the shredding of the so-called Heiner documents.

Mr Elder interjected.

Mr SPEAKER: Order! I warn the Minister for Business, Industry and Regional Development under Standing Order 123A.

Honourable members interjected.

Mr SPEAKER: Order! I warn honourable members. The question is being asked; I want to hear the question.

Mr LINGARD: I refer to the shredding of the so-called Heiner documents relating to an investigation of allegations regarding events at the John Oxley Youth Centre, and I ask: did those documents contain any reference to paedophilia activities and sexual abuse at the John Oxley Youth Centre?

Ms WARNER: I have to inform the House that there have been very many occasions on which I have canvassed every conceivable option in relation to the shredding of those documents—documents which I did not see. On numerous occasions I have told the House that I did not see them. However, for further information, the honourable member may like to refer to the *Hansard* of 1 September 1994, 23 May 1991, 14 May 1993, 18 May 1993, 20 May 1993, 21 May 1993, 14 July 1993, 24 August 1993, 31 August 1993——

Mr Borbidge interjected.

Mr SPEAKER: Order! The Minister will resume her seat. I cannot hear. I warn the Leader of the Opposition under Standing Order 123A. That is my last warning.

Ms WARNER: There were also two occasions on 31 August 1993; 1 September 1993, in a question; another question from the same honourable member on 1 September 1994; 2 September 1994, a question without notice by Mr Borbidge; 2 September 1994; 6 September 1994; and 6 September 1994.

Any cursory glance at all that information that is already before the Parliament will surely enlighten the member opposite.

Granville Bridge, Maryborough

Mr DOLLIN: I ask the Minister for Transport and the Minister Assisting the Premier on Trade and Economic Development: can he inform the House as to the current state of work on the Maryborough Granville Bridge?

Mr HAMILL: As honourable members may be aware, the Granville Bridge at Maryborough, which is almost some 70 years of age, was recently the scene of a fatal accident involving a cyclist. That accident has caused a considerable amount of community concern for the future safety of users of that bridge. On Monday, I had the opportunity to attend, in the company of both the member for Maryborough, Mr Dollin, and also Mrs Roisin Goss, the memorial service for the 12 people who lost their lives tragically in the Boondall bus crash. During that morning, I took some time to accompany the member for Maryborough on an inspection of the Granville Bridge in the company of an officer from my department's district office.

The Granville area is growing. It is also an area through which people access several resort developments in the vicinity of Maryborough. Consequently, the pressure under which the bridge is being placed, through the mixture of pedestrian, cycle and, of course—given that Granville is in close proximity to both Walkers and also the timber mills of Hyne and Son in Maryborough—heavy vehicle traffic is giving rise to increasing concern. The solution to the problem is not easy, nor is it necessarily short term. However, following the recent tragedy involving the death of a cyclist, three measures have been very quickly put in place to try to enhance safety on the bridge. A double line has been placed on the bridge to prevent traffic from overtaking. Signage has been placed on the bridge prohibiting the overtaking of cyclists, and there is also a reduced speed limit for traffic using the Granville Bridge.

Those measures, while well received by the people of Maryborough, are not and should not be seen as the end of the matter. We have committed some $20,000 immediately for an investigation to take place into options to enhance safety for bridge users. For the following two financial years, a total of $1m has been set aside for civil construction works, which will expand traffic capacity on the bridge. Those measures may well involve some widening to provide for a specific cyclist lane on the bridge. They may also involve an examination of options for a future alternative bridge crossing.

Let me make this assurance to the House. The matter is receiving the highest priority from my department. I am eagerly awaiting the engineering reports to see what, in fact, is feasible to provide a short-term but realistic approach to enhancing safety on that very important link in Maryborough.

Gateway Arterial Bus Accident

Mr DOLLIN: I direct a second question to the Minister for Transport. Does the Minister have any further details with regard to the Deagon bus crash? If so, can he update the House as to the current situation with the inspections of relevant MCA coaches in Queensland?

Mr HAMILL: This is a matter that is no doubt of considerable interest to all members of the House. Members might recall that, following the tragedy that occurred at Boondall about three weeks ago, I ordered an immediate

inspection of all vehicles that had been constructed by Motor Coach Australia to the period to the end of 1992, wherein it had become apparent that there may have been some fault in the steering rod mounting bracket in the front of those vehicles.

While not seeking in any way to pre-empt the findings of the coroner in relation to the tragedy, I wish to report to the House that every vehicle manufactured by Motor Coach Australia in the relevant period, including the steering kits that have been produced by that company, have undergone that further inspection. All told, in Queensland, 110 buses and kits have been inspected. Of those 110 buses and kits, nine were found to have some form of defect within the front suspension. I can assure the House that they were immediately issued with defect notices. Given that I had grounded all those vehicles, none were let back on the road until rectification work had been completed. Indeed, of those nine vehicles, six vehicles exhibited faults in the track rod control brackets similar to the problem that had been identified in a preliminary investigation of the vehicle involved at Boondall.

Across Australia, following the work that was done here in Queensland and the action that was taken by me and my department, other State authorities, the Federal Office of Road Safety and Motor Coach Australia pursued the investigation of other vehicles on other State registries. All told, some 224 vehicles were located. Including the figures of vehicles identified on our examination of vehicles in Queensland, some 16 vehicles were identified as having some potential difficulty with respect to the suspension.

The action that was taken was taken in the interests of road safety right across Queensland and the nation. I want to place on record my appreciation of those coach operators who responded quickly to that call, and in the interests of road safety I am pleased to say that the investigations in Queensland were completed in record time.

Former Police Superintendent Huey

Mr GRICE: In directing a question to the Minister for Justice and Attorney-General, I refer to John Huey's total backflip concerning his career in the Queensland Police Service, which followed rapidly upon provision of the Director of Prosecutions' damning report on his character to the Commissioner of Police by the then Minister for Police, which prompted Huey to abruptly change his mind over staying in the service, and I ask: as Minister responsible for the Criminal Justice Commission, and in the interests of lifting the stench over his Government which attaches to this whole episode, will he cause the public release of the CJC's clearance allowing Huey to resign with all his benefits intact?

Mr WELLS: I do not know about lifting the stench over our Government. The honourable member for Broadwater might be rather difficult to lift. With respect to the matter to which the honourable member adverts—as I said in my ministerial statement, I gave a copy of the Director of Prosecutions' opinion to the Minister for Police. The question of whether a prosecution was going to be brought was closed, but that does not mean that administration does not go on. I gave it to him so that he could take whatever administrative action he wished to take. From there on, the question becomes one for the Minister for Police.

Former Police Superintendent Huey

Mr GRICE: In directing a second question to the Minister for Justice and Attorney-General, I refer to the fact revealed last night on the Channel 7 documentary the *Report* that what purported to be an independent investigation of the treatment by the CJC of the Reynolds and Harris allegations concerning Huey, under the auspices of the PCJC, was in fact conducted by New South Wales police officers chosen and paid for by the CJC itself, and I ask: does the Minister believe in Caesar judging Caesar, even with the compliance of Labor's then PCJC chairman?

Mr WELLS: I am not aware of any facts that were retailed in that program last night, but I did hear the former Chairman of the PCJC say, in a statement which he made to the House just a little while ago, that those police officers were answerable to the PCJC.

Agribusiness Export Strategy

Mr ROBERTSON: In directing a question to the Premier, I refer to the 1993-94 annual report of the Department of the Premier and Economic and Trade Development and note that Taiwan is Queensland's fourth-largest export market, with sales totalling $545m in 1992-93, up 24 per cent from the previous year. I also note that under the Queensland Agribusiness Export Strategy initiative, the Queensland Government's office in Taiwan will provide a Taipei base for selected agribusiness exporters, and I ask: can the Premier outline to the House whether this important export market is expected to grow further in 1994-95 and how the Agribusiness Export Strategy will assist in achieving greater penetration of Queensland exports in Taiwan?

Mr W. K. GOSS: I think it is increasingly accepted that Queensland is the State that is most engaged in the Asia/Pacific and that indeed it is essential, if we are going to maintain—much less improve—our standard of living that we seek greater markets than exist in Queensland. Obviously, a growing economy such as that in Taiwan is an important part of our future.

The growth in trade between Queensland and Taiwan in recent years has been strong and has been growing more strongly every year. Certainly the member for Sunnybank has taken a close interest in that. In particular, I commend him for his very hard work and assiduous efforts in his local community, where there are many people with close links to Taiwan involved in the business community. The honourable member has certainly been involved in assisting and encouraging them in greater trade between Queensland and Taiwan.

Just to give members a couple of examples, in the last couple of years we have doubled seafood exports to $32m and recorded large increases in vegetable and fruit exports—$3.6m. Cereal and cereal preparation exports are up to $2.7m, and dairy products are close to $2m. The Government is determined to work on those foundations and improve the trade even further. In particular, we have devised a strategy known as the Queensland Agribusiness Export Strategy. Our Taiwan office is supporting five Queensland firms participating in the Taipei international food exhibition in June this year. The results are impressive. Participating firms have reported sales in excess of $62,500 and expected sales over the next 12 months of $A1.2m. That relates to five Queensland firms. It is modest in terms of the overall economy, but it is a great boost for those companies and an indication of the trend and the potential that is available to us.

I note for the record that it was Queensland under this Government that was the first Australian State and the first Queensland Government to open a representative office in Taiwan.

Under the Agribusiness Export Strategy, firms will able to make use of additional space that we have been able to obtain in that Taipei office as a base for establishing their operations in the markets. I know a number of members have had the opportunity over the past few years to visit various markets and various countries in the Asia/Pacific and I am sure that members appreciate the opportunity to learn first-hand of the very strong economic growth and the nature of the challenges and the nature of the opportunities that face our business sector in terms of expanding their business and their trade in Asia. It is important that we look for an opportunity next year to include Taiwan in those opportunities for members to see for themselves what is happening on the ground, because I think as leaders of the community all members of Parliament have a role to play in helping to create that export culture and helping to encourage greater engagement with countries in the Asia/Pacific in the way that I know that many members have. In particular, the member for Sunnybank has been very assiduous in that regard in terms of promoting greater links between Queensland and Taiwan.

Autistic Children's Association

Mr ROBERTSON: In directing a question to the Minister for Education, I refer him to our recent meeting with members of the Autistic Children's Association parent support group and other executive members of that association. I ask: can the Minister inform the House as to whether funding has been made available to allow for the appointment of a teacher trainer to provide training and education for schoolteachers who have children with autism or Asbergers syndrome in their classrooms?

Mr COMBEN: I thank the honourable member for his question and for his keen interest in this important area. Recently, at his invitation, I met with members of the Autistic Children's Association and saw first-hand the good work that they were doing with children and for children with autism or Asbergers syndrome. This Government is committed to providing a range of educational opportunities for students with disabilities, and the Autistic Children's Association provides a valuable addition to those services.

At present, we fund the association to about $1m a year. When I visited the centre most recently, the Autistic Children's Association requested further funding to develop and implement professional development programs for teachers and support staff who work with children with autism all over Queensland. We have now provided some $90,000 further for this worthwhile project.

The project will train teachers and improve their skills in dealing with children with autism, particularly in the area of behaviour management. It is a practical support that will make a real difference to these children and to their dedicated teachers. The funding will allow the centre to undertake a two-phase project which involves, firstly, the development of a training package, including workshop presentations, written material and a video and, secondly, the trialling of the packages and professional development activities throughout Queensland.

That $90,000 is in addition to services that the department already provides for students with autism, including support from guidance officers, advisory visiting teachers and specialist staff in special schools. It is a very worthwhile project. It is a good example of parents and specialist teachers working with the department for the benefit of children. It is one that should be supported by all sides of the House, and I thank the honourable member for bringing it to my attention.

Huey Affair

Mr COOPER: In directing a question to the Minister for Justice and Attorney-General, I refer to comments by Mr Justice Tom Shepherdson reported by Ken Fleming, QC, in a tape-recorded conversation with Reynolds, Harris and others on 2 June 1993, in which the judge said in relation to Reynolds and Harris—

> "There are some fellows, some decent coppers, getting a terrible time."

That remark was made, according to the tape, after Mr Justice Shepherdson indicated to Fleming that he hoped his order to include the 1990 report of the Director of Prosecutions in an affidavit of documents, thus indicating that it would become public. I ask: since even a judge of the Supreme Court of Queensland believes that Reynolds and Harris were being treated terribly by the CJC, will the Attorney-General gives his unequivocal support here today for a full inquiry into the Huey affair?

Mr WELLS: I have nothing to say to the detriment of the gentlemen to whom the honourable member refers. My job as Attorney-General is merely to organise the prosecutorial function of the State of Queensland. That job has been done in accordance with a matter of principle—a matter of principle that has caused a considerable number of questions in this House and a number of rather alarming allegations on a television program. That matter of principle, that the opinions of a Director of Prosecutions should not be made public, is a matter of principle from which it would be most inappropriate for me to move—whatever pressure I was put under. The law and the traditions of the law must be enforced without fear or favour. Whatever pressure the honourable member chooses to put me under, I am not going recant from that and I am not going release the opinion of the Director of Prosecutions on Mr Huey. I am not going the release the opinion of the Director of Prosecutions on any other person who may be innocent of anything with which they are charged but, nevertheless, has an opinion in the Director of Prosecutions' file.

Mr Borbidge: Except Joh.

Mr WELLS: I am not going release the Director of Prosecutions' file on Joh Bjelke-Petersen and I am not going release the Director of Prosecutions' file on the honourable member.

Mr COOPER: If the Senate decides to initiate an inquiry into the events surrounding the handling of allegations of the Queensland police——

Mr SPEAKER: Order! Is this a question on notice or without notice?

Mr COOPER: It is a question without notice to the same Minister, the Minister for Justice and Attorney-General and I place it on notice.

Mr SPEAKER: Order! The time has now expired for questions without notice.

Mr BORBIDGE: I rise to a point of order. Mr Speaker, your comments to the honourable member effectively prevented him from asking that question. He made it perfectly clear that the question was being directed to the Attorney-General. Out of fairness, Mr Speaker, when you have allowed Government members to table questions in similar circumstances, I request that the question be placed on the notice paper.

Mr SPEAKER: Order! I hear the honourable member's heartfelt plea, and because I am a man of goodwill I will do that even though it is not within the Standing Orders. I will take it as tabled.

Mr WELLS: I am happy to take the question on notice.

Mr SPEAKER: Order! I take it as tabled, although I point out to the honourable member that it is not within the Standing Orders. The time for questions has definitely expired.

MATTER OF SPECIAL PUBLIC IMPORTANCE

Tourism

Mr SPEAKER: Order! The Matter of Special Public Importance debate for today is on a proposal submitted by the Minister for Tourism for a debate on the following matter—

> "The contribution of the Queensland tourism industry to the Queensland economy."

I know call on the honourable member for Currumbin to speak to the proposal.

Mrs ROSE (Currumbin) (4.08 p.m.): I am very pleased to have the opportunity to participate in the debate on the contribution of the Queensland tourism industry to the Queensland economy. Tourism has been a growth industry in Australia throughout the 1980s and into the 1990s, and Queensland has led the way in that growth. As a generator of economic activity, employment and foreign exchange earnings, tourism has been Queensland's fastest growing industry and promises the opportunity for increasing economic benefits for the future. Tourism can be expected to play an ever more important remunerative role.

It is significant that for the first time international tourism has equalled domestic tourism as an earner, and that while the Japanese remain our best customers, other Asian countries are supplying more and more tourists. In 1993-94, 6.52 million visitors stayed in commercial accommodation in Queensland. In total, they spent 34.39 million nights in the accommodation. In the March quarter of 1994, Queensland domestic tourism showed a growth of 8.3 per cent in visitor nights over the same quarter in 1993.

In the March quarter of 1994, trips in Queensland by visitors from other States increased by 7.2 per cent. The growth in the March quarter was particularly strong in the business and visiting friends and relatives, or VFR, sectors. The VFR segment constitutes about 28 per cent of all domestic travel in Queensland. However, pleasure holiday travel dominates, with some 40 per cent of the total of domestic tourism to Queensland. The growth of VFR travel to Queensland is related to the population growth in the State. Queensland has proportionally more holiday travel and less VFR and business travel than does Australia as a whole, which is indicative of the effective marketing of Queensland as a desirable domestic holiday destination. Holiday shopping contributes more than $1.5 billion to the economy, but 31 per cent of visitors claimed that they would spend more if they could. With consumer confidence increasing and economic indicators showing an end to recessionary conditions, the Queensland tourist and travel industry is poised for strong growth from the domestic sector.

For the fiscal year 1992-93, more than one-fifth of all domestic trips included a visit to Queensland. In 1993, the number of interstate visitors to Queensland grew strongly by 15.5 per cent, which is well ahead of the rest of Australia, which grew by only 6.3 per cent. As a result, Queensland's market share of interstate holiday trips grew by 2 per cent to 27 per cent. That translates to an additional 94 000 interstate holiday trips to Queensland, injecting dollars and creating jobs throughout the State.

The highest proportion of visitors to Queensland were from New South Wales, followed by visitors from Victoria, South Australia and the ACT. More than half of these visitors came mainly for pleasure and holidays, while 18 per cent cite visiting friends and relatives as the main purpose of their visit and 17 per cent came mainly to pursue business opportunities in the growth State.

In 1993, the number of intrastate holiday trips in Queensland increased by 8.2 per cent, while this segment grew by only 2.5 per cent in the rest of Australia. As a result, Queensland's market share of intrastate holiday trips grew by 1 per cent to 23 per cent. This 1 per cent increase represents an additional 142 000 holiday trips by Queenslanders in Queensland.

The main means of transport in domestic travel to Queensland are private vehicle and air travel—private vehicle representing 45 per cent and air travel representing 45 per cent. Growth in domestic air services, particularly to the main holiday destinations of Cairns, the Whitsundays, the Sunshine Coast and the Gold Coast, have grown in parallel to meet demand. As Australia is a low-cost tourist destination, domestic tourism is attractive to Australians and the natural attractions in Queensland provide considerable scope for increasing this domestic market.

Queensland has outstripped the rest of the nation in visitation growth. According to the Australian Bureau of Statistics, for the past four years Queensland has had the highest growth in demand for hotel rooms in Australia. Queensland led in terms of demand for accommodation with room nights—the measurement used to determine hotel demand—rising by 36 per cent since September 1990. Queensland also led in takings from accommodation with an increase of more than 61 per cent since September 1990. Average takings per occupied room are now $90 in Queensland, compared with average takings of $89 in the ACT, average takings of $82 in Victoria and New South Wales, and the average takings in Tasmania the lowest at $71. The high levels of demand that make Queensland's hotel rooms the most profitable in Australia will attract investment to cater for future growth.

The opening of the Brisbane Convention and Exhibition Centre and the Brisbane Casino in 1995 will provide more product for the domestic tourism industry as will the opening in Cairns of the Convention Centre and casino in that city. Conventions create a tourism market and both Brisbane and Cairns will benefit from those two new products. The Indy Car Grand

Prix, the winter racing carnival, and the Cairns Amateurs are some of the events that help drive our domestic tourism market, and will continue to do so in the future. One-off events such as the World Masters Games complement our solid calendar of annual events.

The Australian Stock Exchange has introduced a tourism and leisure index that will reflect the movement in share prices of public companies operating in these industries. Queensland companies are heavily represented in the index. The growth of the index has outstripped that of the stock exchange's All Ordinaries Index, reflecting the strength of the tourism product and the confidence in the future of the industry. The Government is committed to taking all necessary action to maintain Queensland's pre-eminent position in Australian tourism. Evidence of the Government's success is in the strong levels of domestic tourism growth, which show that our State is where people here and interstate want to come when they travel.

North Queensland is slowly gaining the recognition it deserves for its contribution to the Queensland and Australian economies. In June this year in the *Courier-Mail*, the Far North Queensland Promotion Bureau General Manager, Steve Noakes, said that in the past three years total visitor expenditure in the far-north Queensland region had grown from less than $600m in 1990-91 to almost $900m in 1992-93. He said that tourism accounted for about 25 per cent of the gross domestic product for far-north Queensland and was now as big as the mining and agricultural industries combined. Given that solid performance of the tourism industry in 1993-94, Mr Noakes was very confident that the $1 billion mark will be achieved in this current financial year.

Since its inception in 1979, the QTTC has played a significant role in the expansion of the tourism industry in Queensland. Its goal has been to place Queensland among the leaders in Pacific tourism.

Time expired.

Mr VEIVERS (Southport) (4.19 p.m.): It is ironic that, on a day when a major tourism project for north Queensland goes down the gurgler, this Government should have the gall to initiate a debate on tourism. However, Opposition members welcome it because it gives us the opportunity to remind the Government and to demonstrate without any bias or contradiction why, when we were in Government, we did it better and why this Government just cannot come to grips with tourism at all.

The failure of this Government to see the Oyster Point development through properly to completion is yet another example of Labor's inability to manage major projects. Are we to see the same thing happen to the Singaporean redevelopment of the Chevron site in the heart of Surfers Paradise? Today's happenings in the north—and Government members should know about this—are further evidence of an abject inability of the Government to deal with and foster development. The bungling Mr Goss, Mr Gibbs and Mr Ludwig deserve the tourism booby prize of the year.

By far the greatest threat to our tourism industry is the chronic lack of tourism infrastructure. That is where the ball starts and stops. It comes down to demand and supply—a concept so basic that even the Minister should be able to understand that. For the past three years, the Opposition and tourism industry leaders have been warning of the investment drought in this sector. We have warned of solid tourism growth projections through to the turn of the century. We acknowledge that Queensland's tourism industry is strong. We know that Queensland is a great place to visit for both domestic and overseas visitors. However, we also know that we will not have the beds for them. We will not have the four-star, five-star or even three-star facilities to accommodate the anticipated demand. This current predicament is a tragedy. It will mean that for every overseas visitor turned away this State and nation will also be turning away valuable export revenue and the potential for economic and employment growth.

At the very outset of this debate today, let me take the opportunity to offer our side of the House the heartiest of congratulations on the contribution we have made to the Queensland economy during the past five years of the Goss Government. Yes, without us the Government would not have had all of those rosy figures of recent years and this year. When in Government, we were the ones who had the foresight to put in place and fast-track the infrastructure, gear up the promotion of Queensland and set the scene for the booms of the past five years. No such celebration party will be held over the next few years and there will be no opportunity for Mr Gibbs and the Goss Government to crow, because they and their Federal colleagues have failed dismally to plan for the future. They want it all now. That is lovely, but they just want to let the future look after itself.

This Government would not know what planning is about. Apart from a country Cabinet meeting, a trip to the golf course, staying in one of the five-star hotels that we made possible, and a trip to the races and Indy, Mr Gibbs is pretty short on the practicalities. Let us face some of the very pertinent facts, some of which I borrow from the Ryder Hunt reports, recognised

throughout business and commerce and by Minister Gibbs himself as a good monitor of what is really going on in the tourism industry.

Tourism has been very kind to the Queensland economy in recent years—in fact, since the pilots dispute. That is now coming to an end—more is the pity, because a booming but expanding industry can do much for jobs. Funnily enough, people keep saying that Labor Governments are supposed to be about creating jobs. However, they seem more intent on blocking developments and building Government bureaucracies than creating jobs in the private sector. Nowhere is the Government's failure more evident than in respect of what lies ahead for tourism in Queensland. The boom in Queensland has come mainly from overseas and the big spenders who are visiting the Gold Coast, Cairns and Brisbane. But now the accommodation in those places that is being sought by the bulk of those overseas visitors is chock a block.

Groups need large blocks of accommodation for a maximum of three nights, and 24-hour service. The apartments and motels now available are not suitable. They need the large hotels, which are full. The Gold Coast is in the worst position because it has the highest occupancy. Therefore, it has the least potential for growth and further increased contribution to the Queensland economy. For the eight months over the summer period—September to April—occupancy is at 90 per cent. And the maximum is considered to be 93 per cent to 95 per cent. But no further growth can be expected. We have certainly seen the end, at least for the next three years, of the regular 15 per cent growth which has occurred over the past four or five years. That additional income that the Queensland Treasury has been pocketing will, and has, suddenly come to a halt.

Neither the Goss nor the Keating Governments has provided any incentives for investors to build more accommodation to satisfy this overseas demand. There are none of those incentives we hear about being thrown out for the phantom firms and industries supposedly relocating their headquarter to Queensland. There are no progressive tax holidays on payroll tax, stamp duties and so on.

There also remains the reluctance of investors to invest in the hotels, because there are no incentives. After today's debacle in the north, they will throw their hands up in horror even more. I remind all members that the last large, international-class hotel to open in Queensland was the Marriott on the Gold Coast in 1992. The decision on that development was made before this Government came to power in 1989. We had tourism in the fast track. This Government has put it in the emergency stopping lane—a bit like the Gold Coast to Brisbane highway. But the saddest indictment of all on the Goss Government is that the earliest that another international-type hotel can be opened is 1997, three years down the track, if and when the developer can negotiate the minefield of bureaucracy it faces under the Goss Government. This is a five-year gap. "Incredible", we might say. No, it is a simple fact under the type of Government we have which spouts off about the glory of tourism but then hides behind the palm trees—maybe they are foxtail palms—the bureaucracy, red tape and so on.

Let us face it, we would have far more progress with these types of developments if the Government came out into the open to accommodate all aspects, including protection of the environment. Let me again point out that it was the conservative Government— before Goss took over in 1989—that created the infrastructure for the eighties and the early nineties. Government members know all of them. They stay at them all and play at the resort golf courses. They and their kids go to the attractions—Sea World, Dreamworld, Movie World, which were all fast-tracked in our creative years. Now this Government has no concrete plans for the rest of the nineties.

What is Mr Gibbs going to do? Put up a few hokkers? Pitch a few tents by the seaside or borrow the local scouts' den? I should acknowledge Green Island, at which there are 46 rooms. I forgot about that. That is hardly enough to accommodate a few rows of a jumbo. At the moment, on the Gold Coast there is an urgent need for 1 800 new rooms.

A Government member interjected.

Mr VEIVERS: Stick to swimming.

They should now be under construction. None are. Similarly, in Cairns there is an urgent need for another 1 400 rooms. None have been started there, either. Some 860 rooms are now under way in Brisbane, despite the fact that the return here is only two-thirds that for buildings on the Gold Coast. The yield in Brisbane is $22,000 per year. On the coast, it is $32,000 per year. Those investors are obviously not so interested in tourism projects and are more concerned with the CBD hotels in Brisbane. Brisbane has more than half of the hotel rooms under construction in Australia. That is fine, though that is an indictment in itself on Federal and State Governments which have not provided the incentive for tourist-type infrastructure in the rest of Queensland.

As the Government benefits most from the tourism boom and the taxation returns from

construction, the State Treasurer is very short-sighted in not providing the incentives. These are incentives that could be provided at no cost to the Government with maximum benefits to the Government in the long run. The lack of commitment to the accommodation sector has also spread over to support industries such as transport—for example, buses. Another problem facing an area such as the Gold Coast is the traffic congestion between there and Brisbane. This is causing headaches for buses catering for overseas travel. On the Gold Coast, visitors are being told to allow four hours from departure from their hotel for take-off at Brisbane airport. That means leaving at 3 a.m. to catch a 7 a.m. flight.

The Federal Government has also put the boot into Air New Zealand, which for many years was the saviour for Queensland tourism after Qantas dropped us like a hot potato. It is worth noting that 77 per cent of Brisbane airport passengers are overseas visitors. That is higher than Cairns at 71 per cent, Sydney at 58 per cent, Perth at 55 per cent, and Melbourne at 46 per cent. It illustrates the enormous dependency on Queensland, and we have more to lose from the lack of hotel investment than any other State.

Mr BUDD (Redlands) (4.28 p.m.) *Hansard* will today show that the member for Southport made a very good speech. There were only three words in it that were correct—"what a joke". That was the worst ten-minute joke that I have heard in this place or anywhere else. The member for Southport should sit down, take a deep breath and listen as I talk about tourism with a regional focus.

As most people are aware—or as the member for Southport should be aware—Queensland is Australia's most decentralised State. With a majority of people living outside of the capital city, Queensland is unique among Australian States and Territories. In New South Wales, the vast majority of people live in Sydney. In Victoria, most of the State's population lives in Melbourne. A similar situation exists in all other States and Territories.

In recognition of the decentralised nature of Queensland, this Government has introduced a wide range of policies and programs to ensure that all of the population of Queensland has equal access to Government services. Most Government agencies have regionalised their functions, which has resulted in a great deal of decision-making being devolved to the local level. People in regional Queensland now have greater access to and greater ability to input into the decision-making process. This has meant that Government is more accessible and therefore more accountable to all of the people of Queensland, not just those in its capital city.

The decentralised nature of Queensland is reflected in the tourism industry. The honourable member for Southport should sit down and listen to this. Queensland, unlike most other States, is not reliant upon the capital city to draw tourists. In New South Wales, the majority of tourists visit Sydney. In Victoria, most tourists visit Melbourne. This is not the case in Queensland, where there are a number of world-class destinations outside of the capital city. Destinations such as the Gold Coast, Cairns and the Whitsundays are all of international repute in their own right and are not reliant upon Brisbane being the focal point of tourism in the State. This is not to say that Brisbane does not occupy an important place in Queensland tourism. Rather than have all our eggs in one basket, in Queensland our diversity of attractions ensures benefits to all regions.

In the year to June 1994, the Queensland Visitor Survey—commissioned by the QTTC and conducted by AGB McNair—indicated that there were 34 390 000 visitor nights in commercial accommodation in Queensland. Of this total, 3 577 000, or just over 10 per cent, were in Brisbane. If the figures for other regions are examined, it can be seen that the Gold Coast accounted for 9 491 000 visitor nights, which is 27.6 per cent of total visitor nights; far-north Queensland accounted for 5 739 000 visitor nights, which is 16.7 per cent of total visitor nights; the Sunshine Coast accounted for 5 136 000, or 15 per cent of total visitor nights; and the Whitsunday region accounted for 2 376 000 visitor nights, which is 7 per cent of total visitor nights. The non-reliance upon the capital city ensures that the benefits of tourism are spread over all of Queensland and not concentrated in the capital city.

However, it must be remembered that the whole is the sum of the parts; that is, the success of the Queensland tourist industry is a result of a variety of factors, one of which is the activities of the regions in Queensland. The regionalisation of Government programs has been carried through in tourism, where a very strong network of regional tourist authorities is in place. There are 14 regional tourist authorities in Queensland, each of which is responsible for the marketing and promotion of the unique identity of their regions. These regional tourism authorities are funded directly by the Government to an annual amount of over $1.7m. In addition to this, more than three times that amount is expended by the Queensland Tourist and Travel Corporation in cooperative marketing with the regional tourist authorities. The majority of this marketing and

promotion occurs outside of Queensland in the interstate and international arena.

The benefits of this regional approach are such that it is becoming a model for other States. The New South Wales Tourist Commission has recently sought to establish a regional structure in line with that in Queensland, with the regional tourist authority serving as a focal point for tourism activity within the region. The present funding arrangements for the regional tourist authorities, which include contributions from local governments and local tourist operators, ensure a local and regional ownership and identity.

The results that the regions have achieved to date demonstrate the strengths of the present regional structure, where the regions are promoted and marketed by those who know them best, that is, the local people. It is this local knowledge that is turning potential visitors into actual arrivals. Local knowledge appeals to interstate and overseas visitors. When coupled with the marketing and promotional expertise of the QTTC, it results in over 52 per cent of all visitors to Australia visiting Queensland, with over 75 per cent of Japanese visitors—being the highest yielding group of tourists—to Australia visiting Queensland.

The ability to impart this local knowledge is being encouraged by this Government. This is evidenced in the recent sales mission to Europe, where representatives of a number of regions including the Gold Coast, the outback and Bundaberg—and I might say that they are three very diverse and different regions—spent five weeks promoting Queensland and the regions of Queensland to European travel agents and tour wholesalers. The results of that mission will be seen in future years, with the indications being that there is a heightened awareness of Queensland generally and the regions of Queensland in particular among European travel agents and tour wholesalers.

The Government has recognised that there is a need to manage for the future of the tourism industry in Queensland, both at a State level and at a regional level. The development of the Queensland tourism strategy will provide a sound basis for the future growth of tourism in Queensland. One of the key issues to be addressed in the Queensland tourism strategy is the regional nature of Queensland and the actions that Government can take to ensure that all regions benefit from this growth.

In the development of the strategy to date, and in particular an examination of issues that affect regions specifically, input has been provided from representatives of regional Queensland, including various regional tourism authority managers, tourism operators in regions, including Mr Paul Neilsen of Diamantina Tours at Winton, and local government, including Councillor Paul Bell, the Mayor of Emerald, who is a member of the Kelty Taskforce on Regional Development.

The effects of this regional focus manifest themselves in a number of ways. An example of the dispersal of the benefits of tourism across Queensland is illustrated in the average growth in takings from accommodation. Over the last five years, the average growth in takings from commercial accommodation in the Sunshine Coast region has been 22 per cent; in the far-north Queensland region, 20 per cent; in the Whitsundays, 17 per cent; on the Gold Coast, 12 per cent; and in Brisbane, 8 per cent. This growth has flow-on effects to the economies of these regions, with local suppliers being the major beneficiaries.

Queensland is also unique in that it has more than one international gateway. Whereas other States have relied upon their capital city airports for international visitors, this is not the case in Queensland. Here we have three recognised international airports—Brisbane, Cairns and Townsville. In addition to these airports, Rockhampton, Hamilton Island and Coolangatta have the capacity to accept international flights, and some of these airports have received international charter flights.

When airlines approach the Government for assistance in developing new routes, the Government actively encourages consideration of alternatives to the present concentration on Brisbane and Cairns. The Government provides input into the development of international air service agreements. Such agreements are negotiated at a national level and are the basis for the regulation of international air services. These agreements outline the frequency of air services, the airlines that can operate, the number of passengers that can be carried and the airports to which services can be undertaken. In recognition of the fact that Queensland has more than one international airport, Queensland has consistently pushed for greater flexibility in these arrangements so as to allow greater levels of services to Queensland.

It is interesting to examine the level of air services to Queensland airports over the last five years. In the 1988-89 year, Coolangatta Airport received 1.251 million domestic passengers. In the 1992-93 year, this figure had risen to 1.543 million passengers, which represents a 23 per cent increase. In addition, the airports at Cairns, Hamilton Island, Mackay and Proserpine have experienced increased passenger numbers. As

to the Maroochydore Airport—in 1988-89, passenger numbers were 81 988. In 1992-93, that figure had risen to 165 657, which represents a massive increase of 102 per cent. In recognition of these increased passenger numbers, both Qantas and Ansett have recently expanded the number of services that they operate to these airports.

This Government is committed to ensuring that the benefits of tourism in Queensland are shared by all regions in Queensland. At the same time, the Government recognises that some regions will, by their very nature, gain more from tourism than others.

Time expired.

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (4.38 p.m.): I am pleased to rise to speak on tourism and its benefits to Queensland, because these are benefits which I believe every member would recognise. Tourism provides Queensland with much-needed employment growth and is one of the few sectors in Queensland which can do so under Labor. Like the housing market, tourism has been one of the engines of growth in the Queensland economy over the last five years. It has maintained this growth in spite of, not because of, the Queensland Labor Government.

This Government, through its increased fees and charges on small and large business and its basic lack of incentive for business and industry in general, has meant that the investment needed to maintain Queensland's strong growth in the tourism industry has not occurred. Let us look at some of the facts provided by the Australian Bureau of Statistics, which the Treasurer is always so keen to quote when it suits him. Tourism now accounts for $5 billion towards the Queensland economy and provides 123 000 jobs. However, the ABS also states that Queensland will need an influx of new construction of tourism facilities in the next 10 years over and above those which have already been approved. Brisbane, the Gold Coast, the Sunshine Coast and far-north Queensland all need a surge of new tourism-orientated investment if they are to cater for future growth expectations.

The problem is, according to the ABS, that this surge in investment is not occurring. In the December quarter of 1992, Queensland had 23.9 per cent of the total hotel and motel room stock for Australia, 46.3 per cent of the available commercial holiday units, flats and houses, 30.9 per cent of bed spaces available in visitor hostels and 11.8 per cent of powered and unpowered sites and cabins at camping and caravan parks. The problem lies with the investment in three-star and above accommodation in Queensland, which is what most international visitors will wish to use.

Queensland accounts for 27.1 per cent of the total number of international visitors travelling to Australia, and this figure is growing. In 1992, during the recession, Queensland accounted for 18.9 per cent of the total number of new investments in Australia of three-star and above accommodation. This amounted to $480m worth of investment, much of which would have been on the drawing boards before Labor came to power in Queensland.

Mr Gibbs interjected.

Mrs SHELDON: Yes, Mr Minister, that is correct. However, in 1993 and 1994, this figure drops dramatically under this Minister's tutorship.

In 1993, Queensland accounted for only 5.8 per cent of new investment for three-star and above accommodation, or only $7m. This year, when we are supposed to be in a recovery, matters have improved only marginally, with Queensland accounting for 6.3 per cent, or $53m. That is a drop of more than $400m in investment in new three-star and above accommodation in Queensland in two years under Labor.

Before those opposite start claiming that the market is saturated and that Queensland does not need any more three-star and above accommodation, let me again return to the most recent ABS study on the tourist industry in 1993. The ABS report stated—

> "Tourism industry authorities are signalling that the current oversupply in hotel and motel accommodation"—

in Australia in general—

> "will be a transient phenomenon, especially in Queensland, Western Australia and Northern Territory where new construction will be needed in the 1990s over and above that already in the pipeline."

The report continues—

> "Brisbane, Gold Coast and Cairns and Far North Queensland regions are cited as requiring more hotel and motel capacity by the mid-1990s than is already planned."

More is needed by the mid-1990s.

When it comes to this State Government's lack of foresight and planning to cater for the tourism industry in Queensland, one only has to look back to the recent World Masters Games in Brisbane. What should have been a fantastic opportunity to showcase Brisbane and south-east Queensland turned into an accommodation nightmare for most competitors who had to travel to participate.

Mr Campbell: Rubbish!

Mrs SHELDON: The member says, "Rubbish!", but people were sleeping on footpaths.

Mr Campbell: Don't give us that!

Mrs SHELDON: Then were all of the media reports wrong? Accommodation was booked out in Brisbane, the Gold Coast, the Sunshine Coast and Toowoomba to cater for the participants, and still many were forced to stay in caravan parks two hours' drive away from the sporting venues.

The State Labor Government is crowing about the convention centre construction, yet it has failed to provide enough incentive for business to invest in the vital new tourism hotel infrastructure needed to cater for the increase in people coming to the State.

I wish to look at some of the specific regions in Queensland which rely to a large extent on tourism. Far-north Queensland is the new boom area for tourism in Australia, with Cairns having the fastest growing airport in the country. Tourism is vital to the Cairns region because, with 10 750 Cairns residents "officially" unemployed, the region is in desperate need of job-creation investment. Yet the State Government is not providing the incentives needed for infrastructure development in far-north Queensland. It is often impossible to get a bed in the current accommodation available.

Statistics provided to the Committee for Economic Development meeting in Cairns, which I recently attended, showed that capital works expenditure in the far north is only 60c per capita compared to $1.13 a head in the south east of the State.

Queensland's reliance on tourism was thrown into sharp contrast in 1989 when the flow of visitors to this State was halted by the airline pilots strike. In this State, the pilots strike arrived a year after what was then our most successful tourism year, when the former conservative Government exceeded all expectations with the success of Expo 88.

Prior to the strike, too few who felt the surge of business created by the Expo gave tourists full credit for the benefits they experienced. But suddenly the flow of tourists just dried up and overnight the economy of Queensland hit a brick wall. Businesses in regional and tourist centres alike found themselves in serious trouble and realisation of the true importance of tourism in our State began to dawn.

Today, we who appreciate the increased business and profitability created by growth in tourism must also question our ability to withstand the impact of an incident that may re-create the disastrous impact of the pilots strike, and this is where the State Government has a vital obligation. The Queensland Government must do a lot more to safeguard our tourism industry and to create alternatives. The efforts of the Government must be directed less at enjoying the fruits of tourism growth and growth in other volatile and seasonal areas such as housing. We need more Government emphasis and support for other sectors that may seem less profitable in the short term but offer the advantage of long-term security and which can underpin our tourism industry.

Recently, the Government lost a vital opportunity for a development that would have converted some of the transitory benefits of tourism into a long-term source of jobs and opportunity for Queensland. That lost opportunity came when the Federal Labor Government backflipped on its trans-Tasman deal on air travel. The plan for Air New Zealand to enter the domestic air market with a new Australian headquarters in Brisbane would have created huge new benefits for Queenslanders. Under the scheme, Air New Zealand planned to use Brisbane as the hub for its domestic and international operations. Arrangements for Air New Zealand to take up extensive air terminal space at Brisbane and Cairns were already in place, and recruitment plans were well advanced. Hundreds of jobs were to be created and now hundreds of young Queenslanders have been thrown back on the dole queue.

The Prime Minister's decision to sink the scheme is a serious blow to the future potential of the Queensland tourism industry. A real opportunity for lower domestic air fares was being proposed and Queensland would have been the major beneficiary of such a change. So much for Keating's commitment to Queensland. Brisbane's ambition to overtake Melbourne as Australia's second gateway for international visitors would have been realised sooner and the employment benefits of increased air traffic would have moved north far more rapidly.

The Gold Coast is another area which is suffering from this Government's lack of incentive for investors to create tourism infrastructure. The Gold Coast needs 1 800 new rooms constructed now, yet the next major hotel development is not expected to come on line until 1997. Already the Gold Coast is running at 90 per cent occupancy. The Gold Coast is still the major tourist destination in Queensland, and still the favourite destination for overseas tourists, particularly those from Asia. However, it will find itself priced out of the market if it is unable to provide enough rooms, and at the right

price. It is only economically logical that, as the number of rooms available becomes tight, so the prices of those rooms for tourists will increase.

The Gold Coast, like Queensland as a whole, is already competing for the massive overseas market with destinations such as Hawaii, Bali, New Zealand and myriad Asian destinations. It would be criminal for the Gold Coast to miss out on future tourism growth because of inaction by this State Government.

The Sunshine Coast is an area that caters for a different tourism market to the Gold Coast and far-north Queensland. By far the largest number of tourists travel to the Sunshine Coast by car. But this State Labor Government has broken its promise on removing the Sunshine Motorway tolls and made matters worse by slapping on a new $1.50 toll over the Maroochy River bridge. So visitors who have driven to the Sunshine Coast for their holiday are forced to pay at up to three different toll plazas or, in some cases, use alternative roads which have been allowed to deteriorate badly because of this Government's cynical efforts to force motorists onto the toll road.

What is worse is that the same $1.50 toll on the Maroochy River bridge means that any tourists travelling from the Sunshine Coast Airport to and from Maroochydore must pay, and those to Mooloolaba, Caloundra and other points south must pay two tolls. What is even more ridiculous is that those who wish to travel from Noosa to the airport cannot use the toll road because there is no exit for traffic at the airport. Further, with the Government's failure to upgrade Caloundra Road, tourists coming further north will now have to pay a toll on the arterial road to be put in, which will mean three or four tolls to come from Brisbane to go to the Maroochy Airport, which is a scandalous disgrace. I ask the Minister for Tourism to do something about that.

This is a pathetic and amateurish situation which makes the Queensland Government the laughing stock of interstate and international tourists who visit the Sunshine Coast.

Time expired.

Hon. R. J. GIBBS (Bundamba— Minister for Tourism, Sport and Racing) (4.49 p.m.): What a pathetic, shabby effort from the two speakers thus far. People who have senior positions in the Opposition were given the opportunity today to stand up on behalf of the Opposition and put before this Parliament and before the tourist industry of Queensland some definitive policies. They have been given the opportunity to say what they stand for, but they have failed to deliver even one skerrick or one bit of evidence of what they propose to do should they ever return to the Government benches of this State.

We saw absolute and total frustration from the member for Southport because he realises that, as this poor, dim lummox stumbles around the State from five-star hotels to three-star hotels—around the palatial golf courses at which he used to be welcome five years ago when members of the Opposition were in office—the glory days that he seeks have all gone; they have disappeared and are never going to return. He knows that when the few people he speaks to in the tourism industry make the comparison between this Government and what the Opposition stands for, they know they are on the best thing that has ever happened to tourism in Queensland. Let me prove that, because the figures speak for themselves.

Let us look at a comparison of figures on visitor numbers. In 1989 in Queensland, international visitors totalled 890 000, or 43 per cent of market share. In 1993, the figure was 1.52 million, or 51 per cent of market share. Equally, Queensland's market share of interstate holiday visitors has grown under this Government from 21 per cent in 1989 to 27 per cent in 1993, and international tourism has grown at 16 per cent—twice the national average.

As to airline services—international flights to Queensland have increased by 60 per cent since 1989, representing a staggering increase of 2 700 services. There are now 52 more flights per week than there were in 1989. With the opening of the new Kansai Airport, Queensland will benefit directly from an additional 19 services per week—16 direct from Kansai to Brisbane. This is the equivalent of an extra 6 320 seats into Queensland each week, or a mammoth amount of extra passenger capacity of 328 000 seats per year.

Growth in the Japanese market has been outstanding under this Government. In 1993, 510 000 Japanese tourists visited Queensland—an increase of 7 per cent on the previous year's figure. The Japanese are now our single largest market, representing 38 per cent. Over 75 per cent of all Japanese tourists to Australia visit Queensland.

The Australian Tourist Commission predicts that, as a result of the work of this Government, 3.5 million international tourists will visit Queensland by the year 2000—double the present number. Under Labor, tourism will grow to contribute approximately $9 billion to the Queensland economy by the year 2000, employing in excess of 200 000 Queenslanders.

I turn now to take a more detailed look at the contribution that the tourism industry has made

to the Queensland economy. Queensland's overseas exports of tourism grew by 22.3 per cent in 1993-94, compared to 16.6 per cent for the rest of Australia. The figure is now six times greater than it was a decade ago in real terms and is now equivalent to half the value of international and interstate tourism export volume. Only four years ago, it was less than 40 per cent of total value. One has only to examine the latest Australian Bureau of Statistics figures to see that, since 1989, the share of passenger arrivals by air into Queensland increased from 16 per cent to 22.5 per cent in 1993.

However, what is of greater significance is that international passenger traffic throughout Queensland airports increased by 19.4 per cent between the year ended December 1992 and December 1993, compared to 9.3 per cent for Australia as a whole. During this period, Cairns recorded a growth of 23.8 per cent and Brisbane, 17.4 per cent. Our growth occurred at a time when the share of international passengers travelling through Sydney and Melbourne declined, and it is anticipated that international arrivals through Brisbane Airport will soon exceed those through Melbourne.

A closer analysis of international visitors to Queensland by country of origin reveals that, in the past few years, the Asian tiger countries, that is, Korea, Hong Kong, Singapore and Taiwan, have been growing at a compound rate of 48 per cent per annum, compared to 24 per cent per annum in Japanese visitors and 7 per cent per annum in visitors from New Zealand. However, Japan still represents the dominant market share, at 35 per cent of all international visitors in 1993. The recent pick-up in economic growth in the rest of Australia from the relatively subdued levels recorded in the early 1990s has also fuelled strong growth of 5.7 per cent in interstate visitor numbers in 1993-94.

Estimates from the Queensland State Accounts reveal a 13.3 per cent annual increase in 1993-9 4 in gross tourism expenditure—exports plus consumption of tourism services by Queenslanders within the State—at average 1989-90 prices. After a peak in 1988-89, due to the effect of World Expo 88, tourism expenditure has shown a steady upward trend to total $3.4 billion in 1993-94 in average 1989-90 prices. This figure is 20 per cent above the 1988-89 peak.

Queensland's domestic tourism market can be divided into two segments, that is, Queenslanders travelling within the State and interstate travellers coming to Queensland. Expenditure from interstate visitors increased 5.7 per cent at average 1989-90 prices in 1993-94. Real consumption expenditure by Queenslanders travelling in Queensland has shown a massive rise of 16.2 per cent. Interstate visitor numbers to Queensland increased by 6.1 per cent in 1993 from the previous year. BTR data indicates that Queensland's share of the Australian residents tourism market for the year ended 31 March 1994, measured on the basis of the number of total trips, including those for business purposes, remained constant at 22 per cent, while the share of holiday trips has also remained constant at 40 per cent. Measured on the basis of total visitor nights, Queensland's share of this domestic market remained at 26 per cent.

According to BTR, the number of overnight trips in Queensland by local residents and interstate travellers increased by 7.6 per cent in the year to March 1994 to 10.9 million. The number of visitor nights for the domestic market segment increased to 55.3 million for the year ended 31 March 1994 from 52 million in the corresponding period of 1992-93.

Demand for tourist accommodation in Queensland has continued and remains well above national figures. Average room occupancy rates for hotels and motels for 1993-94 improved to 62 per cent—nationally they stand at 55 per cent—the highest level since the World Expo 88 induced peak five years ago. Higher annual occupancy rates were recorded for Brisbane at 75 per cent, Cairns at 79 per cent and the Gold Coast at 70 per cent for 1993-94. These figures demonstrate the strength of our State's fastest growing industries. Strong Government policies are ensuring that Queensland capitalises on its natural assets to generate jobs, promote economic growth and ensure that real benefits flow through to the community.

As I said at the outset of this speech, the reality is that the Government's role is to encourage investment into the State; that is, that we create the climate and we give the confidence to the market to invest in Queensland. That is happening. In fact, when one considers recent reports, the reality simply is that investment in terms of hotels—from five-star through to the three-star market—is the biggest in Queensland. Sure, it is acknowledged that the first one does not come on until 1997, but the reality is that from the time the planning for these begins, until completion, one can expect a three to four-year period. Because of the way the market is performing in Queensland, that is now occurring.

If members opposite believe that there is a room shortage, they should really speak to the people who count, namely, those in the hotel industry, who will very strongly disagree with that point of view.

Time expired.

Mr JOHNSON (Gregory) (4.59 p.m.): I rise this afternoon to make my contribution to this debate on the contribution of the Queensland tourism industry to the Queensland economy. Firstly, I wish to comment on the Minister's reference yesterday in this Chamber to the honourable the Leader of the Opposition when he was the Tourism Minister in 1989.

In 1991, I was part of a parliamentary trade delegation that visited Japan. Mr Borbidge was very well respected by the authorities in Japan. I believe that people such as Harry Onji and other members of the Japanese community paid great tribute to Mr Borbidge, who was a member of the Ahern Government. As part of his initiative, we saw the formation of the QTTC. Under the guidance of Sir Frank Moore, I believe that a great foundation was laid for tourism, and that is why—as the Minister says—we are experiencing success.

Yesterday in the House, the Minister made reference to the 8 808 international aircraft that arrived at Cairns International Airport to the end of December 1993 as compared with 3 144 in 1989. I will enlarge on that. In 1989, we were recovering from the pilots' dispute, which had detrimental effects on domestic air travel as well as international air travel. Unfortunately, people were not coming to this nation because of that very sad dispute that we had to have. I will not go into why we had to have it.

I can say that the Brisbane Expo in 1988, which was an initiative of the Joh Bjelke-Petersen Government, attracted and increased international visitors to Queensland as a whole, with many such visitors including the far north in their itineraries. Arguably, however, the Brisbane Expo diverted some domestic tourists away from the far north. That is probably another reason why we saw a decline in the numbers of people visiting north Queensland. I know I was able to come to Expo a couple of——

Mr Gibbs: You're on the defensive.

Mr JOHNSON: I am not on the defensive. I am just reminding the House of what the Government of 1988-1989 put in place. The Minister knows that that Government put Expo in place. I reckon I am a pretty fair man and I give credit where credit is due. For a change, why can't the Minister give credit where credit is due?

Mr Gibbs: I do.

Mr JOHNSON: I know that the Minister does at times, but on this particular occasion he should be giving credit where credit is due. In 1989, as a result of the pilots' strike, air services into Cairns were reduced drastically. We witnessed the onset of the domestic recession during the 1990s, and the airline deregulation of November 1990 and the subsequent price competition between operators which reduced the cost of travelling from major population centres to far away destinations such as Cairns. In early 1991, the Gulf war impacted on international tourism in general. The Minister knows exactly what happened in Brisbane. The operation of Compass Mark I into Cairns from April to December 1991 was allied to airline deregulation. All of those things contributed to the fall-off in arrivals into Cairns at that time, but we have seen the growth since then. I will give the Minister credit for that.

If I can return to the growth factor, I believe that not enough is being done to encourage growth in other parts of Queensland. I mention in particular areas such as Mount Isa, Emerald, Roma and Longreach. Tourism is very important to those regional areas. Mount Isa has an airport that will take the larger jets, but the airports in those other regions cannot accommodate them. That is a situation that has to be addressed.

Mr Gibbs: What about all the money we've helped you with for the Matilda Highway? Record visitations.

Mr JOHNSON: I will talk about that in a moment. I make the point that the airport in Mount Isa is sufficient to cater for that centre. It is a big mining centre, and it is going to be a very big tourist centre with the opening of national parks and other attractions in close proximity. No doubt the member for Mount Isa would agree with that.

Mr Gibbs: You're a hypocrite.

Mr JOHNSON: I am not a hypocrite. I will take the micky out of the Minister in a minute. I am not concerned about him.

In relation to the airports in western Queensland, in particular the Longreach airport—the Federal Government sold off those airports. To date, there has been total expenditure of $3.2m, but a further $1m is needed to upgrade the Longreach strip to international standards so that domestic jets can land on it and so that international passengers can visit the area. That will be great for the reef-to-the-rock concept; it will enable our international visitors to travel from Cairns to Longreach and Alice Springs, and from Cairns to Mount Isa and Alice Springs.

As to the Matilda Highway—what a magnificent concept it is. I congratulate the Minister on his support for that concept. However, at the same time, let us get a few things straight. The Matilda Highway, from Barringun to Karumba, is a wonderful concept. It passes through a lot of wonderful places in

western Queensland. I believe that we should be making it possible for our international tourists to take advantage of it.

In Longreach, we have the Stockman's Hall of Fame, which some 68 000 people will visit this year. In Barcaldine, we have the Workers Heritage Centre, which some 9 000 people visited in the first four months of this financial year. I believe the projected figures for the end of this financial year show that approximately 30 000 people will visit that facility, and what a beautiful facility it is. As honourable members well know, the Premier opened Stage 2 of that facility in September. It is truly a bonus not only for the people of Barcaldine but also for the people of western Queensland and Queensland in general.

In Blackall, we have the wool scour. Going further north to Winton, next year we will have the opening of the centenary of Banjo Paterson and Waltzing Matilda. What a fantastic event that will be for Queensland and for Australia. We should be taking advantage of that. I thank the Minister for his support of that event. It is something that will be beneficial to everybody. Hopefully, by 6 April 1995, that will be up and running. It will be something we will all remember.

Nevertheless, I believe that the legislation contains anomalies. There is more to Queensland tourism than the Gold Coast, the Sunshine Coast and Cairns.

Mrs Bird: The Whitsundays.

Mr JOHNSON: And the Whitsundays, as the honourable member for Whitsunday reminds me. The area around Proserpine is beautiful.

As I have only one minute left, I will just touch on racing in western Queensland, which the Minister has kindly supported. I ask the Minister to take on board the problem confronting the people of Winton with the running of that major event in April next year, bearing in mind that the local horse owners are not going to be able to take advantage of the big prize money. I trust that the Minister will intervene so that the locals can have an opportunity to take part in the winnings.

I hope everybody in this House supports the concept of tourism right around the nation. I believe that some wonderful infrastructure is in place in the western and northern parts of the State to provide not only for our domestic tourists but also for our international tourists. It is a State that I am proud of. I know that everybody in this House is proud of it. Tourism can generate more dollars for our economy. Our rural economy is currently on its knees, but within a very short time that will turn around, and tourism may not always provide the revenue that it now does.

Time expired.

FOSSICKING BILL

Second Reading

Debate resumed from 30 August (see p. 8971).

Mr FITZGERALD (Lockyer) (5.09 p.m.): In speaking to this Bill on behalf of the Opposition, I note that the Minister said towards the end of his second-reading speech—

> "The main principles of the Bill have received almost unqualified support from the fossicking fraternity, land-holder organisations, the mining industry, scientific bodies, Government agencies, local governments and tourist authorities."

I add that the Opposition supports this Bill that is before the House. It is an excellent Bill. I commend the Minister on the part that he has had to play in it, but I particularly commend his officers, because I know how much he relied on them for the job that they did on the formulation of this Bill.

The last time we debated a Fossicking Bill was probably about June 1990, when it was introduced by the Minister's predecessor, Ken Vaughan. On behalf of the Opposition, I supported that Bill. However, it did run into some problems, and it was necessary to review the whole fossicking industry, if I can call it that, and how it related to landowners, fossickers, lapidary clubs, tourism associations and everyone else who has an interest in that form of mining.

I know that the fossicking industry is extremely important to tourism and for the recreation of Queenslanders, other Australians and possibly for people overseas who come here to do some fossicking. We have some unique gems in Australia—sapphires, rubies and opals. I understand that opals are unique to Australia. We also have many semiprecious stones and other stones that are just plain pretty for which people like to fossick. When one looks at the lapidary club displays at the local agricultural and industrial shows that take place throughout the State, one sees some magnificent displays by people who have collected stones over a number of years. I think that the members of those clubs who value their collection the most are those who have actually collected the stones themselves over a long period. They have done that by fossicking in creek banks and out in western areas, and they have been able to put together a collection of the stones and gems that they have found. I think that those displays are great. One can

imagine the amount of recreational pleasure that those people have enjoyed by camping out, fossicking and doing some sightseeing.

Of course, at times some valuable stones are found. I have been informed that, at times, fossicking—even by hand digging, which is what fossicking is all about—can turn up a stone that has been panned over by probably dozens or hundreds of people beforehand. That is always the thrill of fossicking—the stones are there to be found, provided that people meet the conditions of our legislation.

I notice that some of the speakers who will follow me in the debate are from western Queensland. I know that they are going to talk about the importance of fossicking to their particular areas. Of course, a lot of fossicking is carried out in outback Queensland. With regard to that unique Australian stone, the opal, I think that it is very important that we market our product overseas, and that we market it very well. I know that those people involved in the opal and sapphire industries have tried to create a special niche in the marketplace for Australian stones. That has to be done over a period, and it is very hard to do. I notice that there are unique opal displays at tourist centres along the coast at Townsville, Cairns, Brisbane and on the Gold Coast. I understand that such displays do not occur elsewhere. Those displays market the product and return quite a profit to the people who work in the opal mining industry. However, the mining of opals is different from fossicking. It is through fossicking that we have been able to create a tourist industry. People want to come out here and do some fossicking.

I will not go into the details of the Bill. As the Minister explained in his second-reading speech, it covers all aspects of fossicking, including the areas that are restricted to hand digging, the depth to which digging can take place—in streams and on land—the fact that machinery is prohibited, and the areas in which the Bill will operate. I just say that the Opposition members support the legislation before the House. We hope that the industry prospers and that, as a result of this legislation, many people enjoy fossicking throughout Queensland.

There may be some flaws in the legislation, but we will pick them up at some later date and then maybe another amendment to the legislation will come before this House. That is the nature of the Legislature. When faults or problems with the legislation turn up, we amend the legislation, just as we are amending the legislation that was introduced in 1990. The Opposition will be supporting this legislation.

Mrs BIRD (Whitsunday) (5.15 p.m.): I want to speak very briefly about the huge opportunities and potential not only in western Queensland but also in my own electorate for tourism and fossicking to combine. I think that fossicking has already established itself as a fairly large tourist attraction. However, I think we can do better, and this legislation goes a long way towards achieving that improvement.

One matter that I would like to raise is the opportunities that exist for promoting fossicking as two aspects of the tourist industry. One is the historical significance of fossicking and the other is the experience and adventure of fossicking, particularly in the western regions. Because he opened it in Mackay in 1993, the Minister will recall the Queensland mining exhibition. It was a huge exhibition with all sorts of displays and little kiosks demonstrating everything from huge pipes and water distilleries right down to the ordinary fossicking pan. It was a huge success.

The reason I mention that exhibition is that it was at that function that I met a 70-year-old character named Hugh McFadzen whose history in fossicking was of great interest to me. I thought that if I was interested in his history, perhaps the tourist industry itself would see him as a great promotion for fossicking. I think that we have lost an opportunity to utilise Hugh McFadzen because, although he is now living in north Mackay, he would have been an amazing asset to the western region.

Hugh learned his craft from his father a long time ago. His father was John Thomas McFadzen, who combed the creeks and gullies around Nebo in the 1920s. Hugh and his brother Alexander roamed throughout the Mount Britton, Mount Flora and Mount Orange areas picking up samples. Hugh believes that the way to go for prospecting and fossicking is by horseback. He has tried all the other ways: walking, driving and riding motor bikes, but he thinks that horseback is the way to go. It is in that method that I also see the potential for fossicking. Hugh says that on a horse one is travelling at the right speed and height and one can really concentrate on the ground.

Of course, there were no rules or regulations in those early McFadzen days. People just concentrated on the ground, they saw something and picked it up. The biggest problem people had was in remembering from where they had picked it up. Hugh told me that prospecting in the 1920s was vastly different from today. On most of those prospecting trips in the 1920s and 1930s, the McFadzen family would live on kangaroo meat. Their diet consisted mainly of tail from the wallaroo, but as it took too long to cook, they preferred kangaroo meat. They would dry and stretch the sinews.

As I said before, Hugh has now hung up his prospecting pick and retired to north Mackay. However, he has a lot of family history, and it is that family history that I think should be told, and should be told on a one-to-one basis. Hugh often talks about his grandfather, who was riding with a fellow called Elderidge when they saw a wallaroo. They must have been a bit hungry because the grandfather shot it and when they got to it, they found it sitting on a great block of rich copper ore. They called the mine Wallaroo, and they took a lot of copper out of it. At one stage, they had 40 miners working for them. So it is people such as the McFadzens who will provide the history part of the fossicking tourism industry.

One other point that I want to raise is that, quite recently, an economic future search workshop was held in Collinsville. The big issue discussed by members of the tourism subcommittee of that workshop was the linking of tourism and fossicking in western Queensland. They wanted to come up the Matilda Highway and link Collinsville with Charters Towers and some of the other areas where fossicking, particularly for gold, is a major industry. I think that that idea is developing fairly quickly and I think that this legislation will go a long way towards fostering that development.

In the past, as most people would know, the administration of fossicking activities has been through mining legislation. Except for a few specific areas, particularly in the central Queensland gemfields and in a few other places, the Mining Act has applied. But this has not been very satisfactory, particularly in relation to administration, which by necessity was relatively complex. We can now see that short-term fossickers require simple, speedy authorisation for their activities.

At present, fossickers are required to apply for prospecting permits under the Mineral Resources Act. These can be issued only over specific properties and require a real property description and seven days' notice to be given to land-holders. As we can see, people are not following those traditions and are fossicking wherever they want to. This was one of the issues raised at the Collinsville future search workshop.

In 1990, the Government gave an undertaking to fossicking and gem groups that the situation would be reviewed. An options paper was prepared and circulated to interested parties. The simple option was to remove those activities from the legislation entirely and to permit them at the discretion of the land-holders, as is the case with shooting or bushwalking. That is a very important point, as it concerns tourism as opposed to the commercial enterprise of fossicking and prospecting.

The group at Collinsville had some questions and were concerned about camping fees for fossicking areas. We were able to tell them that, although camping is free at the moment, there will be some need for a financial return for the maintenance of these areas, and it will still be cheaper to camp in these areas than it is in national parks or State forests. Fossickers' clubs are agreeable to the idea. They recognise that there is a maintenance problem. There may be some individual complaints, but we are prepared to deal with them. Of course, most people are prepared to pay a few dollars to protect and service these areas. Camping permits will be available at the same outlets as the licences.

They raised also the point that the requirement for the written consent of land-holders will make fossicking harder. Even the former miners' rights under the old Mining Act 1968 required the consent of any land-holder for hand-mining, that is, fossicking. It is even more unrealistic today to expect to be able to fossick on a person's land without permission. Even the most ardent fossickers would object to people fossicking without permission. Written consent is necessary to ensure that permission has been obtained, should any dispute arise.

They were also concerned that far more fossicking areas were needed and should be established. The Minister has advised that negotiations for new fossicking areas will continue, but it is considered preferable to reach agreement with land-holders instead of acquisitions or resumptions, as it may be quite acceptable for the land-holders' activities—grazing and so on—to continue. Acquisition would also require substantial funding.

Some concern was expressed about the difficulties of policing the far-flung activities of individual fossickers. Again, activities are at the discretion of the land-holders. If difficulties are encountered, land-holders can call on departmental field officers for backup. Access to occupied land by fossickers is, as we said before, at the discretion of the land-holders. The Queensland Farmers Federation is quite comfortable with the arrangement, provided that land-holders may withdraw permission at any time if fossickers misbehave. That is a bit of a concern. Unsatisfactory behaviour or lack of restoration by fossickers has been raised. Most fossickers would be aware that any such problems are likely to result in their being refused entry to the property in the future, and other fossickers will be similarly refused.

As I said, I wanted to speak briefly on this Bill. It is important that we marry tourism and fossicking together. It is important for western Queensland. This presents an opportunity for us to encourage what is a fast growing interest in Australia, rather than promoting just the glitz and glitter of the casinos and nightclubs in the south-east corner. It is very important that we look at this legislation. I thank the Minister for introducing the Bill.

Mr JOHNSON (Gregory) (5.25 p.m.): In rising to speak to the Fossicking Bill this afternoon, firstly I state that the Opposition supports the concept. I realise also that the Minister probably still has difficulties in relation Mabo claims and so on.

The Explanatory Notes state—

> "The Bill is compatible with the Commonwealth Native Title Act 1993, and native title holders are accorded the same status as owners of freehold or leasehold land.
>
> . . .
>
> Consequently, it has been necessary to exclude native title lands from the operation of the Act, except for some exceptions . . ."

As the member for Whitsunday has just said, this legislation is a great concept for tourism and for people visiting the regions in question, namely, my electorate of Gregory. We see a lot of opportunities for these types of tourist operations, especially in the gem fields around Rubyvale and Sapphire and further west to the opal fields south of Winton and around Yaraka. In the electorate of my colleague the member for Warrego, around Cunnamulla and Quilpie, there are extensive opal fields. From time to time, a lot of people get a lot of enjoyment out of scraping around the mullock heaps or walking through the gem fields. Some of them have picked up some fairly nice stones. Possibly some members here have done the same.

This afternoon, I would like to raise with the Minister the anomalies with some of the mining leases at the gem fields west of Emerald. A lot of problems confront miners. I know that this is relevant to the Minister's department and also to the Lands Department. I just hope that in time we can get some of these anomalies sorted out, because they are detrimental to miners. A lot of those miners rely on those leases to try to make a living. When we have anomalies, it makes it extremely difficult for them to be able to make progress towards what they are trying to achieve.

I know that people in the Department of Resource Industries in Emerald from time to time wish to hell that the situation would improve. No doubt the Minister has been working on this problem, for which I give him credit. But there seems to be a breakdown between the Lands Department and the Minister's department. In the near future, I trust that the Minister will see that those anomalies are rectified.

This afternoon, I want to mention the departmental officers who man the offices at Winton and Quilpie. Some time ago, it was suggested that those officers may be withdrawn from those two centres and relocated to coastal centres, such as Townsville and Rockhampton in the north, with the Quilpie office being relocated south to Toowoomba. I wrote to the Minister about this. I thanked him for his reply and for retaining those two offices in those two western towns, because it is absolutely paramount that we have people on the ground who understand the industry in which a lot of those miners are working. Miners go to those offices to make application for leases. Under this legislation, fossickers will use the offices.

The troops in the field at Winton, Paul O'Sullivan and Mark Page, do a great job, as do Geoff Grealy and Jack Barnes in Quilpie. These people are hands-on operators. They have a very good understanding of the industry and the localities in which they are working. I believe that such people make the job a lot easier for not only people such as myself but also for the people who access the industry and the department. I congratulate those people whom I have just mentioned on their commitment and on the work that they do. They do not have easy jobs. There are some fairly colourful people in the mining industry, especially the gemstone industry, who are not very easy to handle.

I once spoke to Peter Fallon, when he was the man in charge of operations in Winton, and I said, "I am going to have a meeting with the miners." Peter said, "Well, I wish you luck. You won't get many. There are not many down there. You might get five or six at the meeting." When I turned up to the meeting, there were 95 of them. Peter turned up, too, and he said to me, "I did not even know half of these blokes were here. I do not know whether they are on the roll, or what the situation is." These are the people who make up the industry. It is a very colourful industry in more ways than one.

Earlier this afternoon, there was a debate on tourism in Queensland. During her contribution to the debate on this legislation, the member for Whitsunday referred to the way in which this Bill will be applicable to tourism and how it will allow people to access the gemfields of this State in order that they might enjoy what they can find. I know that the people who fossick in the gemfields make a very positive contribution to

tourism. This Bill will further the promotion of our gemfields as a tourist attraction. It will improve access to some of those well-known locations.

I sound a note of caution to anybody who wants to access the opal fields south of Winton. I remember well a trip that I undertook with the Opposition spokesperson for Resource Industries, Tom Gilmore. Unfortunately, Tom is not well today. He has just lost his dad, and I offer my condolences to him and his family. Tom and I visited the fields south of Winton one afternoon. We became hopelessly lost because there is not a signboard to be seen. I do not know where we finished up. If visitors are to be attracted to that area, I suggest that a few signboards be erected.

I ask the Minister to take on board some of the problems confronting the people who fossick in the gemfields adjacent to Sapphire and Rubyvale with regard to leases. If some of those problems can be rectified, it will not only make life easier for the departmental officers in the region but also for the people who fossick in the gemfields.

Mrs WOODGATE (Kurwongbah) (5.33 p.m.): I am pleased to rise to speak in support of this Bill. While listening to the contribution by the member for Whitsunday, I was reminded of my trip some time ago on the Spirit of the Outback train. I recall speaking with some fellow travellers as we passed through Emerald.

Mr FitzGerald: What were you doing in that rough country?

Mrs WOODGATE: That is another story; that is a late-night story. Somehow we got around to talking about what a great State we live in for all those people fortunate enough to take advantage of the glut of recreational pastimes that our State has to offer. The comment was made by one of the passengers that in the past we have not done enough to encourage fossickers to visit our State, which would prove a great boon to the tourist trade. The minerals of Queensland do lure fossickers, collectors and tourists not only from local areas but also from interstate and overseas. The sapphires of central Queensland, the gemfields west of Emerald, the opals of the far west, the alluvial gold from the many streams and the assorted mineral specimens from the north west are just some examples of the range of minerals to be found in Queensland.

Numerous clubs for gem, lapidary and fossicking enthusiasts are active in this State. Interstate clubs visit during the winter season, and with other individual enthusiasts and tourists, these considerable numbers of visitors are contributing in no small way to a major surge in outback tourism, which is so dear to the heart of the member for Gregory. The fossicking localities are now on the circuit of destinations for tourists, and there are a number of commercial operators offering fossicking as part of their itineraries. We also have the annual gemfest on the central Queensland gemfields. That is graphic evidence of the contribution that minerals are making to our local economies.

Mr Johnson: Fantastic it is, too.

Mrs WOODGATE: I am sure it is. The simplified arrangements for fossickers in the new Act will encourage more visitors to try their luck, and the word will soon get around that Queensland is a place where it is easy to incorporate fossicking in holiday plans.

I am sure that all members can talk of many people in their electorates who are in lapidary clubs and who also are very enthusiastic about this hobby. The enthusiasts are certainly pleased that the Government has chosen to introduce this legislation, which among other things will make for better environmental control and recreation management. The lapidary clubs out my way have been very interested in this legislation, and they have been hammering us for quite a long time. Not a week goes past that they do not ring my office and ask, "When is that Bill going through?" At last, the Minister has presented a very good Bill to the House.

At present, fossickers are required to obtain a prospecting permit under the Mineral Resources Act for their activities. However, this tenure is chiefly designed to allow access for commercial miners to peg mining leases, and there are few environmental requirements attached unless the mining registrar sets specific conditions. The good thing is that this new Act will rectify that situation by allowing regulations to control any environmental effects of fossicking generally, as well as in specific situations such as in declared fossicking areas.

Over the last few years in the central Queensland gemfields, the use of the fossicking areas and designated areas established under the Mining and Fossicking Act of 1985 has increased dramatically. There is concern that the generous provision of free camping for two months, which itself can be renewed, has led to unacceptable pressure on some areas. This could lead to premature exhaustion of deposits and hygiene problems. The new Act and the regulation will now limit camping at any one fossicking area to a more reasonable one month and introduce camping fees which will be used for future maintenance and construction of facilities, such as the construction of toilets, if they are required to maintain hygiene. Such camping fees are still slightly lower than those for camping in national parks and State forests, as

they recognise the more basic nature of most fossicking localities in comparison with our national parks.

It is important to remember that under this Bill land-holders have an absolute discretion to withhold permission or set any conditions both for fossicking and camping. They may charge for entry or camping but not for the minerals. That is one question that has been coming across my desk for months now—just what can the land-holders charge for? There was a perception that the land-holders could charge for what people find. That is not the case; they can charge only for entry or camping. The Queensland Farmers Federation is quite comfortable with this arrangement, provided that the land-holders may withdraw their permission at any time if fossickers misbehave. That provision has been incorporated in the Bill. Fossickers everywhere will be aware that any such problems are likely to result in them and any future fossickers being refused entry to a particular property in the future. They are really only looking after their own interests, and I think that is quite a reasonable inclusion in the Bill.

I mentioned that I have some quite keen fossickers in the Kurwongbah electorate. They have raised some concerns with me in relation to this Bill. I believe that I have been able to allay their concerns. For instance, it was suggested that the requirement for a land-holder's written consent will make fossicking harder. It has been pointed out that even the former miner's right under the old Mining Act of 1968 required the consent of any land-holder for hand mining—for example, fossicking. It is even more unrealistic today to expect to be able to go onto and fossick on any person's land without permission. Even the most ardent fossickers would object to that on their own land. I know that I certainly would. Written consent is necessary to ensure that permission has in fact been obtained in case of any dispute.

There has been a bit of criticism over the introduction of camping fees on fossicking areas. Sure, camping is currently free, but there needs to be some return to assist in the maintenance of areas. It will still be cheaper than in national parks or State forests. Fossickers' clubs are agreeable; they are happy with that. They recognise that there is a maintenance problem. However, there will still be some individual complaints; we do not resile from that. Camping permits will be available at the same outlets as the fossickers' licences.

Another concern that has been laid to rest by the Minister is that far more fossicking areas should be established. It has even been suggested by some that, if necessary, we should resume areas from properties. In answer to that, after discussion with the Minister, let me say that negotiations for new fossicking areas will continue, but it is considered preferable to reach agreement with land-holders instead of acquisition or resumption, as it may be quite acceptable for the land-holder's activities of grazing, etc., to continue with the fossicking. An acquisition would also require substantial funding.

In conclusion, as the Minister said in his second-reading speech—a famous line of mine—there has been extensive consultation leading up to the drafting of this legislation. As a result of that extensive consultation, we have finished up with a Bill whose main provisions are to allow fossickers to camp on designated fossicking land, subject to the agreement of land-holders, while at the same time allowing the land-holders to give general permission for fossicking and camping on their land to avoid the need for repeated individual permissions.

The Bill provides also for the declaration of formal fossicking areas and designated fossicking land over popular tourist fossicking localities, again with the agreement of land-holders and local governments and consultation with any other Government agencies. In such areas, tourists are not required to obtain individual permissions. Last but not least, this Bill provides for a simple fossicker's licence authorising fossicking Statewide, except on some exempt lands, once again provided that the permission of the landowner is obtained. It is a Bill which I believe all honourable members will be more than pleased to support, and I am certainly pleased to do so.

Mr STEPHAN (Gympie) (5.41 p.m.): I join in this debate briefly this evening bearing in mind the great amount of satisfaction many people receive from fossicking and from the fossicking clubs to which they belong. In my electorate, some gold panning takes place at a designated fossicking area at Deep Creek. Also, a little west of Gympie, around Kilkivan, fossicking is developing into quite a tourist attraction. In these places, one can imagine how much those fossickers are enjoying the outdoor life looking for alluvial or hidden gold. One can imagine the satisfaction and joy those people get out of panning for and finding a bit of glitter in the bottom of their pan. The people who fossick in the Deep Creek area have occasionally found nuggets, although usually very small ones. All of that gives those people a great deal of satisfaction.

The member for Kurwongbah stated that there is a licence that will cover a lot of different areas at the same time but not necessarily operating in different areas at the same time.

There is the family fossicker's licence, the club fossicker's licence, the educational organisation fossicker's licence and the individual fossicking licence. However, I cannot see anywhere in this Bill the amount that is going to be charged and how long the licence will remain current. Is it going to be for a month, a year or just for the time that the fossickers are in that area?

I bear in mind the fact that for quite a number of years at Deep Creek the historical society has been collecting the fees. I understand that it does that job fairly well. However, they face difficulties when they are fossicking and digging for gold there. They are often looking for a pan, a pick or whatever it might be. They do not have every item that may be necessary to do the actual panning itself.

The other aspect that I would like to mention—and I congratulate the Minister for this—is clause 71 (4), which states—

> "The commission that may be charged, or part of the prescribed fee that may be kept, must be fixed by regulation."

As I read it, that gives groups such as the historical society a portion of the fees that it collects. I know it has been a bone of contention for quite some time that the society has been spending a reasonable amount of time in issuing the licences and then sending the money to the Department of Minerals and Energy. Certainly, the society has not made a cent out of it. The collecting of fees has been costing it money. However, that is a step in the right direction. It will encourage the historical society continue what it has been doing—helping the community.

Another area of concern—and again the member for Kurwongbah mentioned it—is that this Bill provides for regulations to control a number of activities. This does concern me a great deal. As I pointed out before, I am not too sure of the actual amount that will be charged for the licences. It will obviously be found in the regulations. Yesterday and last night we spent quite a deal of time in this House talking about this type of approach. We talked about bringing in legislation and not noticing the pinch until we look at the regulations. It is not until we see the fine print in the regulations that we find out just what the cost is. I guess in some instances it has to be done that way because there has to be an ability to change the fees from time to time without necessarily going back and amending the principal Act.

Mr Pearce: It's still going back into the industry.

Mr STEPHAN: I am not too sure that it is going back into the industry in some instances. My concern is that we do not know the price until the regulations are actually printed; and sometimes they are hidden. This is not a real criticism, but I am concerned that there is this type of control that can be altered without necessarily having undergone the scrutiny of the Parliament.

I have already mentioned the tourist attraction at Kilkivan, in the western areas of my electorate, where a reasonable amount of panning is undertaken. The fossickers out there get a great deal of satisfaction out of their activities. There is one operator out there who is going out of his way to create a real image of the place. He is trying to attract more people to the area. He hopes they will do some panning for themselves and also feel the joy of finding a bit of gold from time to time. I congratulate the Government on the introduction of this Bill.

Mr ARDILL (Archerfield) (5.48 p.m.): Most of the points that I wanted to cover have already been covered by the member for Kurwongbah and the member for Gympie, so I will not speak for very long. I congratulate the Minister for this new Bill, which will say "Open sesame" to Aladdin's cave, which is really what Queensland is as far as fossicking is concerned. There is a treasure-trove of gemfields scattered right throughout the State.

Ever since the Labor Party came into Government, I have been bugging both the present Minister and his predecessor to reinstitute the fossicker's right to operate without having to go through the bureaucratic process which is in place at the moment and which for all practical purposes totally prohibits fossicking. Most of the fossickers I have had any association with decide on an impulse to go fossicking. They pick a piece of land which looks likely to produce results, go and ask the farmer for permission to fossick, and get to work on it. Of course, under the present Act that is totally impossible. First of all, the fossicker must pick the piece of land, then go to the mining headquarters, which might be hundreds of kilometres away, and then go back and see if the farmer will let him on.

The current legislation is totally impractical. This legislation is a great move by the Minister, and I congratulate him for the effort he and his department have put into it. It will allow a lot of people a lot of joy in spending time in the open air and getting a bit of exercise. It is also an important part of our economy, because a lot of funding is provided in getting the wherewithal to get out there and do the digging. There are many points to be considered when looking at this legislation—the purchase of all the necessary equipment, sometimes camping gear, vehicles and so forth. I believe that, in the future, it will be regarded as a tourism activity as well as

just one for the amateur—as I am—who might find time once a year or once every three years to do a bit of this sort of thing. This is a tourism prospect for the future. Today, members took part in a debate about tourism in this State.

There are many scattered fossicking areas around Brisbane. On the Downs there is petrified wood, thunder eggs and things like that—and even closer to Brisbane, of course. The Willows field between Emerald and Alpha used to have many individual characters on it. Books have been written about it, and I am sure that other books will be written in the future about the crazy characters who operated on the Willows and Anakie fields. The member for Gregory mentioned Winton, and there is also Agate Creek in the Forsayth area. There is a virtual empire for tourist operators to get involved in this, and I hope that it will become a tourism industry.

I congratulate the Minister and thank him not only from me but also from a number of my constituents, certainly a number of my relatives, and, in particular, the members of the Coopers Plains ALP branch, who have been pressuring me just as much as I have been pressuring Ministers over the past few years. I thank the Minister very much for reinstating fossicking rights in Queensland.

Mr MITCHELL (Charters Towers) (5.52 p.m.): I rise to speak briefly on the Fossicking Bill 1994. The electorate of Charters Towers has the potential to be one of the most interesting areas as far as

this Fossicking Bill is concerned. Charters Towers itself is known as one of the largest gold-producing areas in Queensland—maybe in Australia—and it is considered a fossicker's haven. Most of that area was mined in the early days with very basic tools. Now it is the target for the recreational fossicker with very modern equipment, including items such as medal detectors, and many very fine samples have been discovered by that method. I have personally witnessed many of these samples recently unearthed in the region.

Charters Towers is becoming one of the most sought-after tourist destinations due to its heritage and golden history dating back to the first gold rush in 1871. Mining on a commercial scale is the largest industry in the electorate, producing the biggest percentage of coal and gold in Queensland. Goonyella/Riverside, Blair Athol, Peak Downs and North Goonyella are some of the biggest coal producing mines in the State, and they are located in the southern part of the electorate.

Charters Towers is the centre for the gold-producing mines of Mount Leyshon, Pajingo and Rishton, with Carpentaria Gold at Ravenswood and the Yan Yan mine at Mount Coolon—just to name a few. Many other minerals are also mined throughout the electorate, with base metals mined at Thalanga outside Charters Towers and other sites in the McKinlay, Richmond and Flinders Shires. Therefore, mining and minerals are a great interest to many people in the electorate. I would have no hesitation in saying that a fair percentage would have, at some time, tried their hand at some sort of recreational fossicking or mining. I believe that the Bill presently before the House will certainly enhance this activity both for the locals and the tourists visiting that part of Queensland. I certainly welcome any initiative to increase the tourism potential in any community in the electorate of Charters Towers.

Provisions in the Bill for tourist operators to secure a licence, with certain limitations, to fossick on designated areas or on other land with the permission of the owners or lessee open the avenue for tourist operators to lure tourists to that area. Most people would relish the opportunity to have a hands-on experience to fossick or pan for gold or any other minerals or fossils. It has only been in the past two months that I have been approached about the freeing up of fossicking leases for the purpose of tourism ventures in Charters Towers. During that time, this Bill lobbed on my lap, and I am very pleased it did.

The other available licences, such as individual, club, family and educational licences, will further enhance the interest for fossickers in Queensland. Fossickers come from all over the southern States of Australia as well as overseas to try their hand at fossicking for precious stones and metals. Popular metals for fossicking are gold, opals, gems—that is, sapphires and rubies—in the Central Highlands, and gold and assorted samples in the north and north-west Queensland.

A very interesting and popular fossicking recreation in the north west is exploring for fossils in the rivers, creeks and basalt areas. Most of the area was once an inland sea, and many fantastic fossils have been discovered over the last 10 to 20 years. Of course, one of the most famous unearthed there during that period was the full-frame fossilised Muttaburrasaurus, which is now in the museum here in Brisbane. Numerous fossilised prehistoric animals and mammals have been discovered, creating a wide range of interest in this area.

When I showed this Bill to people, several queries were raised with me. I shall touch on those for a few moments, and perhaps the Minister could provide the answers in his reply.

The first query relates to the application for a licence. What period does the Minister anticipate for approval, and what criteria would be expected of an applicant when applying for a licence? I have been advised by the Minister's staff that different outlets will be available to issue licences, such as mining registrars and issuing officers—or whatever they will be called. Mining offices are usually closed for two days a week. Has provision been made to cater for the daily issuing of licences? If that is permitted, would those officers be permitted to issue full licences or only some sort of permit? With landowners and leaseholders giving their general consent for fossicking on their land, would all issuing officers be issued with a register for designated areas and those permitted areas? I certainly hope they will, because that would make it easier for everyone who comes to the area.

Even though the Bill contains provision for an authorised officer to control those designated areas, I envisage a few problems arising. People camping in that area have always been a problem. We see this at rest areas along our main highways and in national parks. I imagine that most of these designated areas will be off the beaten track. I do not believe that it would be feasible to have authorised personnel on all sites to police the camping permits and the cleanliness on a daily basis. I ask the Minister whether regular checks would be done by departmental officers. I realise that most of this is covered by clauses 78 to 82, but during my time in the west I have seen many camping areas that have been neglected if they are not cleaned or checked on a regular basis.

I suppose that the same would apply to specimen checking. We all know that some people are experts at dodging the system. These are the people who make it difficult for the genuine fossickers, especially when fossicking on privately owned land. If designated fossicking areas are a reasonably close distance to any of our centres, I would like fossickers to be encouraged to use local accommodation, such as caravan parks and motels in our towns. As I said, there have been problems with rest areas along highways because travellers use those areas for overnight stays instead of driving a little further into our towns and taking advantage of local accommodation venues.

To what extent is the department willing to go for facilities on designated areas? What sort of toilet facilities, showers and cooking areas would be erected? I also wish to mention the problems being experienced in the Clermont and Capella areas. I understand that, because of the Native Title Bill, prospecting permits are not being issued to the hundreds of fossicking tourists from the southern States and overseas. I am sure the Minister has a bit of a problem with this, too. I am aware that the unavailability of these permits stems from the instructions from the Department of Minerals and Energy because of the native title legislation.

I am also aware that this new Fossicking Bill will probably not offer much assistance to tourist fossickers, simply because ownership of State forests in those areas has not been determined. However, with the exception of those few queries about the implementation of some of the rules and regulations, I believe that this legislation for recreational fossicking will benefit most areas, especially the Charters Towers electorate.

Hon. T. McGRADY (Mount Isa— Minister for Minerals and Energy) (6 p.m.), in reply: First of all, I offer my sympathies to the shadow Minister on the death of his father, who was a member of this Parliament and, I believe, a member of the Federal Parliament for many years. As the member for Gregory mentioned before, Mr Gilmore is suffering an illness himself, and I extend my sympathies to him and his family.

I thank all the members who participated in this debate. The Bill has been a long time coming, but from the comments that have been made here tonight it is quite apparent to me that the Bill is welcomed by all members of this Parliament and, as I mentioned in my second-reading speech, by most of those people around the State. It is a good Bill. It is a win/win/win situation for so many people. It also shows the other side of the mining industry, because we see the big trucks and the big pieces of equipment and we see the millions of tonnes of coal, copper, silver, lead and zinc, but we do not always see the attractive side of mining, and to some extent fossicking is that side.

The member for Fitzroy and I did a tour of the gem fields a few months ago, and I came back well over $2,000 lighter because I ended up buying earrings for my wife and a ring for myself. Jimmy tells me that he is going back because when he got home and his wife found out what I had done, she demanded the same for herself, so we are going to organise a trip in the very near future. The member for Gregory can go back to Emerald and tell the miners there that we will return and that we will purchase again.

All jokes aside, after I did the trip to the gem fields, I then went to Bangkok and saw the results of the gems that are mined in Queensland. In my opinion, it is sad we have an industry here that could, in fact, become one of our major export industries, because at present the gemstones are being taken away from Queensland. They go to Thailand and other

countries and are considered to be some of the best gemstones in the world. They are being sold around the world not as Queensland stones or Australian stones but simply as other stones. I have had discussions with our officers in those countries and I would hope that in the not-too-distant future we could start promoting our gemstones. The slogan could be not "made in Queensland" but "mined in Queensland". It is a good industry, and I had the opportunity of sitting down with some of the miners to discuss some of their problems, which since that meeting have been addressed.

All members have made a positive contribution. They have mentioned the good points of fossicking, and it is a pleasure on behalf of my staff and the departmental staff, in particular, to sit in this place and hear those accolades coming forth because, as I said, it is a good Bill.

I shall answer briefly some of the comments that have been made in the debate. I appreciate the fact that the member for Lockyer came into the debate at such late notice and offered the Opposition's total support. It is appreciated. The member for Whitsunday gave us all a history lesson, but what she said was so valid because those people are the backbone of this State and this nation. She referred to what happened in the twenties.

I will be political for a moment. I have to say to the member for Gregory that I have an electorate of some 240 000 square kilometres and I have never yet been lost in my electorate.

Ms Power: He'd blame Mr Gilmore.

Mr McGRADY: He blamed Mr Gilmore. That will go into *Hansard*, so he can have his battles after that. He touched on native title. It is quite apparent to me that he understands some of the problems that we have there, but by and large they have been addressed.

Reference was made to a breakdown between my department and the Department of Lands. Let us talk about that, because I am not fully conversant with what he was referring to. However, I am more than happy to discuss it. He mentioned the closing down of offices. As he knows, no offices have closed down. The Emerald office has had a massive facelift, and that indicates the support that my department is giving to central Queensland in particular. As I mentioned before, we did sit down with the miners and we discussed a number of their problems. We have been able to resolve some of them.

The member for Kurwongbah is my caucus secretary. She does a tremendous job, and again she has been tremendous in feeding back to me and my committee some of the comments that are being made by so many people.

The member for Gympie has left the Chamber. Of course, he comes from a great mining area. He asked a question regarding the length of time a licence would be valid and the costs involved. That will appear under the regulations, and they have not yet been before the Governor in Council. As an example, we are looking at a one-month, a six-month and a one-year licence. We are also looking at licences for family fossickers, clubs—right down the list. As an example, a person who gets a licence for one month we are looking at charging about $5, and about $30 for a licence for a whole year. They are fairly reasonable charges and ones that I am sure the public will accept.

The member for Archerfield has been on my back month after month. He described fossicking as a treasure trove. That is an apt description of this industry.

I appreciate the comments of the member for Charters Towers. He asked a number of questions. He mentioned the offices being open only five days a week. I emphasise that we are negotiating with the caravan parks and local stores—anybody at all who is reputable—in regard to the issuing of these licences. Therefore, hopefully, the licences will be available seven days a week, 24 hours a day if the caravan park or the local store is prepared to issue them at that time. I do not think the concern that the member expressed is a real concern, because that problem will be overcome.

In relation to the question that the member asked about the kind of person who does not do the right thing—records will be kept of all people who have licences. If a person does not do the right thing, firstly, that person's licence will be taken away and, secondly, the next time that person applies for a licence, it will not be granted. That covers the concerns that the member expressed tonight.

With regard to toilets and other facilities—obviously the camping fees will be used to provide those facilities. It is an ideal opportunity to involve local authorities with this great new venture. The moneys received by way of camping fees will be used to provide the facilities. I am not saying that every area will have ablutions blocks the next day. It will be a matter of when funds permit.

In conclusion, I again thank my personal staff for the help and assistance they give me and, in particular, the departmental staff who have worked long and hard to help in producing what I consider to be an excellent Bill.

Sitting suspended from 6.08 to 7.30 p.m.

Committee

Hon. T. McGrady (Mount Isa—Minister for Minerals and Energy) in charge of the Bill.

Clauses 1 and 2, as read agreed to.

Clause 3—

Mr CAMPBELL (7.31 p.m.): Firstly, I congratulate the Minister on the Bill. I think he has had good support for it. My question concerns the definition of "hand tool". Why were dredges not included in that definition? Many battlers and other people who like to participate in the recreational pastime of fossicking like to use small dredges. In Bundaberg, there are several people, whom I would call amateurs, who go on fossicking holidays with these instruments. They are not large instruments. I know that these people go fossicking only on a part-time, recreational basis. I was wondering why, in the definition of "hand tool", those small dredges could not have been included to cater for recreational fossickers.

Mr McGRADY: I accept the point made by the member for Bundaberg. I must say that he is being consistent, because he has written to me on a number of occasions on the same issue.

There has been a lot of discussion, both within my department and within other Government instrumentalities, about this particular issue. There is an opinion that such an activity could cause pollution in the waterways and, because of that, this Bill stipulates that no machinery is allowed to be used by fossickers. As I said, there has been a lot of discussion about this matter. At this time it is not proposed to change that definition. However, I do appreciate the concerns raised by the member for Bundaberg. I know that he is doing the best he can to represent the people in his electorate who feel that to some extent they are being disadvantaged by not being allowed to use this equipment. I can assure him that we will have further discussions down the track and, if we see our way clear to changing this definition, I would be more than happy to bring the legislation back into the Parliament at a later date.

Clause 3, as read, agreed to.

Clauses 4 to 120, and Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ELECTRICITY BILL

Second Reading

Debate resumed from 19 October (see p. 9681).

Mr FITZGERALD (Lockyer) (7.35 p.m.): The changes proposed to the electricity industry through this legislation and through the corporatisation process are the most fundamental changes to affect the electricity industry at any single time since its inception. The industry has been Government owned and bureaucratically operated as a monopoly, unaccepting of competition and, in many cases, unaccepting of change. We are now moving from this structure, which is historical and which has been the standard for the electricity industry around this nation and, in many ways, around the world.

Modern thinking in respect of the electricity industry has taken two clear and separate paths, both of which are different from the original model. Those paths are privatisation and corporatisation. Corporatisation, however, is a prerequisite step in the rearrangement of the structure of the industry should privatisation be the ultimate goal. Whichever direction is taken in the industry, the ultimate outcome is world's best practice and vigorous competition aimed at the production of electric energy in the most efficient, cost-effective and environmentally acceptable manner.

The Opposition accepts that, with the introduction of the legislation and the regulations under the Government Owned Corporations Act, the Government is acting in good faith towards the development of a better electricity industry. There are, however, numerous matters which ought to be discussed in this debate, some of an historical context, some conventional and, of course, some futuristic predictions. It is fair to say that the Opposition enters into debate with an extreme concern over the failures of the Goss Government in terms of the short and medium-term planning requirements of a prudent Government and the possible ramifications of actions which are being contemplated to recover lost ground.

When the Goss Government came to power in December 1989, it inherited an electricity industry which was widely recognised as being the most efficient in Australia and ranking with the best in the world. Electricity prices in this State were the cheapest for mainland Australia and, in a general sense, Queenslanders were being provided with high-quality, reliable electric energy, as is required by a modern and developing industrial society. Some of the structures seemingly were in need of fine tuning, and the organisation was impatient, bureaucratic and unsympathetic to competition. It would be fair to say, one would suggest, that competition

was actively discouraged and might I say that much of the old culture remains.

The industry at the time was based upon a number of large coal-fired generators and the long-term planning strategies which were then in place provided for the introduction of new coal-fired stations and one moderately large hydroelectric generating plant at the Tully/Millstream. This strategy, which had a vision 20 years long, would have maintained our pre-eminent position in electricity generation and would most certainly have provided a balanced and capable electricity industry to underpin the future development of Queensland manufacturing and value-adding industries into the next century. It would also have offered the Queensland Government an unprecedented opportunity to provide incentives to new and relocating industries to establish in Queensland .

The failure of the Goss Government to continue that excellent plan over the past five years has, in my view, been the most important failure of the Government. It will be regarded in the future as the time that the Queensland Government lost an opportunity granted to it by the previous good planning and the recession of the nineties to build Queensland into a manufacturing centre of note. The unenviable position that the industry finds itself in today is that there has been little or no planning for a period of five years other than in the area of corporate structure. The only decision that has been made by the Government in respect of power generation was the absolutely unfortunate decision not to construct the Tully/Millstream hydroelectric scheme.

The Government at that time was obviously overwhelmed by the detail and complexity of the industry, unable to comprehend the urgent need for decisions to be made in the industry seven or eight years in advance of the predicted need for energy supplies. The decision not to build the Tully/Millstream was not a decision about power generation, it was purely an ideological decision.

Mr Welford: Brilliant!

Mr FITZGERALD: The Tully/Millstream had become the icon of the environmental movement and of the ALP Left, and I hear the members up the back in the Left cheering. I notice that some members of the Right are not cheering. It was an act of faith on behalf of the Premier, as repayment for his elevation to the exulted position as Premier, rather than a hard-headed decision based on the long-term planning imperatives.

An honourable member: Pig-headed.

Mr FITZGERALD: Yes, I believe that it was pig-headed. Nevertheless, it was clearly within the Government's domain to make that decision or any other decision in respect of power generation. However, what is absolutely unforgivable is the now well-documented fact that, having paid a debt that was owed by way of electoral success, the Government then failed to put in place a viable alternative plan. Obviously, the decision-making process in which clear thinking and hard decisions were required suddenly became all too hard. The end result of this prevarication is the possibility of power shortages in 1998. I have said in this Parliament before and, for the sake of emphasis, I will repeat it: the Goss Government knew and was told repeatedly by the QEC, both privately and in the QEC annual reports for four consecutive years, that there would be a shortage of power in 1998.

An honourable member interjected.

Mr FITZGERALD: I will start quoting from the reports. The member only has to read the annual reports; it is in there. Obviously, the Minister and Cabinet either did not believe the professional advice that had been given to them or were simply incapable of understanding the importance of the messages that were coming through. Therefore, we now face a situation of urgency.

The Minister continues to say that there is sufficient time in which to create an alternative power source. I have no doubt that that is true, but the passing of every day reduces the number of options available to the Government simply owing to the lead time on each of these options. One of the options available is the refiring of both Callide A and the Collinsville Power Station, which would have a combined capacity of somewhere around 300 megawatts. It is sufficient to put off that evil day for only approximately 12 months, because the annual growth in the demand for electricity requires a generating capacity of about 300 megawatts a year to be brought on line, and that is the current level of growth.

I know that recently Tom Gilmore, the Opposition spokesman for Minerals and Energy, inspected the Collinsville Power Station. He was given a comprehensive viewing and briefing of the existing infrastructure. He gained some insight into the likely redevelopment of the power station. I think that Tom has done an excellent job in this regard. He is certainly keeping himself up to date with the power requirements of Queensland. If the people of Queensland decide that the present Government should move to the Opposition side of the House and the Opposition should move to the Government side of the House, I see Tom

Gilmore as an alternative Minister for Minerals and Energy.

The Opposition is sceptical about the motivation for the decision to refire Collinsville. Although there is no doubt that there would be some obvious benefits to the town of Collinsville and to improving the viability of the existing mine, the questions must be asked, "Is this the most economic option available? Would this decision have been taken as a first and best option over and above the Tully/Millstream or some other means of achieving the same ends? Will the power generator from Collinsville come into the grid at a competitive price?"

I have no doubt that the successful tenderer will make money on the project. It is simply obvious that the Government, having now managed to back itself into a tight corner, will be prepared to accept electricity into the grid from Collinsville and Callide A at prices that would otherwise not be considered. The reason for that and for the acceptance of power from the other likely sources such as cogeneration, liquid gas turbines, gas-fired turbines and the interstate connection is that the sum of all of the power received from those sources will be only a minor percentage of the total capacity of the grid. Irrespective of the price paid for the almost insignificant amount of power, the average price across all power consumers in this State will be only marginally affected. It is with this mechanism that the Government will disguise its failures.

In respect of proposals to import electric energy from New South Wales—and I note that the member for Warwick has a keen interest in this matter—through an interstate connection, a number of questions need to be answered, but the Government is studiously avoiding them. Currently, the New South Wales Government has some 2 000 megawatts of excess capacity and is enthusiastic in seeking out markets that might reduce some of the overhead costs of its bloated generating capacity. Regrettably, that does not mean that the generators in New South Wales, which are currently in excess of requirements, are efficient or reliable. Nor does it guarantee that electricity will be able to be purchased from New South Wales at a price commensurate with the price at which we can generate our own power. Indeed, we might find ourselves building an expensive grid connection in a frantic attempt to gain power at any cost and from any source only to find that the power we locked ourselves into is unreliable, of low quality, and, worst of all, expensive.

The interstate connection proposal is a two-edged sword. Unfortunately for Queensland, it cuts both ways. Firstly, the proposal for Queensland to supplement its dwindling power supplies from the New South Wales grid is a recipe for exporting Queensland jobs in the electricity, construction and mining industries to New South Wales. That is a fact of life. Secondly, should we ever find ourselves in a position of actually exporting power to New South Wales, it is a recipe for the export of Queensland jobs in the manufacturing sector, as both New South Wales and Victorian industries will be able to take advantage of cheap electric power delivered from the highly efficient Queensland industry. There would no longer be an incentive for business from New South Wales or Victoria to relocate to Queensland, seeking cheaper power supplies.

The other important down side of this matter is the question of dispatch priority. If the New South Wales system was, in three or four years, overcommitted or at some time suffered a major system failure, in those circumstances would Queensland be granted power from New South Wales at the expense of the domestic and industrial users in that State? I should think not.

Affected property owners in the region that has been designated as a corridor for the interstate connection known as Eastlink have expressed extreme concern about the manner in which the Queensland Government is going about the so-called consultative process, and they have my sympathy. There are few more hypocritical exercises undertaken by this Government than its so-called consultative process in respect of powerline routes. It is a process that sets neighbour against neighbour, and community against community. Ultimately, it satisfies no-one. This exercise would be better known as divide and rule.

I know that if the proposed Eastlink powerline is built, it will have to go through the electorate of Lockyer. At this stage, I understand it is proposed that the connection will go up to the Springdale switching station, which is to be constructed, and put through to the Armidale connection. I know that those members of Parliament who represent electorates in that area between Gatton and Armidale are aware of the trauma that is being caused by this powerline proposal. I think that that proposal is becoming more likely every day. I know that officers of the Minister's department have visited the area and spoken to various people who are concerned about the proposed routes. However, when one looks at the area that those officers are showing interest in, one sees that it is very large. In my electorate, it covers the Gatton Shire, the Laidley Shire and the Boonah Shire. Therefore, all of those shires are possibly in the range of the eastern corridor. All of the corridors will go through the Gatton Shire and a couple of the

corridors will go through the Laidley and Boonah Shires as well.

Of course, people in those areas are asking me why the connection should go ahead. I know that the electorate of Lockyer will be covered by a grid of powerlines in the future if power stations are going to be built on the Downs or elsewhere in central Queensland—or even on the coast. It is most likely that, in 10 years' or 15 years' time, we are going to have powerlines going through the electorate of Lockyer. Those powerlines will be in the vicinity of the 500 kV lines, whereas at present the largest line in Queensland is a 275 kV line. I understand that the Eastlink proposal is for 330 kV lines.

I suppose I have become accustomed to landowners, property owners and householders being very concerned about where any proposed route is going, and I can assure the Minister that a lot of trauma is being experienced out there in the community. I suppose the process by which people are advised can never be softened. They have to find out some day that the proposed line is going to go through their property.

In fact, under a proposal for one of the grids, a 500kV line will go through a property that I sold only a couple of years ago. I can imagine that, if I still owned that property, I would see my potential subdivision options cut to a minimum by having a 500kV line strung right across that property and a dam that I had constructed on it. It would be very upsetting to know that I would be compensated for losses at the time but that I would never be compensated for the loss of the potential subdivision rights which I would enjoy as a property owner in that area. A lot of that land will make excellent subdivisions in the future. That is what all of these people are concerned about.

The other concern is the aesthetics of the powerlines. For some people, it is very upsetting to have powerlines close to them. However, other people forget about them. People were upset about the 275kV line that stretches from Tarong to Middle Ridge. However, most people going between Gatton and Toowoomba would be flat out seeing where that powerline crosses the main highway. It is all in the mind. For some people it is very upsetting; other people get on with their lives and forget that it is there. But the concerns are real. Only members who have these proposed routes across their areas can understand the trauma in their communities.

The people in the region are even more concerned about the process, because they are well aware that there are two main aspects to the Eastlink proposal. Firstly, it is a hypothetical reaction by the Queensland Government to circumstances of the Government's own making. Secondly, it is a Commonwealth-driven interconnection which may or may not have long-term benefits for Queensland.

The Government of Queensland is hiding its planning shortcomings behind the Federal Government's desire for a national grid. Out of all that, the people lose. They are concerned that they will not be adequately compensated for the loss of their land or amenity. They will certainly not be properly compensated for the attack on their property rights. Those people who own properties adjacent to the powerline and who are not actually affected by it will not receive compensation for the devaluation to their properties caused by the installation.

The proposal to establish liquid fuel gas turbines in Brisbane, Townsville and Cairns is probably the one which most demonstrates the level of panic in Government circles over the electricity industry. No rational planning authority would contemplate the construction of power generators which are forever limited to the consumption of liquid fuels—and, for the most part, these fuels are imported and are always going to be expensive and, on some occasions, difficult to obtain.

This State has available to it two major sources of energy which can be converted into electricity. They are some of the world's largest reserves of high-grade steaming coal and what I understand to be increasingly proven and indicated reserves of natural gas. Included in the gas reserves are quite enormous indicated reserves of coal bed methane which, with improved technology, could become the major source of energy for power generation in a very short time.

The type of fuel used to generate electric power is immaterial. The only question is: what is the most appropriate, given the known resources, and what is in the best interests of the State? It is only through the exceedingly bad planning and short-term vision that the Government has got itself into the difficult position of having to contemplate the use of liquid fuels in power generation. The obvious outcome of all of these considerations is a power supply industry which could have, and should have, been based on major coal-fired, base-load stations and the use of hydro-generation for peak demand but which is now inevitably locked into having as a major aspect of its operation a number of small, inefficient and expensive generators. The outcome will inevitably be more expensive power.

Attempts by the Government and the Minister to deny the truth of this proposition are belittling of the Government itself and of those people who have advised the Government so

strenuously against it. We know now what might have been and we most certainly know what the current situation is. The next serious question is: what of the future in power generation? Some two years ago, the Queensland Government called tenders for the supply of coal with three specific outcomes in mind. These outcomes included, firstly, the bringing on line of a single unit at an existing coal-fired power station; secondly, a double unit at an existing station; or, thirdly, for the supply of coal to a green-field site consisting of four 500 megawatt generators.

By dint of dithering and further prevarication, the Government has failed to finalise the decision on that tender and has put a number of bidders in the industry to some quite considerable expense. It is instructive to look at these proposals. In the first instance, the most likely power station to be successful in the bid to extend by a single unit is Callide B. As I understand it, Callide B is currently our most efficient power station. Such an installation would provide Queensland with 300 megawatts of reliable, cheap power, and it is one option which could further extend the time available to the Queensland Government to actually make a decision about the long-term future of electricity generation in Queensland.

The second bid, if it is accepted by the Government, would undoubtedly go to Tarong, another of Queensland's highly efficient power generators. It may be possible to bring these two new turbines on line in time to save the Government from serious embarrassment. It is, in fact, possible that the Queensland Government could opt for both of the above options, thereby utilising existing infrastructure to its maximum capacity.

Tarong currently suffers from the effects of drought. A decision to put two more units at Tarong would almost certainly involve the Government in priority planning of a pipeline from the Brisbane River to the Tarong Power Station to supplement the water supply. The third option of a green-field site somewhere on the Darling Downs or at Wandoan is somewhat more complex for the Government.

Honourable members would be aware that our Premier has on a number of occasions recently been involved in discussions at the Council of Australian Governments in respect of national competition policy and the national grid proposal. It is my understanding that the protocols associated with the national grid proposal preclude the Queensland Government from taking a unilateral decision to construct a 2 000 megawatt power station. Such a decision would require consultation with the Victorian, New South Wales and South Australian Governments. These consultations would be aimed at determining the most appropriate site for the new power station.

Such a site would be determined on the basis of affordability of the energy source, the efficiency of the transmission from the site and the likely ultimate destination of the majority of the power generated at the site. Such a process offers no guarantee that the next major power station constructed in eastern Australia will be in Queensland. Until these matters are more fully considered, the Queensland Government is hardly in a position to make a definite decision on the next major power station. I am sure that the Minister is comfortable with having been relieved of the responsibility to actually have to make a decision.

Another fact which ought to be considered by the Government in determining the direction for the new generation decision is the number of important new discoveries of natural gas, both in the region north of the previous boundaries of the south-west Queensland gas province and also at Injune. I have said previously that natural gas has quite remarkable properties other than its potential for electricity generation. It is a feed stock for a wide range of chemical industries and reaches its maximum potential as an energy source in industrial heating. It ought not be wasted in the conversion of its calorific potential into electricity unless there are sufficient reserves, both proven and indicated, to satisfy a prudent Government that the industrial requirements of the State are secure for many years to come.

Recent discoveries of natural gas are such to cause a rethink of that position in so far as there may now be sufficiently large resources to justify using gas for electricity generation. The delivered cost of gas is a major constraint on the use of gas for electricity generation purposes. It is anticipated that the gas would have to be delivered to south-eastern Queensland for $3 a petajoule, or thereabouts, for it to become competitive. This would require a well-head price in south-western Queensland of less than the current $2.37 a petajoule.

Generation using gas may become economic as a means of providing a cash flow to the proposed Jackson to Brisbane pipeline. It is my understanding that the most likely, viable option is for a 250 megawatt generator to be installed in Toowoomba. This would have the benefit of providing a peak demand generator into the system and a justification for the construction of the gas pipeline. Due to the fact that under the national competition protocols, which will be agreed to most likely in February 1995, the electricity and gas industries will be

subject to competition, and both the gas pipelines and the electricity grid will be subject to the access code.

The Queensland Government has indicated that the electricity grid may be exempt from compulsory access until the year 2000, but ultimately private operators will have access to this utility. Therefore, this raises the serious question about how the Queensland Government will react to, and ultimately manage, decisions by private enterprise to construct the electricity generators which will have access as of right to the grid in direct competition with the State-owned utilities.

What happens if the Queensland Government has committed itself to the construction of a major generating asset and private enterprise enters the field with efficient, low-cost plant? Honourable members would do well to remember that every installation of 300-megawatt capacity, whether it is provided by private or public capital, will provide for the projected increase in electricity demand for 12 months. A Government committed to the construction of a power station worth between $1.5 billion and $2 billion could suddenly find itself extremely embarrassed constructing a power station that was not needed. The outcome of such a scenario would be interesting indeed, and it is one that is exercising the minds of numerous people around the nation.

The recent report of the future supply consultative electricity task force is interesting reading and provides an insight into public thinking about which the Government ought to be very careful. Submissions to the task force covered a number of matters, ranging from environmental concerns through to management options and the need to retain our best practice initiatives. Several areas of the task force report demand particular attention. Environmental concerns were high on the list of concern expressed by people making submissions to the task force. It has been obvious for some time that the people of Queensland have rising expectations on environmental matters and will not tolerate Governments or Government agencies acting without due regard to environmental protection.

It is difficult not to contemplate in some depth a quite basic inconsistency in arguments which have been propounded in respect of the environment in the Tully/Millstream hydro-electric scheme. On the one hand, that scheme has been roundly criticised as being environmentally unfriendly due to the fact of loss of forest and the impounding of streams, whilst on the other hand it is well known that the Tully/Millstream scheme would save the burning of between 600 000 and 1 million tonnes of coal per annum.

Alternative energy sources were well addressed in submissions to the task force, and it is my view that the Queensland Government ought to be paying more attention to the ever increasing body of knowledge in this particular discipline. It is regrettable that public opinion appears to be running ahead of the capacity of science to deliver the goods. That is not to say, however, that we ought not to be vigilant and to adopt this technology as it is proven and becomes available at sustainable prices.

The co-generation of electric energy was also supported. However, the point was made that the Queensland Government is unprepared to pay sufficient money to make such schemes viable. The existing offer of 1.71c per kilowatt per hour is insufficient to justify the quite considerable cost of installing co-generation equipment in sugar mills and other industrial plant. If the Government were serious about co-generation and otherwise encouraging private enterprise into the grid, it would make more rational offers to purchase.

On the subject of alternative power, I would like to spend a few moments speaking about the Government's much-vaunted $5m Alternative Energy Advisory Group and its attempt to bring alternative power to the Daintree and other remote locations in Queensland. The Government has made much in this legislation and in other forums about the virtues of tariff equalisation and the desirability of ensuring that Queenslanders have access to reliable power. Regrettably, that principle does not apply to those people living north of the Daintree, as they are being denied access to mains grid power not because it cannot be reasonably supplied but because the Queensland Government has chosen to use the denial of power as a political weapon to cause people to leave their land and to sell it to the only bidder—the Commonwealth Government. Government members will undoubtedly declare this to be untrue, but the evidence is stark.

Mains power has been denied, and along with it has gone any commitment to tariff equalisation. In its place has been offered alternative power schemes costing between $20,000 and $30,000 per household, with the entire capital maintenance and running costs to be borne by the householder. So much for a commitment to remote area power!

Some remote areas of Queensland are serviced by single wire earth return electricity reticulation. It is an excellent and reasonably cheap means of extending mains power to remote areas. However, some areas which have

been serviced by SWER lines for a number of years are no longer remote, and the requirements of those people connected to these lines are no longer satisfactorily serviced by them. This Government has no commitment whatsoever to upgrade the SWER lines and therefore there is an implicit denial of the full development of the potential of those properties by the Government.

A few moments ago, I spoke of tariff equalisation. I note that, after all the hysterical rhetoric of the Minister over the past 12 months about his being accused of wishing to remove tariff equalisation, he has finally included a section in the Act which will allow it to continue. Unfortunately for the Minister, this is a short-term view, and it takes no cognisance of some of the real issues in future electricity supply. This Government is headed towards a commitment to a national grid and to national competition policy, and these structures do not allow for tariff equalisation. In fact, even though the Government might retain a desire for equalisation to be held in place, in a competitive marketplace it would be impossible or, at worst, improper to try to maintain it. How would it be administered when distribution corporations are bidding for blocks of power in a competitive market and may well be purchasing power from interstate at the cheapest possible delivered price? Would the Government then feel obliged to scrutinise the contracts and to top them up or, conversely, to penalise the bidders to ensure uniformity of tariff across the State?

The Minister wants to realise that, if he is part of the deregulation of the electricity industry, he cannot live with the myth that he can properly interfere in the process. Deregulation means exactly that. I therefore contend that this Minister and this Government are playing extremely cynical politics with the equalisation of tariffs, because their own secret agenda will take such equalisation away as a matter of course in the very near future.

A further serious concern for consumers of electricity in this State is the international convention on greenhouse gas emissions, which was signed by the Australian Government in Rio de Janiero some two years ago. This convention prescribes that Australia will reduce greenhouse gas emissions to 1988 levels by the year 2000. Our efforts in this regard have been unspectacular to say the least. It is my understanding that the level of greenhouse emissions now are some 25 per cent more than they were two years ago and that the Federal Government is already conceding that we cannot meet our obligations under this treaty.

The Federal Government now has to come up with a scheme of levying a carbon tax against all industries utilising hydrocarbons as a source of energy. This will have an enormous impact on Australian industry. We are first and foremost the world's leading nation in the sea-borne trade in coal, and we are major producers and exporters of natural gas. Approximately 90 per cent of all of our energy requirements is derived from hydrocarbons. If this lunatic proposal is followed through, we will lose our aluminium smelting industry, which is one of the largest users of electric energy in this State, simply because it could not compete against aluminium produced using hydro-generated electric power. It would also jeopardise our international coal trade and any possible development of our coalbed methane or natural gas industries.

On 1 January 1995, the Queensland electricity industry will be corporatised. Both the Minister and the Treasurer have in recent times been inclined to make extravagant claims about the benefits which will accrue to Queensland electricity users through this device. The evidence to hand puts the lie to many of these claims. To illustrate, I remind honourable members that as part of the last Budget the Treasurer cut $100m off the cost of industrial power in Queensland while fancifully claiming that this saving was the direct result of corporatisation. Nothing could be further from the truth. The fact of the matter is that the Treasurer's decision was nothing more or less than political interference in the domain of a board of directors which had not yet been appointed. The decision will not take effect until three months after the board is appointed.

It is curious that the Treasurer would indulge himself in this kind of play-acting. The outcome must surely be that those people who have agreed to serve on that board will believe their position to be already compromised and therefore subject to further compromise by an interfering Government. One wonders whether the board will ultimately be given true independence of thought and action. That thought is made even more urgent by the section of this legislation which allows the Minister to regulate prices should he so desire. Such a legislative sanction against the decisions of an independent board is a demonstration of a Government which pays lip-service to corporatisation and the independence and accountability of the board. Quite simply, this Government is so arrogant that it is likely to believe that the Minister has a better understanding and a greater capacity to manage the affairs of the Queensland electricity industry than the professional board which has been appointed to do so. I am deeply concerned

about these matters, and I trust that the Minister and the Government are sensible enough not to allow the whole matter to get out of hand.

The electricity industry is the largest and most complex and certainly the most important single industry in our State. The legislation we are debating tonight appears to be competent and could be considered to be the next logical step in the evolution of modern industry. The corporatisation of the electricity industry will provide a base for a truly competitive industry, provided that the Government of the day allows for the deregulation of the labour market for aspects of the industry such as design and construct, and enters with spirit into real competition in the marketplace.

I am sure that all honourable members look forward with some anticipation to how the Minister and the Government handle the situation—whether they will be able to truly stand aloof or whether their natural tendency to stick their nose in will be the undoing of what may be the basis of a good industry.

Mrs WOODGATE (Kurwongbah) (8.11 p.m.): There is no truth in the remark made by the Opposition Whip that I have been asked to speak on this Bill because I am a bright spark. That just is not correct. I am certainly pleased to support this Bill. At the outset, I would like to congratulate Minister McGrady for this piece of legislation and express my thanks to his departmental officers for the many months of hard work, detailed planning and consultation which has resulted in this Bill we are debating tonight.

In his second-reading speech, the Minister referred to the substantial consultation undertaken for the corporatisation of the electricity industry with employees of the QEC, the management, trade unions, board directors and, last but not least, electricity customers. The number of working groups referred to by the Minister that were set up included members of industry, the Department of Minerals and Energy and the trade unions. I was pleased to be placed on one of those working groups. It was really an eye-opener to me to see first hand how dedicated the officers of the department and the QEC were.

Tonight, I would like to talk for a little while—not for long—on the corporatisation of the electricity industry. As is well known, the Goss Government has taken a very positive step forward in deciding to corporatise a number of Government owned enterprises, including the electricity supply industry. Legislation dealing with the corporatisation of Government entities has been covered in the Government Owned Corporations Act. However, because of the complex structure of the electricity supply industry and the development of a competitive electricity market, there is an essential need for legislation such as this Electricity Bill.

As the Treasurer has indicated on previous occasions, corporatisation of our Government owned enterprises—GOEs—will boost the productive output of this State and will certainly enhance our economic growth. Quite often people ask me the difference between corporatisation and privatisation. Quite a few members in this House have better economic minds than I have, but, as a mere lay backbencher, the easiest way for me to answer that is to simply say in layman's terms that corporatisation delivers all the economic benefits of privatisation, but it offers two additional benefits. The first benefit it offers is that the assets continue to belong to the State. Secondly, the returns on the assets go to the taxpayers. That is the simplest way I can explain it.

Unlike some other State Governments, the Goss Government is a responsible Government. It is committed to corporatisation, certainly not to privatisation. I believe that Queensland's electricity supply industry is ideally placed for corporatisation because the industry certainly has a strong commercial and customer focus; it has a strong financial position and a proven ability to manage its financial affairs without recourse to additional consolidated revenue; and the basis has been established for continuing improvements in the productivity and economic efficiency of the industry.

I will refer briefly to the new structure for the electricity industry. As most honourable members know, there will be two separate functions—the generation function and the transmission and supply function, that is, the distribution function. Two separate Government owned corporations will be established to carry out these two functions. One will embody the Queensland Electricity Commission's existing generation business unit and will be known as the Queensland Generation Corporation—the QGC—whose primary function is to generate the electricity for sale. The other corporation, the other side of the coin, will comprise the QEC's existing transmission business unit as well as the State's seven electricity boards. This will operate as the Queensland Transmission and Supply Corporation—the QTSC.

The boards will be retained as subsidiary corporations of the QTSC. This Bill provides that they will be State authorised suppliers. The QETC—the Queensland Electricity Transmission Corporation—will also become a subsidiary of the QTSC, with its prime function being transmission

on the high voltage grid from generators to suppliers and their customers.

The essential elements of corporatisation applied to these new corporations are as follows—

> the transfer of regulatory functions from the electricity industry to the Queensland Government;
>
> the appointment of commercially-focused boards accountable for performance to the corporation;
>
> each corporation will have two shareholding Ministers, namely the Treasurer and the Minister for Minerals and Energy;
>
> a statement of corporate intent will be agreed annually between the boards and their shareholding Ministers;
>
> any community service obligations required by Government will be identified in the statement of corporate intent—that is most important—and transparently costed and funded; and
>
> a liability for tax and Government charges on the same basis as their counterparts in the private sector.

Another question I have been asked—and I am sure most backbenchers would have this question asked of them—is: who benefits from corporatisation? I believe the electricity customers, the employees, the Government and the people of Queensland generally stand to gain in some way from corporatisation of the electricity supply industry.

For most employees in the industry, particularly those in the electricity boards, the move to corporatisation will have very little impact. They acknowledge that themselves. However, for some employees of the QEC there has already been a significant change with the establishment of separate business units.

With corporatisation due to come into effect from 1 January next year, I believe that the future for the restructured industry will be much more competitive. As far as standards of electricity supply are concerned, the general public is not likely to see any immediate change from corporatisation. The benefits will be paid back to electricity customers and business owners through improved service and more competitive electricity prices. These revenues will be applied in many ways. Areas such as health, education, police, nurses—the list is endless—will gain access to these funds. Most importantly, these benefits will be spread right across the Queensland community; they will not just be kept in the south-east corner of the State. I am more than happy to support this Bill. I congratulate the Minister for the Bill before the House.

Mr SPRINGBORG (Warwick) (8.17 p.m.): In rising to participate in the debate on the Electricity Bill 1994, I would like to quote from the first paragraph of the Explanatory Notes, which states—

> "The objective of this Bill is to set the framework for all participants (both private sector as well as Government-owned entities) within the electricity industry so as to encourage the efficient, economical and environmentally sound provision of electricity."

I would say that there would not be a member in this House who could not agree with the sentiments as outlined in the first paragraph of the Explanatory Notes. For a number of years Queensland has been very good at efficiently and effectively providing electricity to all Queenslanders. I think that we have done that in a very economical way. However, I think that certain reforms in the industry throughout the 1980s and beyond certainly has helped in the service. There is no doubt that in this very environmentally conscious time we in Government and people in private industry try to deliver services such as electricity in an environmentally sound way. As the Minister knows, that is something of which we need to be increasingly aware in the future.

Environmentally sound electricity was certainly one of the issues highlighted in Jan Taylor's committee's future supply report. Jan Taylor went around the State and took both verbal and written submissions from people about what direction they foresaw for the electricity industry in this State. It was interesting to note that most people who actually made submissions did not like the idea of coal-fired power stations and wanted to see some alternative power used in the future. I believe that the reality is that coal-fired power stations are with us for many more decades to come because they are the most cost-effective way of delivering large amounts of electricity into our State electricity grid. That is certainly not going to change in the short term. However, I am not saying that I am not supportive of the use of alternative power—I am totally supportive of that—but I think that sometimes we need to be aware that there are some constraints, that is both physically, economically and technologically, on the use of such alternatives.

Tonight, I basically want to confine my remarks to the national grid proposal called Eastlink. Before doing that, I would just like to refer to a couple of letters that I have written to the Minister. The Minister has acknowledged

receipt of these letters, but I have yet to receive a response because they have only recently been sent to him. I am sure that I will receive an answer from him.

These issues are a very interesting paradox. As the Minister and other members of this House would be well aware, I represent an electorate that takes in a fair amount of the Queensland border areas, so I often have problems with coordination between Queensland and New South Wales authorities on various Government matters—whether that be police, firefighting, ambulance or whatever. Tonight, I want to talk particularly about power.

I welcome the State Government's drought initiative to waive the payment of electricity minimums and to allow people to pay only for the power they use. This is a worthwhile step during this time of very great hardship in rural areas. However, many residents from northern New South Wales who live along the border near Stanthorpe access SWQEB power. In 1991, I was informed that those people were able to take advantage of such a scheme from the Queensland Government. However, those northern New South Wales residents are at present unable to take advantage of the scheme announced by the Queensland Government. I suppose it all comes back to the issue of whose obligation it is to pay for these things, but I believe that we need a bit more coordination between the two States on these sorts of matters.

On the south-western side of my electorate, in the Inglewood/Texas/ Goondiwindi area, most people— including myself—access North West Electricity Authority power. Recently, I was contacted by an irrigator along the border rivers area who pointed out to me that New South Wales authorities have announced that irrigators who have no water to pump do not have to pay the minimum charge. But in the case of those people who access the North West Electricity Authority power, the moment that they start their pumps they have to pay the full electricity minimum. I believe that we need to do something to ensure that what is available in Queensland is certainly available to all Queensland citizens. I look forward to the Minister's response on that matter.

I turn now to Eastlink, which was alluded to by Mr FitzGerald, representing the honourable shadow Minister for Minerals and Energy, Mr Gilmore. Eastlink is the national electricity grid proposal. I wish to raise some concerns about Eastlink which have been raised with me by my constituents and others who live in northern New South Wales and who are affected by this. I am very pleased to have received a briefing from QEC officers in May. I must admit that they conducted themselves in a very professional way, and they outlined the proposal to me. I admit that it was superficially attractive to me at that time. I left the room deciding not to make any statements on it, that I would wait and see how the issue panned out in my electorate. I then started to do a bit of research into some of the issues. It did not take me very long to realise that it is probably one of the biggest issues involving my electorate since I have been a member of Parliament. That certainly includes the issues of local government amalgamation and railway line closures.

I am a bit dismayed that, over the past few years in this State, we have seen inaction by this Government on future planning for the electricity industry. I can recollect that, in the late 1980s, members who sat on this side of the Parliament and who are now Government members were criticising the then Government for generating too much electricity in the State and for over-capitalising the industry. I would have thought that what we would be trying to do in a growth State such as Queensland— and I am sure that members on both sides of the House would recognise this—is put in place the necessary infrastructure and plan for the future. We are doing that. When one considers that this State has 50 000 new residents coming across the border to live in Queensland annually, plus our natural growth, we certainly have to be on top of the issue. I believe that there has been an appalling lack of planning by this Government in this regard. Instead of relying on excess capacity, in 1990 or 1991, when this was identified as a future problem, we should have been involved in calling tenders for a new coal-fired power station. There is absolutely no doubt that we are going to require one.

As to the alternatives—whether they be Eastlink, cogeneration or increasing the capacity of our existing power stations, Callide B and Tarong, or whether it be a gas turbine—there is no doubt that, at some time in the future, we are going to need that. It is a sad indictment on this Government that it has not put in place plans to have a coal-fired power station brought on line in about 1998 or 1999. That certainly could have been done if action had been taken early in the decade. Most members would be aware that there is a lag time of seven, eight or even 10 years from the time of conception of a power station to when it is actually brought on line. Very important major infrastructure developments are involved.

I have attended a number of public meetings on this matter in my electorate just as an observer, as well as a person who has been invited to speak at those meetings. Recently, I

called a public meeting in Warwick to discuss this issue further. I commend Mr Keith Callaghan from the Queensland Electricity Commission who put the commission's charter before the meeting. I do not have any beef with Mr Callaghan; I believe that he is carrying out his job in a very professional way, and he has been nothing but approachable.

I would like to discuss some of the problems that I perceive with the Eastlink proposal. I have not raised this issue or beaten it up in my electorate. Many people have raised concerns about the environmental and health aspects and the economic impact of Eastlink, as well as the lowering of property values and particularly land acquisition compensation relating to the easement. The more that I look at some of these issues the more I am concerned that there may be major issues for the Government and the QEC to deal with.

On the health issue in particular—I am not convinced as to whether or not there will be health effects. In these sorts of cases I find that for every expert who says that there is a health effect, an equally qualified expert will say that there is no noticeable health effect, and we adopt Justice Gibbs' opinion of prudent avoidance. I believe that is very sensible. However, it is one of those issues that arise at public meetings, and people tend to spend 30 per cent or 40 per cent of the meeting time discussing this. But this is an issue that we need to be aware of, and I believe that we need to do a lot more towards placating the concerns of people on it. People are also concerned that, even though there is nothing identifiable now and we cannot put our finger on anything, in 20 or 30 years' time there may be something that arises and the statistics at that time may be overwhelming.

There is also a great deal of concern about the aesthetic impact of a powerline. Let us consider that this would be the highest voltage powerline construction undertaken in this State—330 kVA. My understanding is that at this stage the largest is 275 kVA. I believe that, in itself, 330 kVA creates many interesting challenges. We are talking about towers between 14 and 16 storeys high. I have seen many of the areas where they are proposed to go. There is no doubt that they would have an impact on the environment and the aesthetics of an area. That is not to say that I do not recognise that there are other areas throughout the State where powerlines have gone in the past and where they have also impacted on the aesthetics of an area. However, we should be aware that it is probably best not to put powerlines in some pristine areas.

I am not convinced that the powerlines are going to be able to carry adequate capacity to meet all the goals, all the projections and all the promises that have been put forward by the authorities in Queensland or New South Wales. I am led to believe that, from now until the end of the century, demand for electricity in Queensland will increase by 300 megawatts per year. This line will carry about 500 megawatts, which is 18 months' growth at the very minimum and two years' growth as the very maximum. There is a great deal of concern that if something like this goes ahead, in the future we might have a 500 KVA powerline constructed beside that line or replacing it. I believe that this is an inadequate proposal.

I also believe that we should be generating our own electricity in our own State. I believe that most members and most Queenslanders are fiercely parochial. We do go around praising ourselves for being able to do things a lot better in Queensland than they do in other States. In Victoria, South Australia and other places, we have seen the economic disasters of Labor Governments. To date, we have been fortunate not to see those in Queensland. We should be considering putting enough reserve in our own cupboard, so to speak, before we even look at national electricity grid proposals. I am not necessarily against the national electricity grid, but I do not see any need for it at this time. Certainly, if we sorted out our own generating industry, there may not be any need for it in the future.

It is interesting to go back a few years. New South Wales was having brownouts because of the lack of management in the New South Wales electricity industry. They are getting themselves sorted out. New South Wales is projected to have a surplus until the year 2002 or 2004. That is why the authority is looking at this particular proposal. However, if something unforeseen happens in that State, say, an industry problem arises in the generating industry, and if we have become reliant totally on the 500 megawatts that is coming from New South Wales, then we would have put ourselves into a situation in which we would suffer the same sorts of problems that they suffer down there.

It is somewhat ironic in a State that is so rich in natural resources that we are finding ourselves in a situation in which—if we do not take any of the other options by 1998, and we can get them in place—we will have to buy the power from New South Wales. I think we need to get cracking on upgrading Tarong or Callide B. We can upgrade Tarong for approximately $750m to $1 billion and provide an extra 700 megawatts of generating

capacity. For half a billion dollars Callide B can be upgraded and generate an extra 350 megawatts.

I would like to turn very briefly to the issues involved in easement acquisition compensation. As the Minister is well aware, some concern exists over that compensation. That is a concern that I have had right from the outset. I have come across a couple of letters written by real estate agents alluding to quite massive property devaluations in areas that have been traversed by one of those high voltage powerlines. During my meeting with Mr Callaghan in Warwick, it was interesting that he said that they do not have any evidence at this stage relating to property devaluations caused by high voltage powerlines traversing properties. He went on to say that some of the data is five or six years old, so maybe things have changed.

One of the letters that I have is from a partner in L. J. Hooker. The letter states that this awareness is quite a modern manifestation. It is something that has happened in the last four, five, six or seven years as people have become increasingly aware of issues that might manifest themselves in the future regarding high voltage powerlines and the properties that they traverse. People are worried about health, the environmental impact and how the powerlines traversing their properties might stop them from subdividing their properties in the future. They are worried about how it might stop them in 10, 20 or 30 years in the future from carrying out agricultural practices that are now considered acceptable to be carried out under those lines. I have heard suggestions that the high voltage powerlines may have an effect on the fertility of cattle and the lactation cycles of dairy cows. I am not passing any judgments, but those are the concerns.

In the future, as more evidence comes to hand, we might find that it does have an impact. For example, people embarking on the growing of organic vegetables or other organic produce may find themselves in the difficult situation in which they are not able to market their produce because people are concerned that it was grown near a high voltage powerline. The former partner in L. J. Hooker who wrote that letter subsequent to his retirement from the industry said that 95 per cent of prospective buyers will actually turn away from a property that is traversed by those high voltage powerlines, and the other five per cent of people are a little reluctant to buy.

If that issue is a modern manifestation, we really do need to update our databases and look at that. If current easement acquisition compensation is inadequate, we need to look to rectifying that. There are implications for other areas, such as the resumption of land for the construction of roads. Currently, compensation arrangements involve compensating for a percentage of that 60-metre wide easement. If a farmer is grazing cattle on that easement and is able to carry on with 80 per cent of the animal husbandry practices as before, then the farmer would be compensated for 20 per cent of the value of that 60-metre wide easement. That powerline may devalue the rest of the property by 50 per cent: a $200,000 property may be devalued by $100,000. It may be running inside a neighbour's boundary, so the farmer would get compensation for the easement, but it impacts on the neighbour's valuation as well. We need to be aware of those issues, and I believe that it is something that we need to address. I do not think that we should dismiss it or disregard it.

Interestingly, after the Warwick meeting I was telephoned by an AAP journalist. He asked me to outline the issues that were discussed at the meeting. I went through the issues and right at the end I touched on the issue of devaluation of properties and the fact that people are concerned about that and that they do not want to buy those properties. He said that he and his wife were in that same boat. They had looked at a number of properties that were traversed by high voltage powerlines—not the 330 kva; probably the 110 or the 275—and it certainly influenced their purchasing ideas. They moved away from those properties because they were concerned about the future.

There are many issues relevant to the national electricity grid. Earlier today in the Parliament, I gave notice of a motion that is consistent with the notice of a motion given in the New South Wales Parliament by the Opposition spokesman on Energy, Mr Rogan. That motion calls for a select committee to be established to investigate all aspects of Eastlink, including the economic, social, environmental and health impacts.

If the Government wants to look seriously at the issues, which the QEC is unable to do—particularly land compensation because that involves Acts of Parliament—then I believe that the Government should adopt that select committee approach to look at the issues at hand and report back to the Parliament. The Government would have nothing to fear because it would have the majority on the committee: they would have four members and the Opposition would have three. In New South Wales, the proposal is for the Government to have five members, the Opposition to have three and one independent member to be appointed by the Government. I believe that those comments provide food for thought. They are issues that we should not ignore.

Mr WELFORD (Everton) (8.37 p.m.): I am very pleased to be able to contribute to the debate on the Electricity Bill 1994. In a sense, this Bill is an historic step forward in the regulation of electricity industry in Queensland. This Bill marks a turning point for this State. Indeed, this State, as part of the national trend, is heading to look at the issue of electricity supply and the delivery of energy services generally. The Electricity Bill puts into place the new regulatory regime that was foreshadowed by the Government Owned Corporations Bill previously passed by this Parliament. In a very real sense, the electricity industry will be an archetype of the demonstration of the potential benefits of corporatisation of Government owned enterprises, and the test of corporatisation will be well and truly tried, I believe, in the success of this initiative in the electricity industry.

The fundamental concepts of the Bill based as they are on the concept of the obligation to supply are essentially unchanged from those that have been part of the history of the electricity supply industry in this State. What has changed is the way in which the relative components of the industry have been separated as business entities and the way in which the transmission and supply component will now be separate from generation. In the longer term, the generation side of the electricity industry will be opened up to greater competition so that not only the generating corporation identified in this Bill but also other private generators will be able to sell into the transmission grid.

The matters that I would like to specifically address in my contribution relate to what I consider to be the long-term potential for more innovative ways of providing energy services to the community of Queensland. In the past, and we have heard it here again tonight from members of the Opposition, the principal focus has been on supply side measures. The principal focus has been on more power stations providing more kilowatts down more wires. Essentially, that has been the great skill of the electricity industry in Queensland—to build stations, to build transmission lines and to sell more and more electricity. The way in which we are heading in the future is to take a more sophisticated approach to the way these businesses are operating. That is what they are; they are businesses.

Historically, the industry has been relatively protected by its monopoly position. For that reason, it has been able to focus simply on volume, gross sales and not focus specifically on profits as such. However, it has been able to make profits because of its privileged market position. In other words, it has very little competition. It has also been able to make profits because of the strong growth in demand for energy services in Queensland, predominantly supplied in Queensland by electricity. That contrasts with the situation in other States, such as Victoria, where gas makes up a much greater proportion of the energy service provision. In Queensland, electricity has become the dominant form of energy supply, and for that reason, as Queensland grows rapidly, so does the demand for electricity.

But increasingly, the cost of providing supply-side solutions, the cost of building power stations, is becoming more and more expensive. Although the Queensland Electricity Commission has become very skilled and efficient at providing state-of-the-art power stations such as Stanwell, it is fair to say that increasingly—and around the world this is the case—there are more innovative and sophisticated ways of providing energy which avoid the massive costs involved in those large-scale components of power supply.

When we hear the Opposition stand in this place tonight and speak of Tully/Millstream and of another large coal-fired power station, really what we are hearing is the same attitudes as have been applied since the 1950s and the 1960s. Around the world, one sees more economically innovative ways of supplying energy. In other words, electricity services can be supplied using smaller components which are modular and which grow according to the demand. That contrasts with the historical practice of overcapitalising. As the member for Warwick pointed out, large components of electricity supply have been installed in terms of large-scale power stations. Then, in order to recover the capital that had been expended as a result of that, there had to be the sale and promotion of the use of electricity in order to get a return on that capital investment. If that investment could be made in smaller components so that in a modular way the supply side provision of energy services is developed at roughly the same rate as the growth, without having to make long-term predictions about growth rates, obviously the economics of that is much more likely to be accurate and the predictions are much less reliant upon speculation about needs 10, 12 or 15 years on. We now know that even the predictions back in the early 1980s about the level of supply that would be required in the 1990s were in some cases grossly exaggerated. That is looking at one general concept about the supply side. In terms of my position, I believe that is one argument for considering a gas-fired solution as one of the options for the next contribution to our growth needs.

Mr FitzGerald: What capacity would you suggest?

Mr WELFORD: I am not talking about specific capacities. The advantage of a combined-cycle gas turbine plant is that it does not have the lead times that exist with coal-fired power stations; they can be built in stages so that there does not have to be speculation about the longer-term growth prospects and, as I said, it is modular.

In terms of economic planning, that makes more sense, and it makes particular sense in the context of the gas pipeline from south-west Queensland which the Government is considering. It makes particular sense in those circumstances, because a gas power station in southern Queensland, whether it be at Toowoomba or somewhere else, could contribute to underwriting that gas pipeline and open up the gas fields of the south-west.

Let me not dwell on those general concepts any further. I would like specifically to talk about an initiative which the Minister launched last year, of which I have had the privilege of being a part and which I think has significant long-term benefits for the people of Queensland, namely, the establishment in June last year of the Alternative Energy Advisory Group. This is a group which until now I have had the privilege of chairing. It comprises a number of distinguished members, including Professor Ian Lowe from Griffith University; Professor Peter Arlett from the Electrical Engineering Faculty of James Cook University and a member of the NORQEB Board; Mr Dean Perkins, the renewal energy expert from the Queensland Electricity Commission; Mr Paul Balfe, the Director of the Energy Division of the department; and formerly Professor Steve Szokolay from the Architecture Department of Queensland University and the Australian and New Zealand Solar Energy Society, who has now stood down and been replaced by Mr Richard Sale, an architect and also a Queensland office holder of the Australian and New Zealand Solar Energy Society. The advisory group contains a good cross-section of people. In the past 12 months we have undertaken what I believe are some significant foundational steps in being able to assess the extent to which renewable energy supplies might be able to provide the energy service needs of people in Queensland.

I accept that in heavily or densely populated areas large-scale power generation will still be required for the foreseeable future. But increasingly, the further west or the further down the transmission lines one goes, the more costly it becomes to deliver the traditional forms of electricity supply. It is in those more remote areas where technically renewable energy systems are now coming into their own. Technically they are no longer inhibited by the limitations they had 10, 15 or 20 years ago. Their technical capacity is now not in question. All that is in question is how close to the mainstream transmission grid we can now economically provide energy services using renewable energy.

To make this assessment, the Minister has very wisely engaged the group to conduct trials both in the Daintree area in north Queensland and in the Boulia Shire. They are two very diverse and different areas, of course. Not long after the advisory group was set up and specifically commissioned by the Minister to look at the Daintree area, the Premier announced a moratorium on further extensions of the grid north of the Daintree River. That was a very sensible decision, because that will give the Government, the Wet Tropics Management Agency and the Federal Government the opportunity to plan development in that area, a very sensitive area right on the doorstep of one of the most outstanding World Heritage areas on the planet, and ensure that all planning and all infrastructure in that area is coordinated in a way that sensitively and responsibly reflects the environmental imperatives relative to that area.

What the Alternative Energy Advisory Group has done in the Daintree area in north Queensland is twofold. Firstly, in the area immediately on the northern side of the Daintree River, an area called Forest Creek, the advisory group has conducted a comprehensive analysis of the costs of electricity supply in that area and a community consultation to look at what the options are for providing the energy needs of residents in that area.

The first step was to go to the community and find out from the community what its energy service needs were and what its perceptions were about the various options of supply, going from open-wire transmission lines through to underground transmission lines and stand-alone renewable energy systems. That was conducted by an independent market research consultancy which not only surveyed people in the area by way of personal interviews but also analysed what those persons' capacity to pay was and how that matched with the five options that were provided to them. Four of the options, as I have indicated, were variations on the normal transmission line or grid system. The costings on those were provided by the Far North Queensland Electricity Board. We were able to hold an open day with a display to show the community in Forest Creek what the approximate costings of those various options were before the consultant then conducted comprehensive interviews with the residents of the area. The findings of that market research were then

combined with an economic consultancy with experts from the Queensland University of Technology. They have now delivered to us a report indicating what the real costs of supply to Forest Creek under the various options are. As an advisory group, we are in the process of compiling that information into a complete report, which will be provided to the Minister and to the Government for their considerations on the future supply options for that area.

As one goes closer to the World Heritage area north of Forest Creek and into more sensitive environmental areas known as Cow Bay and Cape Tribulation itself, which have always been regarded as more expensive places to deliver a grid supply, the advisory group has established a process to install four demonstration solar energy systems on property ranging in size from a small commercial shop in the Cape Tribulation area to the school at Alexandra Bay in the Cow Bay area. Those systems will be installed following an analysis of the energy loads of each site so that both the demand and the supply side measures are taken to ensure that the energy services are provided in the most efficient way.

In this way, the advisory group is doing something which, in a real sense, has not been done anywhere else in Queensland. We are conducting demand side management analyses so that when the supply side component, that is, the power system—part of which will be renewable based—is plugged in to provide the energy services, the supply side of the power system will match the most efficient use of energy at the local site. Historically, that is something that we have not been able to do in terms of bulk supply because we have never really had the data on precisely what people's energy uses are. The extent of our work in managing the demand side has largely been in terms of aggregate demand rather than the specific end-use energy demand of the community. I will talk about that briefly in a moment.

I am particularly pleased to see in clause 42 (d) that part of the conditions of the supply entity authority will be that both demand side and supply side options need to be taken into account as far as technically and economically practicable for the efficient delivery and use of electrical energy. That means that, as we go into the post-corporatisation period, hopefully the electricity board and the transmission authority, when each new proposal for extension of transmission lines is considered, also considers what options there are that avoid the expense of having to invest that capital. For that reason, the economic analysis that is being carried out in Forest Creek will try to flesh out just what those comparative costs are—the costs of supplying power using traditional transmission lines and the costs of providing the energy services to the local people with a distributed energy supply system.

The same process is being applied in Boulia, but of course in very different circumstances. It is not a rainforest environment. It is not an place that is identified as being particularly environmentally sensitive, but certainly the people in that area, hardy as they are, have been living with very, very, basic and limited energy supplies that are based on diesel generators. We are confident that the system that will be installed in that area—again another four demonstration systems in that community—will help us to not only assess the economics of supplying these services and the technical capacities of these renewable-based remote area power supply systems but also provide standards of living for people in that area which hitherto they have not had access to.

In the last couple of minutes left to me, I would like to say a couple more things about demand side management. It is true that the Queensland Electricity Commission has taken some initiatives on demand side management. I am pleased to see that, recently, it has published an annual review of demand side management measures. Of course, most of the measures, as I have indicated, are primarily based on shifting bulk loads, that is, peak lopping or load shifting. That point is made in this review. Some of the mechanisms that are used to achieve that, of course, are well known to all of us here in the city, such as the pricing of hot water so that in off peak or under control tariff situations, people can buy their power much cheaper at times of the day when there is spare supply capacity so that the load factor of the power stations is maintained at a higher level. As pointed out in this review, to date the main thrust of the SM in Queensland has been on the reduction of system peak at demand and, consequently, improving the system load factor through these initiatives. Of course, the advantage which, according to this review, has achieved savings in the vicinity of 740 megawatts or 750 megawatts in winter this year is that it has been of benefit in deferring those capital costs, about which I was speaking, of additional power stations that would otherwise be necessary to meet that peak demand.

Where do we go from here? The real trick is to get a better fix on what energy services people use in domestic, commercial and industrial areas, precisely what their energy loads are and what is the best way of meeting those energy services. Rather than just looking at peak demand, rather than just looking at what kilowatt hours might be required in terms of electricity to

meet those services, we need to adopt a more sophisticated approach where we mix and match the energy supplies so that services are provided in the most efficient way. That means that, at a State planning level, we need to look at alternatives such as gas; we need to look at opportunities in smaller applications—domestic, and particularly in remote areas—at the potential for renewables; and we need to look more seriously at the opportunity to look at demand measures in industry and commercial areas, which this annual review indicates has the potential for savings in the vicinity of 30 per cent. In those areas, I think that there are enormous opportunities.

Time expired.

Mr LITTLEPROUD (Western Downs) (8.47 p.m.): In rising to speak to this Electricity Bill 1994, first of all I want to place on record that I note the absence of the spokesman for the Opposition, the member for Tablelands, Tom Gilmore. I understand that it is in pretty unfortunate circumstances that Tom is not with us tonight. His father, a former member of this House, died recently. That is a pity, and our sympathies are with Tom, his immediate family and broader family. Nevertheless, I note that his absence has been taken up by the member for Lockyer, who filled in very capably. He had experience in this portfolio some time previously.

Firstly, I want to say that I fully appreciate the intent of this Bill. I understand that it deals with the generation and distribution of power and allows for the handling of the power industry in Queensland in the years to come. I am quite comfortable with that. However, I want to take this opportunity to talk about the generation side of the industry and, in particular, talk quite unashamedly about two projects in my electorate that could well be interested in becoming part and parcel of the generation of power in the near future.

Members of this House would probably know that, by Christmas, the Government is to make a decision with regard the location of the next major powerhouse in Queensland. I understand that a technical report will be going to Cabinet, and then Cabinet will make its determination, taking that report into consideration plus, I imagine, some social considerations. I am very much aware that, at present, the Minister has received deputations from people in my area who are very much backing the consortiums that are putting forward propositions for the tender of supply of coal for a powerhouse in that part of Queensland. Tonight, I want to complement their efforts.

The first matter that I want to talk about is the Kogan Creek coal deposits, and what is known as the Brigalow power site. That site is being promoted very strongly by the local authorities in that area. It rests within the Chinchilla Shire, and the Mayor of the Chinchilla Shire, Councillor Ivan Middleton, has been leading the charge with deputations from the Chinchilla, Tara, Wambo, Dalby and Murilla Shires. They have very ably put together a submission outlining the points in favour of the Brigalow coalfield. I will dwell on those for a few minutes. Firstly, there is good quality coal there in pretty generous proportions that would ensure the supply of coal for the lifetime of a power station. However, more importantly for Cabinet's considerations are matters such as the add-on costs that are associated with building a power station. As I pointed out, in that particular area there are towns such as Chinchilla, Brigalow, Tara and Dalby that already have an existing infrastructure that could well cater for an influx of population that would be associated with a powerhouse. Of course, that is a pretty important consideration for the Government, because if it decides on a new site, it has to supply all of those things. In this case, the infrastructure is there already. In fact, there is a certain amount of slack.

Mr McElligott interjected.

Mr LITTLEPROUD: The member has noticed that. I have heard that he is in for it, too.

There are obviously towns out there that are going through a bit of a slack at the current time. These towns have planned ahead in relation to water and sewerage. They have services such as schools housing, health and so on. It would be very easy to slot the work force of a power station and an associated mine into the existing infrastructure around the Chinchilla area.

I am aware also that the Government, the power station operators and the coalminers like to employ a work force that is not necessarily highly identified with the mining industry elsewhere. They like to try to take on locals, who blend in better with the community. In that area, because of our agricultural background, there are lots of blokes who already have a good understanding of how to operate machines. That is part and parcel of the open-cut extraction of coal around the Brigalow field.

It is also worth noting that the sites for both the coalmine and the power station are on land which, in local terms, is rather useless. It is not the deep, cracking, unstable and highly productive blacksoil of the Darling Downs. The coal lies under some saline soils of very poor quality. It is covered by timber that is not of a high quality, either. So disturbing the coal there will not have any great impact on the agricultural pursuits of the area.

Additionally, there is also ample similar land close by on which a power station could be built. It is very stable land, with rock underlying it. The cost of foundations is quite considerable for a project as big as the one that is proposed. I am sure that the Minister and his advisers will take that into account.

We must also consider that the site is close to the crowded south-east corner of Queensland, where there is a huge need for more power. I understand that we can lose an enormous amount of voltage through transmission, so the closer the station is to the users, the less the wastage will be. There is a distinct advantage for the Brigalow field in that regard. It is about three hours' drive from Brisbane, and even less from some of the other crowded parts of south-east Queensland. We happen to be close to a large distribution line from Tarong through to Roma that was built by the QEC some time ago, so it would not be very hard to plug into it, or use that easement if we had to upgrade the line.

The other thing that is important, and that which I want the Minister and his advisers to consider, is that we have huge reserves of coal on the Darling Downs. One of the limiting factors is that Brisbane people would not want to see too much coal going through Brisbane. So we have a coal deposit that is landlocked. That being the case, we can dribble only a few million tonnes per year through Brisbane. That will happen at MacAlister by Christmas. The Minister is nodding. Unless we can use that coal on site, that State resource will not be properly utilised. That is a consideration for the Cabinet, over and above the technical information that the Minister will get from the committee that is investigating this. I notice that the Minister is acknowledging that.

Finally, we are all very much aware of the depressed rural economy. Of recent years, there are probably none doing it harder than the grain industry. We need something to add onto our agricultural pursuits. There is no way in the world that the importance of the primary industries of the area will diminish. We are always improving our crop husbandry, animal husbandry and animal practices and introducing new crops, but we need a new dimension to our local economy. It would be very easy to slot a work force of 400 or 1 000 people into that sort of community. It would bring in a whole new source of income that is not dependent on the climate, but is using a resource that is not utilised at the present time.

The other site that I wish to speak about is Roma. For many years, it had its own individual power station fuelled by gas. I think that it has merit in promoting this chance to provide one of the sorts of power stations that the previous speaker was talking about. Roma could have a small, gas-fired power station. It would be easy to crank up. I understand that it is much easier to crank up a gas-fired station than a coal-fired station. In this way, the peaks could be met. And if there are breaks in the transmission line during bad weather, there would be a safety factor built in.

The Minister would understand that this is dependent upon the gas pipeline coming through from the south-west part of Queensland. There are other commercial propositions that may make use of that gas, if it comes through. I would support the proposition being put forward by the Roma Town Council and the Bungil Shire Council. There should be some consideration for a "boutique" gas-fired power station to cater for that part of Queensland, where there are not too many people. It would have the capacity to add something to the national grid.

I understand that under this Bill it would be possible for private enterprise to set itself up out there and sell into the grid. If it is not done by the Government, this Bill may make it possible for a private consortium to say, "We can do that", and sell power into the grid. It might have a pretty good proposition if it can identify that it can fill a need out there because of the risk factor or because of local demand and so on.

I have taken it upon myself to write to all of the members of the Cabinet in support of these two proposals. The Cabinet has been good enough to acknowledge the receipt of my letter. It has said that it will give it due consideration. In Western Downs, we are looking forward to the decision that will be made in the near future. I know that it will be based on technical data that is provided to the Cabinet, plus a consideration on social grounds. I have every confidence that the Cabinet will give it every consideration. The people of Western Downs would love to see something new happening in our part of the world.

Hon. T. McGRADY (Mount Isa— Minister for Minerals and Energy) (9.07 p.m.), in reply: I thank all members who have participated in this debate tonight. It has been a good, wide-ranging debate on not necessarily the Bill itself, but certainly the industry. That is to be welcomed.

I was quite pleased with the way in which some members brought the coalmining industry into this debate, because too many people in this State simply do not understand or appreciate the relevance of the coalmining industry to electricity generation. Many people switch on their lights but do not realise that that power is

basically coming from coal. So that awareness is to be welcomed.

This industry is a good one. Everybody here tonight acknowledges that. So people say, "If it is such a good industry, why make these major changes? Why corporatise the industry?" We have stated time and time again that the reason that this Government is corporatising the electricity industry is to lock in those gains which we have made over many years.

Right around the world, there are similar changes taking place in most countries. Once again, Queensland is leading the way. Part of this Bill which we are discussing tonight introduces competition into this industry. To date, there has been a State monopoly on the generation and distribution of electricity. This Bill introduces competition and allows private players to move into this industry.

As I have said many, many times, this Bill arrives in this Parliament tonight after almost two years of consultation with the industry. As the member for Kurwongbah, Mrs Woodgate, stated before, there have been a number of working parties and one steering committee, which consisted of industry, trade unions, the conservation movement and people from the industry itself. So at the end of the day I believe that we have a Bill which will receive wide acceptance right around this State.

One of the matters that has upset me since I have been the Minister and a couple of years before that is the fact that the Opposition has stated time and time again, "Electricity prices have come down this year, but wait till next year." This chart that we have produced draws a comparison between the consumer price index and the electricity tariffs. There is a wide gap now. In real terms, there has been a 20 per cent decrease in the price of power for commercial and industrial users and a 12 per cent decrease for residential and domestic properties. We do have a good performance there. Our prices are coming down, and they will continue to do so under corporatisation.

Members opposite have accused this Government of not really knowing where it is going with regard to future supply. That is an absolute and utter nonsense. The member for Warwick mentioned earlier that we should have been planning for a new power station some years ago. The facts of life are that back in early 1992 we called tenders for a greenfield power station and we received five tenders. We received three tenders for brand new greenfield sites, namely Wandoan, Millmerran and Brigalow, and we received tenders for the extension to two existing power stations. There are a number of options that this Government is now proceeding with. Very soon, we will be making an announcement on short-term generation and also long-term generation.

The member for Western Downs asked a moment ago where the new greenfield power station will be. The facts are that I have had local government organisations, both individual councils and those that have now formed a regional bloc—which I think is a healthy sign—approach me and present reasons why the new power station should be built in their particular region. There is massive support from local communities for a power station.

One surprising feature is that, although we have this clamour from some local authorities to build a new power station in their area, the Eastlink is a totally different story. A lot of nonsense has been spoken in recent times about Eastlink. I can understand the concerns of those who live where the potential power line could be. As a Government—and this is what the debate has been about tonight—we are faced with the prospect of having to supply additional generation in this State in the years ahead. Eastlink is simply one of those options, and the decision has not yet been taken.

The reasons that people give for their opposition to Eastlink are quite amazing. They are not coming out as a united front and saying, "We do not want it for these reasons." Instead, they are saying that the compensation package may not be sufficient; they are saying that they are opposed to Eastlink on environmental grounds; they are saying that they are opposed to Eastlink because of health and the EMFs; they are saying that they are opposed to Eastlink because of the so-called dependency on New South Wales; they are saying that they are opposed to Eastlink because they do not want to see additional coal-fired generation coming into Queensland; and they are saying that they are opposed to it because they believe that their properties could be devalued and they could run the risk of not being able to subdivide in the years ahead. We have heard the same arguments in every single area in which we have had to build transmission lines, and we will hear the same arguments if we decide to go to Millmerran, Wandoan or Brigalow.

This is an issue that has to be addressed in an adult style. It is easy to play party politics. On the one hand, I am having the Premier of New South Wales telling us we are going too slow. On the other hand, I am having the Energy Minister in New South Wales asking me to slow down. I do not know why he wants to me to slow down, but my birthday is on 28 March and St Patrick's Day is on 17 March, and somewhere between those two dates something else happens in New

South Wales. We have the New South Wales Government urging us to go ahead, but then we have the Minister telling us to slow down.

I understand that this is an issue out there, but there has been consultation. I have met with a number of groups, and I gave them the assurance the other day—and I will repeat it again in this Parliament—that before the final corridor is selected I am more than happy to sit down with a group of people elected or selected in whatever way the community wants to send them to me. When we have established the corridor, I am quite happy to sit down again and discuss the final route.

Mr Springborg: But the corridor will be selected?

Mr McGRADY: Yes, the corridor will be selected, as will the final route. But we are not talking about next month or next year; we are talking about Eastlink coming on line in perhaps 2002 or 2008. It will not happen next year or next week. The point I keep on making is that there has been consultation. We gave all the local members, including the member for Warwick, and the local councils a complete briefing. We are accused of not consulting people, but in my opinion our consultative process in the past five years has been quite excellent. That is another issue that I was glad to be able to address this evening.

From time to time there has been criticism by the Opposition about corporatisation, about dividends and about taxes. Let me just say this: the Queensland Electricity Commission and its seven regional authorities made a profit this year of $770m. This Government and the people on this side of the House take the view that we are the shareholders in this industry and, as such, we are entitled to a dividend. This year, the taxpayers of Queensland received $135m, which helps to provide schools, roads, hospitals and police stations. We also talk about going into competition and allowing private generators to come in and having a level playing field. That being the case, we have also had the industry pay us the equivalent of what it would pay in tax. This year, the Queensland Electricity Commission contributed $235m to the revenue of this State to enable us to carry out the work.

There are two other brief points that I want to raise. Questions have been raised tonight about tariff equalisation. Let me make it perfectly clear that I represent an area which has benefited from tariff equalisation. If we did not have tariff equalisation in this State, people in Burketown and people in Boulia would be paying 10 or 20 times more for their electricity bill. I state clearly now that tariff equalisation will be maintained by this Government. I want people right around this State to understand that. Tariff equalisation will be maintained by the Goss Labor Government, and hopefully by future Governments in the years ahead.

I appeal to the Parliament to support this legislation. It is good legislation. It arrives here after lengthy debate in my caucus committee, within the industry and within my department. I thank my personal staff for the tremendous amount of work they have done. I thank all of those who have participated in this process. I thank the members of the QEC. Last, but by no means least, I thank the people from my department and in particular Ken Gluch, who has mothered this legislation for the past two years. Ken is with us tonight. I urge all members to support this legislation. It is good legislation. It is taking the Queensland electricity industry forward. I thank all members for their support.

Motion agreed to.

Committee

Clauses 1 to 293 and Schedules 1 to 5, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

BUILDING AND CONSTRUCTION INDUSTRY (PORTABLE LONG SERVICE LEAVE) AMENDMENT BILL

Second Reading

Debate resumed from 28 October (see p. 10124).

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (9.21 p.m.): The Opposition is pleased to inform the Minister and the House that it will support the Bill before us tonight. The Bill contains provisions which move the administration of the Portable Long Service Leave Levy Scheme in the right direction in that—

(i) it fully exempts owner/builders from the payment of the levy;

(ii) it reduces the levy vote from 0.4 per cent to 0.3 per cent—a trend which is welcomed and which was predicted by the Opposition when the previous amendments were considered by this House;

(iii) it increases the construction threshold from $40,000 to $42,000;

(iv) it clarifies the obligation of the Commonwealth Government in respect to payment of the levy on its projects; and

(v) it provides the Portable Long Service Leave Board with greater investment powers.

However, and in extending this support, the Opposition will make it clear to the Government that it still has several concerns in relation to the operation of the scheme. On behalf of many organisations and individuals whom we have consulted in relation to this Bill, we intend to again place these concerns on the record and ask the Minister to consider providing answers to our queries.

Right from the outset I wish to counter a claim, indeed a mischievous claim, made by the Minister in his second-reading speech where he said that access to portable long service leave for people operating within the building industry was—

> "A benefit enjoyed by so many other employees and denied to them"—

that is the people within the building and construction industry—

> "by the nature of their industry and the callous disregard of conservative Governments."

In saying this the Minister pays no regard to the historical record. Honourable members might be interested in being reminded of what I said in this place during a recent debate about this issue. I said—

> ". . . for many years, building industry award rates of pay have included a 'follow the job' component equivalent to 1.6 weeks pay per annum. That is built into the weekly rate of pay for building workers. Over 15 years—this being the period for entitlement to long service leave—building workers are paid 24 extra weeks' pay. This special payment is not available to any other worker, and it is their compensation for not receiving long service leave. Now they receive both. Some people argue that although job mobility in the building and construction industry is higher than average, it is no greater than that in many other industries that experience greater job mobility but do not have portable long service leave provisions. In fact, most fair-minded members would accept the proposition that, given mobility in today's work force generally, the concepts underlying long service leave are becoming increasingly anachronistic."

That is what I said when we debated the previous amendment to this legislation. What the Minister did not do in his second-reading speech was reply to those points that I made. I asked him to justify the non-existence of long service leave provisions within the building industry. Perhaps the Minister may care to answer those particular queries. The Minister could do better than to come into this place and sling off a cheap political shot at the Opposition without any justification.

Government members interjected.

Mr SANTORO: I only have a 15-minute speech, but members opposite can provoke me into an hour-long speech. I now wish to turn to the substantive amendments of the Bill. The Opposition welcomes the full exemption from the levy being provided for owner/builders. The application of the levy to owner/builders was always an inequitable impost which discouraged personal initiative, which in turn led to new cost savings for the owner/builder and eventually to more affordable housing. Undoubtedly, owner/builders have contributed greatly to the very healthy state of the portable long service levy fund and some have told me and the Opposition that there is a great moral argument for these people to be reimbursed for the levy they paid. I have told them not to hold their breath, and I am sure that they will not be disappointed.

The Opposition also welcomes the reduction in the rate of levy, and I again draw to the attention of members what I said during the debate on the last amendment Bill. I said—

> "Currently, just over 21 000 people are enrolled with the board for long service leave entitlements. That is just over half the number assumed in the actuarial analysis of the fund. As a result of the low number enrolled, the fund has a substantial operating surplus. The profit and loss statement for the board to 30 June 1993 shows that of the nearly $21m raised by the board in levies, $2.3m has been spent on administration.
>
> Moreover, in addition to the estimated entitlements of $9.8m for people enrolled for the scheme, there is a surplus of $7.9m in the fund; in other words, the fund, it would seem to me, is grossly over-funded.
>
> Also, actuarial analysis of the fund conducted in June showed that all housing could be excluded from the operation of the levy and the fund would still be viable at a levy rate of 0.4 per cent. This is the rate proposed in the Bill.
>
> This means that the surplus in the fund will continue to grow at an alarming rate. Why

> has the Government ignored the advice of the actuaries and lowered the levy to only 0.4 per cent? This analysis assumes 40 000 eligible employees . . . The conclusion is that the rate of levy could be around 0.2 per cent, with housing excluded, and still be viable."

That was the situation a year ago.

A review of the latest annual report shows the following—

> (i) a total of 35 192 employees has been recorded in the board's register; and
>
> (ii) total revenue accruing to the board has increased from just under $21m in 1993 to $34.6m in 1994—a massive increase by anybody's definition with portable long service leave levies revenue increasing from $20.4m in 1993 to $33.2m in 1994.

Thus, by anyone's definition, the financial state of the fund is extremely buoyant and flush, and this again raises the question: can the levy be struck at a much lower rate of, say, 0.2 per cent as many analysts within the industry are suggesting is possible?

The overfunding of the pool is demonstrated by the fact that while revenue from the levy increased by just under $13m, the Portable Long Service Leave Scheme entitlements increased from $9.8m to $18.6m, or $8.8m, thus leaving quite a nice little nest egg for the board and the Government to contemplate. In fact, the overfunding of the scheme and the prospect of it continuing to be overfunded, especially with the arrangements to increase the compliance rate with the levy, leaves the Opposition wondering what the Government intends to do with these surpluses. The legislation does not allow the funds to be used for anything other than long service leave payments, so will it be chewed up in excessive administration, or perhaps something else? Is this another hollow log in the making? I and the rest of the Opposition look forward to the Minister's comments and assurances on these questions. We look forward to him telling us what the surpluses will be used for. Perhaps they will be used to eventually bring the rate down to zero, as has occurred in other States, which again justifies the Opposition's call for reducing the rate of the levy even further. This situation clearly indicates that the ultimate consumers of the services of the building and construction industry are paying more than they should be paying for these services.

At this stage I wish to bring to the attention of the Minister an apparent discrepancy between the written account of the size of the employee membership of the PLSL Levy Scheme and that which is indicated in graph form at the back of the 1994 annual report of the board. The written account talks of 35 192 members, yet the graphic representation of membership seems to indicate a membership of just over 28 000. If the latter figure is the correct figure, this again underlines the financial buoyancy of the fund and the Opposition's concern about the higher than necessary level at which the PLSL levy is struck.

I note that within the report it is stated that 7 050 memberships are listed as not current. Perhaps the Minister will say that the difference between the 35 192 and the 28 000 which are represented within the graph is made up of that 7 050. For the House to have a better idea of the financial status of the scheme, the Minister may be good enough to provide members with a breakdown of these figures, those being the 7 050 listed as not current.

Equity considerations make it appropriate to amend the Act so that provision is made for the levy to be paid by those contractors engaged by the Commonwealth Government to carry out building and construction work. The Minister claims that this amendment will further improve the efficiency in the collection of the levy. Perhaps the Minister may be able to advise the House of the improvement in the compliance rate with the scheme as the annual report is rather unclear about this point. Again, what will this increased compliance with the provisions of the Act mean in terms of the buoyancy and the sustainability of the fund?

I now wish to turn my attention to some of the concerns about the portable long service levy which have been expressed to me by several groups and individuals with whom the Opposition consulted. One such group was the Local Government Association. The major concern of the Local Government Association is its continuing requirement to pay the levy in a number of circumstances. Honourable members would be aware that employees of local governments are covered by industrial awards. This means that they have full access to award long service leave entitlements. These entitlements are portable between local governments—with the exception of employees moving between the Brisbane City Council and other local governments. Notwithstanding this position, local governments are required to pay the levy when performing work on a contractual basis for other bodies. As employees of local governments are specifically excluded from claiming long service leave entitlements under the Act, the levy payments by councils amount to the scheme being, in part, subsidised by local government.

The Local Government Association correctly notes that the amendment Bill before us today will exclude owner/builders from the operation of the levy system. In his second-reading speech, the Minister stated that this is on the basis that owner/builders will never receive benefits from the scheme. It is considered by the Local Government Association that this principle should also be applied to organisations such as local governments whose employees can never receive benefits from the scheme. As local governments now must perform Department of Transport work on a contract basis, the levy will have to be paid by councils and obviously built into the contract price. It is often stated that this is reasonable as local governments should compete on a level basis with other contractors who must pay the levy. This argument, of course, overlooks the reality that councils already have to make long service leave provisions for their employees based on award entitlements and that this is built into the councils' cost structure. Therefore, the impact of the levy is that local government is effectively required to build two lots of long service leave costs into its contract price. The Local Government Association asks: how is this producing a level basis for competition?

In recent times, some councils have also encountered difficulties when using organisations such as electricity supply boards to carry out some specialist work in areas such as subdivision development. Again, even though the employees of the electricity board are covered by award long service leave, the levy must be paid in relation to the work that they perform. The Local Government Association hopes that exemptions being granted to other players within this particular field, for example, owner/builders, may provide some hope for extra exclusions to be allowed in the near future. I invite the Minister to comment on these concerns by the Local Government Association because I assure him that they are as interested in his answer as are members of the Opposition.

I join the Minister in commending the LGA for its very willing and constructive attitude in relation to its role in the administration of the portable long service leave levy scheme. Honourable members will recall that the LGA raised many concerns about the role which this Government foisted on it when it last amended this Bill. I am pleased to report to the Minister that the LGA has expressed reasonable satisfaction with the way the system is working out with LGA involvement. The Opposition, however, makes the general point that far too many politically onerous and administratively demanding impositions are being placed on local government authorities.

I note the presence of the Honourable the Minister for Environment and Heritage in the Chamber. Last night and yesterday, she was certainly told of the Opposition's concern in relation to the way that this Government uses local government to carry out a lot of its dirty work. I assure honourable members that that is not very much appreciated by those councils as a whole and the individual councils that make up local governments.

I note that the Bill also makes provision for the board to appoint a fund manager to manage an appropriate investment mix for the Portable Long Service Leave Fund. Undoubtedly, a prudent fund management approach will be undertaken. However, the Opposition views with some concern the blow-out in the operating expenses of the board. In particular, I draw honourable members' attention to the increase in salaries and related employee costs from approximately $1.1m in 1992-93 to $1.5m in 1993-94. This seems to be quite a significant increase, and the Minister may care to explain why this is so.

I again call on the Minister to provide this House with the actuarial analysis which clearly indicates that the levy should be struck at a level of 0.3 per cent rather than at a lower levy. The annual report of the Portable Long Service Leave Board seems to indicate that a much lower rate of levy would be sustainable and still guarantee the reliability of long service leave payments to eligible employees. In fact, I call on the Minister to guarantee to the House to regularly supply to this place and the industry the full details of each actuarial analysis of the portable long service leave scheme which the board undertakes from this point onwards. I commend that section within the amendment Bill, namely clause 12, which makes provision for the authority to investigate the sufficiency of the authority's funds and the adequacy of the rate of the long service leave levy. I ask the Minister whether he would be able to provide the House with a guarantee that the results of those particular investigations will be made available not only to the Parliament but, through the Parliament, to the various stakeholders in the field.

True to my word as always, I will finish after 15 minutes. I am sure that members opposite would appreciate that there is a lot more that I could speak about. But in the interests of making sure that we clear the very heavy legislative backlog that is before us—and I understand that more legislation will be introduced this evening—I will desist from my temptation to continue for another 45 minutes, as I assure all honourable members I could. I am pleased to

reiterate the Opposition's support for this amendment Bill.

Mr WELFORD (Everton) (9.36 p.m.): The Opposition spokesperson is a model of restraint. It is very rare that he manages to deliver his contributions in 15 minutes. We are very grateful that he has made a special effort on this occasion.

There are just two short points that I would like to make about this amending Bill. These are, in a sense, the two key elements that brought about this amendment. Firstly, in essence, this Bill is about reducing the levy. Government members are very pleased with what the Minister has achieved through the Queensland Local Government Association to ensure that compliance is improved in the payment of the levy so that the security of the fund and the entitlements of building and construction workers throughout the State are secured. This is a major achievement. This Minister is to be commended for what I believe was a most lateral and innovative initiative to negotiate with the Local Government Association.

As the previous speaker indicated, the Local Government Association and local councils would have been particularly reluctant to take on a responsibility such as this. But they have done so, and they are now satisfied that the process works effectively. Through their cooperation, we have gradually been able to reduce the levy to 0.3 per cent from 1 January 1995 while increasing the minimum threshold on the value of projects in respect of which the levy is applied from $40,000—as it was originally in 1992—to $42,000 as from the start of next year.

The other element of the Bill that I believe provides significant relief to people who were previously subject to the levy is its application to owner-builders, who often do most of the work themselves. Under the previous arrangements, although the value of the owner's own work was exempt from the value of the construction for the purpose of applying the levy, it was nevertheless the case that owner-builders very rarely engaged employees. Of course, they were effectively paying a levy on their own labour which they could never recover through the fund. So this amendment will at last relieve owner-builders absolutely from the liability for the levy. As someone who, not too long ago, was contemplating building his own home, I am greatly relieved that, if I go ahead with that project in the future, that levy will not be imposed on me or others in my position who are building their own homes.

This amending Bill also clarifies the confusion surrounding the name of the board. The board becomes the authority, and the members of the board now become the board of the authority, which should make that distinction clearer for people who are dealing with what is now known as the authority under the Act.

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (9.40 p.m.), in reply: I thank honourable members for their contributions to the debate. I thank the member for Clayfield for indicating the Opposition's support for this Bill and the member for Everton for his observations with respect to the Bill. I will reply briefly to some of the issues raised.

Of course, this Bill enables the continued prudent management of the Building and Construction Industry (Portable Long Service Leave) Fund which means in turn that the rate of the levy can be reduced from 0.4 of a per cent to 0.3 of a per cent from 1 January. I predicted some time ago that the levy rate would be able to be brought down over time. That has, in fact, proved to be the case. What started at 0.5 of a per cent was reduced by this Government to 0.4 of a per cent and it is now being reduced again. This is yet another example of the Goss Government assisting business and industry in this State by reducing the burdens on the building and construction industry and enabling it to continue to contribute to the strong economic growth of the State.

The experience in New South Wales was that the levy rate fell from 0.6 of a per cent in 1986 to 1 per cent in 1993 and was able to be suspended from 1994. It is not correct to say, as did the member for Clayfield, that the scheme is overfunded. As at 30 June 1994, the number of employees registered was 28 142, whereas the scheme is based on an expectation of 40 000 employees being registered. Had all those employees registered before now, the surplus would be much less. It should be understood that funding of the scheme is taken over a 10-year period and will fluctuate according to the peaks and troughs of industry activity. Consequently, the surplus for 1993-94 will be absorbed into the long-term funding of the scheme, particularly as the levy rate is driven down in the future.

The honourable member referred to the figures set out in the annual report as being 35 192 employees, with approximately 28 000 shown on the graph on page 44. The figure of 35 192 includes some 7 050 non-current members. The balance of 28 142 are current and they are the ones shown in the graph. The current members are eligible for entitlements. The non-current members are removed at the end of four years when there have been no activities recorded.

With respect to salaries, it should be noted that $1.1m was spent in 1992-93 in comparison with the $1.5m for 1993-94. In 1992-93, the board did not have full staffing for the full year, and 1993-94 showed the costs of full staffing for the full year.

With respect to the issue of local government, it should be noted that if a local government employs contractors to carry out the work, the local government is required to pay the levy. However, no levy is payable if they use their own staff to carry out their own work.

In conclusion, I would like to thank the members and the officers of the Building and Construction Industry (Portable Long Service Leave) Board. I thank in particular Mr Brian McGuinness who, together with his officers, has laboured diligently and efficiently to produce the benefits that this legislation brings before the House.

I commend the Bill to the House.

Committee

Clauses 1 to 11, as read, agreed to.

Clause 12—

Mr SANTORO (9.46 p.m.): In my contribution during the second-reading debate, I mentioned that I would like to know whether the Minister is going to make available to the Parliament and the stakeholders within the field the results of any actuarial investigation of funds that are held by the scheme. The Minister will appreciate that there was much discussion and, in some cases, considerable dispute as to just how well-heeled the scheme is and whether or not that could lead to the striking of a levy rate at a level lower than what it is currently. I wonder whether the Minister cares to give us his views as to whom that information from those investigations will be made available. I suggest to him that there is a genuine public interest and a purpose that could be served by that information being made available. I do not think that it should be regarded as being overly secretive and that its release would in any way compromise the operational integrity or efficiency of the scheme. If anything, it would ensure a greater degree of confidence in the Minister's claim that the rates should be set at a particular level, and it would provide fairly good public justification for that rate.

Mr FOLEY: Clause 12 does provide for the insertion of a new section 29 which requires that the authority must investigate the sufficiency of the authority's funds and the adequacy of the rate. This makes it clear that the authority had a statutory duty to conduct investigations by an actuary and to assess the necessity or otherwise for varying the rate of the levy.

As to the honourable member's questions about whether that material should be made available—the view that the board has taken, particularly in recent times, is that they do not release that information. Information is, of course, released in the form of the material in the annual report, which reports on the details of the fund. These matters as to the actuarial assessment do involve, obviously, questions of professional judgment which require candour on the part of those undertaking them, who provide it on that basis to the authority. This clause is designed to ensure that there is a statutory duty to carry out that actuarial investigation, and that is what the authority will continue to do.

Mr SANTORO: I appreciate that the information is available to the board and the board has various options in terms of releasing it. However, the Minister would agree that this new section 29 that we are inserting within the Act actually makes the information directly available to the Minister. So the Minister, if he wishes to be as accountable as he claims his Government always is, can make the decision of making ministerial statements to inform the Parliament just how well or not well the fund is operating.

I appreciate the role of the board and the statutory obligations that are being foisted on it by the insertion of the new section 29, but the Minister does get the report; it is provided to him. I am not going to labour this particular point, but I thought that perhaps the Minister may be good enough to give the Parliament an assurance that this point, which is of fairly significant contention within the community that is affected, could be taken up more positively by the Minister than what he has just indicated.

Clause 12, as read, agreed to.

Clauses 13 to 36, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

Title

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (9.51 p.m.): I move that the title of the Bill be agreed to.

Mr Lingard interjected.

A Government member interjected.

Mr Foley interjected.

Mr Lingard interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! I warn the honourable member for Beaudesert under Standing Order 123A and I also issue the same warning to members on my right.

Motion agreed to.

WORKERS' COMPENSATION AMENDMENT BILL

Second Reading

Debate resumed from 28 October (see p. 10126).

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (9.52 p.m.): The Opposition welcomes the introduction of this amendment Bill for it contains several worthwhile provisions which are worthy of support. The Opposition has consulted widely during its preparation of its response to the amendment Bill we are debating. In doing so, the Minister may be pleased to know that there is broad support for the provisions within the Bill. This support, however, is forthcoming with several major qualifications which I will canvass in this speech and with a great deal of concern that relates to the deteriorating financial circumstances of the Queensland workers' compensation system.

Right from the outset, let me make it clear that the Opposition supports the retention of an independent and competitive workers' compensation system. In doing so, we join the Government, the QCCI, other employer organisations and the vast majority of small businesses in Queensland and, of course, most Queenslanders in opposing Federal proposals and moves to introduce a national workers' compensation scheme. In a debate during the last session of Parliament, the Minister asked me what I thought of the Industry Commission's recommendation that a nationally agreed compensation package be developed for those suffering work-related injury and illness and the establishment of a nationally available workers' compensation scheme. Well, the Minister and members opposite should be under no illusion that the Opposition totally rejects the Industry Commission's recommendations. We believe that despite the best attempts of this Government to reduce the competitiveness of our workers' compensation scheme via various means, Queensland still has the best workers' compensation scheme in Australia.

The Commission stopped short of suggesting that the Commonwealth should take over the workers' compensation scheme of Queensland and that of a lot of the other States. Its preferred approach involved putting in place agreed national benefits and supporting arrangements to limit the extent of cost shifting while at the same time it was encouraging greater competition in the provision of insurance. Honourable members may be interested that some of the recommendations of the Industry Commission which would have major impact on the Queensland workers' compensation system include—

> all jurisdictions should adopt a common benefits structure, to be developed by the proposed National Work Cover Authority in consultation with existing schemes;
>
> weekly compensation payments should be based on a worker's pre-injury average weekly earnings, including penalties and any other allowances "normally" received;
>
> access to common law should be removed, with compensation for non-pecuniary loss through a common "table of injuries" to be developed by the proposed National Work Cover Authority, in consultation with existing schemes;
>
> all jurisdictions should place legislative obligations on employers to take responsibility for the rehabilitation of their injured and ill workers;
>
> employers should also be required to provide a job to which an injured or ill worker can return—to be kept open for a period of up to 12 months;
>
> there should be no dollar or time limits on legitimate medical expenses in respect of successful workers' compensation claims;
>
> schemes should offer self-insurance to suitably qualified employers under appropriate regulation;
>
> the Commonwealth Government should establish a nationally available workers' compensation scheme which could operate in parallel with existing schemes; and
>
> for all schemes, the National Work Cover Authority should—
>
> > develop common definitions of a worker and a compensable injury or illness;
> >
> > develop national standards relating to compensation, quality of service, reporting requirements, insurer and self-insurer licensing criteria and self-performance benchmarks;
> >
> > monitor scheme performance relating to dispute-resolution processes and quality of service; and

collect and publish data.

The effects of this national hybrid workers compensation model would lead to massive increases in premiums, bureaucratic nightmares and, of course, Queensland cross-subsidising other interstate schemes which are still reeling from the effects of the experiments and abuse of those schemes by successive State Labor Governments. The Opposition thus views with great concern the declared intentions in yesterday's *Courier-Mail* by the Special Minister for State, Gary Johns, to push ahead with a national workers' compensation scheme. We join the State Government—and I particularly emphasise that to the Minister because in debate on another Bill where it was not particularly relevant for me to give him this assurance, I did not do so because I anticipated being able to do so on an occasion such as this—employer organisations, small businesses and the majority of Queenslanders in saying to Mr Johns that we are not interested in his grandiose and unreliable workers' compensation plans.

Of course, this is not to say that, under the administration of Queensland's scheme under this Government, we do not have our own problems. I have spoken about these problems before, both within and outside of this Parliament so, again in the interests of my intention not to keep the House tied up too long this evening in relation to this matter, I will refrain from being too expressive about these particular worries. However, I cannot let this opportunity pass by without reminding all honourable members of just how this Government has eroded the benefits which have been enjoyed by the clients of the workers' compensation system of Queensland. I refer primarily to the Government's deliberate decisions to increase premiums and tamper with the Merit Bonus Premium Discount Scheme.

Honourable members would be aware that for many years, the Merit Bonus Premium Discount had stood at a maximum of 50 per cent of premium. This maximum was reduced to 40 per cent in the 1991-92 financial year, resulting in an effective increase in premiums for a large number of employers of 10 per cent. On 24 May 1993, the Government announced an average 13.5 per cent increase in workers' compensation premiums. The increase took effect from 1 July 1993. Prior to 1 July 1993, premium rates were reviewed on a triennial basis. The board initiated annual reviews with effect from 1 July 1994.

Following this review, the Minister for Employment, Training and Industrial Relations announced another 3 per cent increase in average annual premium rates to cover "rising workers' compensation costs". The board conducted a comprehensive review of the Merit Bonus Scheme during the 1993-94 financial year. Following this review, the Government introduced a new Merit Bonus/Penalty System from 1 July 1994. The introduction of demerit charges will undoubtedly increase the premiums payable by those employers with poor claims performance— a topic and a theme which I am sure will be taken up by my colleague the honourable member for Nerang and Opposition spokesman for small business. Regular annual increases in premium rates will escalate business costs and operate as a disincentive to businesses employing additional persons.

In the financial year 1993-94, premiums grew by 15.5 per cent over the previous year. Employers contributed an additional $59.1m. The average net rate per $100 of wages has risen from $1.43 to $1.61 because of the 13.5 per cent increase from July 1993. Before honourable members opposite say that it is still the lowest rate, I point out that it was much, much lower than what it currently is, and it is creeping up towards the national average very quickly.

Another matter of major concern is the spiralling of common law claims costs on the Workers Compensation Fund in recent years. Common law payouts from the Workers Compensation Fund have increased from $21m in 1985-86 to $117.91m in 1993-94. The number of common law claims has increased progressively in more recent years. In the year 1988-89, 1 217 claims were received by the board. This has risen to 1 537 claims in 1991-92; 1 651 claims in 1992-93; and 1 678 in 1993-94. Whilst the increase in the number of claims for 1993-94 over 1992-93 is only 27, this figure needs to be considered against the 39 per cent increase in common law payments achieved in settlements out of court during the 1993-94 year. I refer honourable members to this year's annual report at page 20 for more explanation of this particular point.

In 1991-92, the Workers Compensation Board undertook a very extensive review of common law claims in conjunction with the board's actuaries. The board released a white paper entitled "Common Law Review Briefing Paper" in which a number of problems were identified. The review revealed—

> as a proportion of total claims payments (excluding Government claims) expressed in real terms, common law claims have increased from 9.56 per cent of all claims in 1981-82 to 30.76 per cent in 1989-90 and 30.8 per cent in 1990-91;
>
> this confirmed there was a consistent rise above inflation occurring; and

> a major contributing factor to the escalation of common law damages claims cost was the rising legal costs and outlays.

In the last five years, legal costs had been rising significantly—in 1986-87 the costs/damages ratio was 19.95 per cent whereas in 1990-91 the ratio had increased to 31.19 per cent.

The board concluded that unless remedial measures were taken immediately to redress the problems being encountered, then more difficult financial decisions in future years would be needed to overcome these exacerbated problems.

The employer organisations supported a proposal for the imposition of an impairment threshold of 10 per cent on common law claims. This was supported by many other employer organisations, but was opposed by the employee unions. After considering the committee's report in 1993, the Government decided to support the board's proposals for the range of measures to control and manage common law claims as set out in this document, together with a rise in premiums of about 13 per cent to help replenish the reserves of the fund.

The problem of a rising number of common law workers' compensation claims and rising costs remains to this very day, and unless it is tackled in a more definitive way Queensland employers will be faced with ever-increasing premiums and loss of other benefits such as merit bonuses.

That brings me to the draft Personal Injuries Proceedings Bill 1994. The Minister would be aware that there exists within the ranks of employers and employer organisations a fear that employers will be shouldering totally the extra costs which will flow on from this Bill. The Opposition agrees with the QCCI that employers should not be expected to shoulder the burden of all of these costs. That is particularly so in regard to injuries which have not occurred in the workplace. That should be a community responsibility, that is, shared by all Queenslanders rather than slugging businesses yet again.

The legislation before the Parliament tonight is largely the outcome of 30 issues raised by the Workers Compensation Board in a white paper released in April this year. The white paper, titled Workers Compensation—A Miscellaneous Issues Discussion Paper, attracted numerous submissions with several of the very sensible recommendations incorporated within the submission of employer organisations. It would be fair to comment that the legislation does not aim to deal with the fundamentals of the workers' compensation scheme. Really, it is a number of measures, as described by the Minister in his second reading speech, which—

> ". . . will introduce changes aimed at achieving greater equity in outcomes for both employers and injured workers . . . will correct operational difficulties which have been identified in the course of the administration of the Act. In addition, it addresses issues arising from recent court decisions which have caused wider interpretation of the Act than that originally intended."

I now wish to turn briefly to the specific provisions of some of the amendments before us tonight. The Opposition welcomes the change in the definition of "medical treatment". The purpose of the change is to allow the treatment by chiropractors and osteopaths for compensation purposes. The Opposition appreciates the very constructive role of chiropractors and osteopaths in the provision of health care and thanks the professional umbrella organisations for their courteous representations and briefings to the Opposition.

The Opposition and, indeed, employer organisations welcome the change to the definition of "injury". The change in the definition introduces into the Queensland Act for the first time a requirement for employment to be "a significant contributing factor" to an injury or disease or to the aggravation or acceleration of an injury or disease before compensation is payable. Stress-related conditions and injuries occurring at home and on the sporting field will come under much closer scrutiny.

In a press release dated 28 October 1994, Clive Bubb from the QCCI said—

> "We have long argued that claimants ought to have to prove a more direct cause or relationship between injury or illness and the work environment before a claim can succeed."

He also went on to say—

> "The new rules will go a long way towards ensuring the financial stability of the worker's compensation system."

The Opposition agrees with Mr Bubb and with the QCCI's assessment that this amendment is the most important part of the legislation. While it is long overdue, there will need to be developed administrative procedures in order to ensure that genuine cases of injury at the workplace or aggravation of an injury at the workplace, that is, where employment is a significant contributing factor, are not unnecessarily delayed.

The Minister remarked in his second reading speech—

> "A marked increase in the number and cost of stress- related claims over the past three years has resulted in the need for a substantially enhanced response to the management of claims for stress-related conditions. This response requires not only the amendments contained within this Bill but also a much improved management response to a range of issues which are at the root cause of this problem."

One of the important and commendable achievements of the Workers Compensation Board is its ability to deliver compensation to injured workers and/or their dependants in short periods of time. Each of the 1992, 1993 and the 1994 annual reports of the Workers Compensation Board disclose that in excess of 55 per cent of new claims are decided within one week of lodgement.

It is important that the integrity of the administrative procedures be maintained while at the same time giving effect to the new legislation. It is noted at page 18 of the 1994 annual report that special training courses have been held for claims officers to meet the needs of emerging trends, including the sharp increase in the number and duration of occupational stress claims in recent years, increases in the complexity of claims and an increase in fraudulent and exaggerated claims. In his second-reading speech, the Minister stated further—

> "In order to complement these legislative changes, it will be necessary to assist and educate employers in the identification and management of stress in the workplace through the development of a coordinated management approach in both the public and private sectors. Two occupational stress policy and advisory units will be created, dedicated to the public and private sectors respectively. This initiative will be promoted by the Workers Compensation Board of Queensland and the Division of Workplace Health and Safety, and in the case of the public sector, by the Public Sector Management Commission."

The Minister goes on to say—

> "The program will result in new expenditure of $2 to $3m in each sector over the next three years to drive change in the management culture at workplaces in the prevention and control of occupational stress. This will complement existing and planned initiatives by Government agencies in this area and will result in an overall expenditure"—

and this is the critical point of the Opposition's concern—

> "of $15m by the public sector over this three-year period."

Honourable members will appreciate that this is a very big ask and a very big sum of money. The question here is, "Where will this money come from?" I suppose one does not have to be a genius to figure out the answer, that is, from the fund and from increased revenue from increased premiums. The Opposition will scrutinise closely the administrative structures which will be set up by the board and the Minister. I ask the Minister if, in his reply, he could give us some clear indication as to where he expects the funding of that $15m of extra expenditure over three years to come from. I can assure him that there are many people within the private sector, particularly within the employer organisations and in particular the employers of large numbers of people, who are wondering who is going to shoulder that very big extra financial burden.

I now come to the clause in this Bill with which the Opposition has the most difficulty, this being that clause which sees labour hire agencies declared as employers. Clause 6 inserts proposed new section 2.2 (3A), which attempts to clarify the role of labour hire agencies. It states—

> "A labour hire agency that arranges, for reward, for a worker who is party to a contract of service with the agency to do work for someone else continues to be the worker's employer while the worker does the work for the other person under an arrangement made between the agency and the other person."

In Clause 6, proposed new section 2.2 (10) attempts to define a labour hire agency. There seems to be some confusion on what is a labour hire agency. Is it an organisation which contracts itself to perform work for someone else—the client—over a period of time and which will direct/control the activities of those workers performing the task for that client, those workers being engaged on either a part-time or permanent basis by the so-called labour hire agency and being paid by them?

Or is it an organisation which contracts itself to provide workers to perform work for someone else—the client—for a period of time where the direction/control of the activities of those workers is in the hands of the client, those workers being paid as a matter of convenience for a number of commercial reasons by the labour hire agency. Or the valid question can be asked, "Is it both?" I draw the attention of honourable members to the difference in the two examples related to the direction/control of the activities of the workers within the workplace.

No-one is suggesting the non-payment of workers' compensation insurance. However, in many cases, the organisation paying for the workers' compensation insurance has little say on the working conditions or workplace health and safety issues at the place of employment.

The Government is to be commended for its attempt to ensure safer working conditions for employees, rewarding those employers, through premium rebates, who have no workers' compensation claims by their employees while at the same time penalising those employers, through reduction in premium rebates and the ultimate payment of penalties, where their employees are making claims for workers' compensation. These financial rewards for no claims and penalties for claims should ensure employers pay attention to the working conditions and practices of their employees to provide a safer working environment. This is where the problem is with so-called labour hire agencies and how this particular section applies to these labour hire agencies.

In the first example of a so-called labour hire company contracting itself to perform work with workers under its own control and direction at a client site, it is definitely the responsibility of the employer, that is, the agency, to ensure the safe working conditions of its employees, whether they be long-term or short-term employees, before those employees commence work. The so-called labour hire agency engages the staff, directs their activities, pays them and pays for workers' compensation. It would also enjoy the rewards through premium rebates for no claims and pay the penalties through higher premiums when there are claims. This is a labour hire agency.

The second example of a labour hire agency is not so clear cut. Here the agency is asked to provide temporary staff. The client will direct their activities and provide the total working environment and facilities. The agency pays the employees, deducts the PAYE tax, pays the payroll tax, pays for workers' compensation and pays the superannuation levy. The client is charged an hourly rate to cover those costs and return a profit. This is a perfectly normal and legal commercial transaction used extensively in industry and Governments today throughout Australia, including the Queensland Government and its associated organisations. This is the supplier of temporary staff. However, the agency has no control over the client's working environment or the facilities. It is also not commercially practical for the agency to inspect premises and facilities and to ascertain work expectations for the temporary positions for which it is asked to provide people. Too many delays would occur. Also, would the people carrying out the inspection be qualified to do so? I suggest that they would not be.

Imagine if the Minister's secretary or executive assistant were away unexpectedly and he needed a temporary secretary urgently from an agency—a normal commercial practice. It would not be satisfactory for him to be told that he would have to wait. His office would have to be visited, the facilities would have to be inspected, and the work expectations would have to be ascertained.

To provide clients—for example, Governments and industry—with the services that they require, time is critical. Yet the agency is deemed to be the employer. It pays the workers' compensation, loses the premium rebates if a temporary worker submits a claim for an incident at a client site, and may eventually pay extra through penalty premiums. The agency pays, the Government earns extra revenue, and yet nothing has been done to penalise the organisation where the activity occurred to cause the workers' compensation claim. I ask the Minister: how does this encourage the improvement of workplace facilities and practices? I am sure that the Minister would have to agree with me that it does not.

One could suggest that the agency pass on the loss of rebate or penalty to the client. However, this is commercially unrealistic. In fact, the National Association of Personnel Consultants, Queensland Division, advises that most members are not even aware that a workers' compensation claim has been finalised until they receive the annual premium notice. So how does one pass on and collect the increased premiums after the event? The client may no longer be a client and the effect on the premiums is ongoing, so for how long does one attempt to recover the increased charges?

All in all, I suggest that this amendment leads to a totally unworkable situation. It is commercially unrealistic. The Government will not achieve its aim of improved workplace conditions and practices through the implementation of this amendment. However, it has gained more revenue from the innocent party, the agency—the wrong source.

This leads me to make the most cynical remark that I will make in this debate. The main reason that the Opposition will divide the Committee on this clause is that the net is cast very wide, certainly far wider than is morally allowable in the Opposition's view. We could be forgiven for believing that this is just an attempt by the Government to cast the net wide enough to catch undeserving people who are players within the workers' compensation field in Queensland so as to gain extra revenue to fund

the other aspects of the workers' compensation system of Queensland which are not doing as well as they could be doing. However, the Opposition always believes in being positive and making suggestions to the Government for its consideration. The Minister should not choke; we often make suggestions. I hope that he takes the suggestion on board and gives it some consideration.

To be honest, that suggestion was put to the Opposition by the National Association of Personnel Consultants. That organisation suggests that the temporary staff agencies should pay the workers' compensation, as is the case at present. When claims are made by temporary employees who work at client sites and those claims are then paid, the client's workers' compensation premium will be affected through the loss of rebates and the imposition of penalties if the Government persists in going down this line. This would be simple to administer and would have the desired effect of enforcing improved workplace conditions and practices through financial incentives, while at the same time increasing Government revenue. I think that is an objective of the Government. The Workers Compensation Board would already have all relevant information within its computer system. I commend that idea to the Minister and the board for their consideration.

In the case of the temporary staff agencies, some of what has been proposed is unjust, commercially unrealistic and will not achieve a major component of the Government's intentions, that is, improved workplace facilities and practices to provide a safer environment for its workers. The Government needs to rethink its proposals in this area. It needs to rethink its definition of a labour hire agency.

In his second-reading speech, the Minister referred to extensive consultation with all stakeholders regarding this Bill. He specifically identified employer organisations. I have already gone on the record during this speech as saying that they certainly did appreciate that consultation. However, as the employers of tens of thousands of temporary staff, the private employment agency industry is a significant stakeholder in workers' compensation in this State. That industry informs me that it was not consulted. It is perhaps as a result of this lack of consultation that this provision has snuck in. I believe this is reflected by the inclusion of this inequitable amendment, and the Opposition intends, as I have advised already, to divide the Parliament at the Committee stage.

I now wish to turn to the issue of interstate workers and the coverage they enjoy under the workers' compensation schemes of each State. The ever-increasing mobility of workers, particularly in the transport industry, creates problems for both employers and employees where an employee is injured in the course of the employment outside the State of Queensland. Many large firms take their employees from Queensland to perform work on contracts interstate. Employees in the border towns regularly perform work in northern New South Wales.

Under the existing state of affairs, employers are required to maintain workers' compensation insurance in every State where their employees may travel or work in order to comply with the legislation in each jurisdiction. This applies even though Queensland workers' compensation insurance will extend cover to any employees working temporarily outside Queensland. The worker who is injured interstate also has the legal right to elect to claim either in the State where the injury occurred or in the home State. Clause 11 of the Bill currently before us provides that, if a worker is injured outside Queensland, compensation is payable if the worker's principal place of employment is in Queensland. If a worker is injured in Queensland, compensation is not payable if the worker's principal place of employment is not in Queensland. A worker's principal place of employment is in a State if, firstly, the worker usually carries out his or her work in that State or, secondly, if the worker usually carries out his or her work in more than one State but the employer's principal place of business is in that State.

The Honourable the Minister said in his second-reading speech that the amendments have been agreed to by all workers' compensation jurisdictions in Australia. The Minister also informs us that the amendment will be proclaimed by all States on a common date. This is indeed a good achievement and shows what can be done by cooperation and discussion. Achievements such as this spell the lie for the necessity to create a national workers' compensation scheme. I encourage the Minister to use this point to drive his argument home against his undoubtedly close friend and Labor colleague Mr Johns.

The one aspect that does not appear to have received resolution is the need for employers to maintain workers' compensation insurance in every State where their employees may travel or work in order to comply with the legislation in each jurisdiction. It would seem to follow from the legislation which has been introduced that employers should not be required to maintain policies in each State if a claim cannot arise in that State. The Minister says nothing in his speech as to the outcome of this

aspect, and I ask him to perhaps provide some clarification in his summing-up.

Clause 12 defines those claims where employment need not be a significant contributing factor to an injury, for example, journey claims. The Opposition is happy with this amendment. Clause 13 provides for claims to be rejected if the injury is intentionally self-inflicted or it is caused by the serious and wilful misconduct of the worker, unless it results in death or serious injury. Again, this provision is supported by employer organisations, small businesses and the Opposition.

I now wish to turn to the issue of notification of an injury by an employee, another issue within the workers' compensation system which is of great concern to employers and particularly small businesses. Clause 15 requires persons in receipt of benefits to advise the board within 14 days of their return to work.

The Government has not taken up a suggestion by the QCCI and other employers that an employee be required to report an injury for which compensation is payable to the employer within 10 days of its occurrence. In this regard, the Workers Compensation Act imposes responsibilities and obligations upon employers. Primary amongst these are the obligation to insure and remain insured, to supply information and records, and to report an injury to a worker within 10 days.

However, there is no obligation upon employees to report an injury, and there are occasions when an employer is unaware that an injury has occurred until a claim is lodged in six months or even at a later date. It is possible that witnesses to the alleged accident have left their employment and cannot be traced or they may be deceased. It is important that injuries be investigated and a report made promptly. An employer is placed at a severe disadvantage when confronted with a claim for an alleged back injury six months after the event. I invite the Minister to respond to these concerns in his summing-up.

I will conclude my remarks by expressing my appreciation to the officers of the Workers Compensation Board for the courtesy that they always extend to me as the shadow Minister. They appreciate that as the shadow Minister I receive representations from all over Queensland. Sometimes I feel that I am the last port of call after many ports of call for people who have some frustration with the way the system is working. I am pleased to report to the Parliament that those officers are courteous, they are prompt in their responses to representations that I make on behalf of people. More often than not they are not my constituents; in fact, many of them are the constituents of Government members. The officers and I are able to resolve their concerns very quickly by giving them more detailed answers and perhaps by having a person on the other side of the political fence say that everything has been done according to the Act and that perhaps one day the Act may be reviewed to take into consideration special circumstances.

I want to touch upon one last issue of concern. I refer to the very heavy regulatory emphases that exist within this amending Bill. I appreciate that those heavy regulatory emphases are contained in the Bill and indeed are contained throughout the Workers' Compensation Act because we are looking at a field of public administration and endeavour which is very prone to fraud and to cheating. Obviously, there is a necessity for compliance mechanisms to be in place so that such cheating and fraud can be minimised. However, there is no doubt that this Act is very prescriptive in terms of its compliance provisions. There is an increased emphasis on regulations. Industry and the Opposition will be looking closely at the application of the new provisions to ensure that employers are not unnecessarily disadvantaged and do not have activities within their workplaces interrupted by the heavy-fisted use of the provisions that we are passing this evening.

With those few remarks, I indicate the Opposition's broad support for the Bill. The Minister may be able to satisfy us in relation to labour agencies. If he is not able to do so, we will divide the House and look forward to seeing that particular section in operation as the Act takes shape.

Mr BARTON (Waterford) (10.24 p.m.): I rise to support the Bill. I will concentrate on only some aspects of it. The legislation certainly makes some significant improvements and changes. In particular, it enhances administration and management functions within the Workers Compensation Board office, and most importantly it ensures the continued financial soundness and standing of this fund and in fact maintains the very solid actuarial position that the fund has enjoyed during the period of this Government and prior to that. I want to stress the fact that there has been very extensive consultation on this Bill with the relevant parties, and that has included a significant number of public seminars around the State, most of which have been attended by members of the Minister's legislative committee. Some of the changes have been subject to consultation with not only the employer and union organisations but also union people and employers in the field.

It is very important that we maintain an actuarially sound fund. These changes provide some clear improvements in benefits. The Bill also provides some very necessary changes which could be seen as restricting benefits in several areas, and I will refer to that in more detail shortly. The legislation is about saving costs by improving the administrative and management practices of the board and the board's officers. There are increased penalties for those small percentage of people on both sides of the fence who unfortunately do rort the system from time to time.

I want to make the comment that this fund is still the best in Australia. That is a position that it has achieved historically. This Bill will ensure that that position is maintained. I did not think I would ever find myself agreeing with anything that the member for Clayfield said, but I certainly join with him in opposing the IAC's proposal for a national fund. I have consistently taken the same position on that issue as a member of the ACTU executive when it came up for consideration from time to time.

Queensland is the only State to offer complete access to common law. It is important that we maintain that position. This Bill will help to achieve that aim. Such access is important to people who are badly injured, and it is important to the families of people who are tragically killed at work. There may have to be some degree of trade-off to ensure that when costs are blowing out—particularly in relation to stress claims—the emphasis remains on protecting those who need the most support. I am a firm believer that those who are subjected to very serious injuries, or the families of people who have been tragically killed at work, should be our first priority.

I acknowledge that one of the provisions of this legislation could be seen as being a bit more restrictive on making claims where it provides that there must be a substantial factor of work involvement before workers' compensation can be claimed. I understand that that is the result of a recent Supreme Court decision that in effect has changed the bowling. Although I do not want to be seen to be in favour of restricting benefits to people, I accept that change. The reality is that, if we are to maintain an actuarially sound fund and if we are to look after the people who genuinely need help, then some trade-offs have to be made, particularly if we want to keep premiums at a realistic level. That is a very solid position of this Government.

I return briefly to the opposition to the national fund. In the editorial of today's edition of the *Beenleigh Reporter*, which is titled *Falvey Fires*, Peter Falvey has drawn attention to this matter. I support the comments that have been made by the editor of my local paper and his very fervent opposition to the proposals for a national fund.

I certainly support the changes to stress leave, because I believe that that has reached a ridiculous stage. It seems to me that in many cases we are breeding a nation of wimps. If people get a cross word from the boss or simply because the nature of their job is tough, some people seem to think that they have a right, rather than front up to tough circumstances, to simply claim stress leave. I am aware that stress affects not just those who are the high-flyers or in high-level management positions. Stress is predominantly caused by not having any real control over one's work life or the circumstances in which one is placed.

Most of the genuine stress claims that I have seen as a union official and through people coming to my electorate office seeking assistance have been those who fall into the lower categories of working life. I am not suggesting that there are no genuinely stressed people at higher levels, because there are, but stress also affects the low-paid, the semi-skilled and those with moderate skills who have no effective control over their working lives.

This legislation is not about ensuring that people who are genuinely stressed at work cannot be protected. However, something needs to be done about people who, when they are fronted by the boss about why things have gone wrong, decide to go on stress leave rather than front up and provide answers. Such cases are occurring frequently. I see evidence of that as a member of the PCJC, particularly with police officers who are subject to some form of investigation. They find it much more comforting to go on stress leave than to front up and answer questions. That is an area where there had to be some calling back because the costs are blowing out so dramatically. Quite frankly, that is happening in areas where it is pretty clear that they are not, in the main, genuine stress claims. However, there is that offset. I know that the member for Clayfield was a little bit concerned about the amount of costs there, but that funding for a centre to help employers to help employees in identifying the causes of stress is an important trade-off. Frankly, it should be paid for many times over by the savings to the fund because of the realistic restrictions that will be placed on claims of stress leave in the future. We need to make sure that we help employers with management practices, encourage them and help to identify the correct way in this so that there is, in reality, less genuine stress created in the workplace that causes people to have time off on genuine stress leave.

I also want to applaud the fact that the legislation is compatible with the Federal Government's position. The States have been here for a long time; they will be here for a long time after all of us sitting in this Chamber have long gone—not just from this Chamber but long gone from this earth. In my view, it is much more important to have compatible systems in each State and compatible systems with the Federal provisions rather than having a truly centralised body. In this particular piece of legislation, that consultation has got to the point of agreement being reached with the Commonwealth and the other States. I think that is to be applauded.

Another point that I think is important to people in the work force is that this Bill also ensures that all the changes that we have made to the Industrial Relations Act in the past couple of years—such as the new forms, certified agreements and enterprise flexibility agreements—are now tidied up. Now, people who are on workers' compensation go on workers' compensation at the actual rate that they are normally paid rather than the bare award rate. I think that is also important. I know that there are some circumstances where workers might be working overtime or they might be receiving some other penalties that they will miss out on, but this new legislation simply tidies up that position so that everybody who unfortunately has to go on workers' compensation at least gets their normal income.

When one is off work—and I have been off work on workers' compensation only once in my life with a seriously damaged foot when I was an apprentice—one finds that it is a time of additional costs. It is a fairly traumatic time. Families are traumatised by the very fact that the bread winner—whether it is the male or the female—is off work on workers' compensation. If the bread winner's income is substantially lower than normal, then that only increases the trauma and stress that is on the family unit. So I really do strongly support that change.

I am also pleased to see the change to the definition of "medical treatment" to include chiropractors and osteopaths to bring this legislation into line with the Chiropractors and Osteopaths Act. I think that is a small but significant change.

I must say that I do not quite see the labour-only hire firms in the same way as the member for Clayfield. I think we have that provision correct. It is important that employees of labour-only hire firms are covered by workers' compensation. That coverage should be provided by the firm that actually employs the staff, that is, the labour-only hire firms. That is something that has been covered in recent weeks in my local area by concerned citizens who have been injured and have had a difficulty. Up until recently, that has also been a problem relating to superannuation. However, this provision identifies the fact that it is the person who has the employees on their books and who then hires their labour out to someone else who should provide the compensation cover, and I strongly support that.

Before I sit down I want to make some comment about the increase in death benefit from $96,550 to $120,000. That sounds like a large amount of money. Many low-wage earners would never dream that they would ever get $120,000. However, $120,000 is still a very small amount under circumstances where a life has been lost. Frankly, I wish the sum could be five times that amount. I know that life is always a balance and a series of compromises. This comes back to the compromises and what the fund can stand. It comes back to the compromises of what the premium rates needed to be competitive. I certainly applaud the increase of that sum by nearly $25,000—by nearly 33 per cent. However, by the same token, I want to put it in context. When the bread winner is no longer around, $120,000 probably pays off the mortgage, if there is a mortgage, and that is about it. It certainly does not provide all of the other things that people in those circumstances need.

I am pleased to see the general manager of the board being given the discretion to request a determination by a medical assessment tribunal as to whether a worker has suffered a permanent, partial disability due to an injury. This just short-circuits some of the systems where, up until now, there have frequently needed to be two board hearings. I think that is a practical change that will save money. It will also ensure that injured workers have their cases finalised much faster.

I will finish on that point. I simply want to stress that, from my point of view and my experience, this is good legislation. It has resulted from careful consideration and extensive consultation. It will ensure the continued viability of the scheme. It improves some benefits and it certainly addresses some difficulties and very sensitive issues, but it will ensure that we have a better managed and administered scheme in the future.

Mr CONNOR (Nerang) (10.37 p.m.): I rise to speak on the——

Mr Casey: Give us back Santoro.

Mr CONNOR: I thank the honourable member for the vote of confidence. I was in the process of commending the Government on the continued actuarial soundness of the fund and for its aversion to moving down the road of

Commonwealth funds, but I will not go into that now. However, I do recall the 50 per cent or more increase in the workers' compensation premiums that have been brought to bear on most small businesses as a result of this Government. Anyway, I will go on.

As a result of the Goss Labor Government's policies, according to the recently released Workers Compensation Board annual report, workers' compensation claims have dramatically escalated. This has forced the Government to look at other ways of dealing with the issue. Rather than trying to deal with the blow-out in claims and generally trying to reduce the cost of employing people, the Government has instead introduced measures that will dramatically increase the costs of workers' compensation to business. It has introduced a demerit charge. I refer to the annual report, which states—

> "Changes to the merit bonus scheme . . . were approved by Cabinet during the year. The changes will reflect employers' claim payments from 1 July 1994, and see the introduction of demerit charges for employers with consistently poor claims to premium ratios."

It further states—

> ". . . additional revenue from the demerit charges and the discontinuance of the ambulance discount contributing to the increases in merit bonus payments."

So the Government is bringing in a demerit scheme, and I would just like to put on record my opposition to that scheme. I have no problems whatsoever if the overall base rate or premium is increased and then the scale of the merit rebate is increased so that there is still the diversity in the different rates.

Mr Foley: All of that is largely revenue neutral.

Mr CONNOR: Of course, but the fact is that the demerit scheme will not work, and I will explain later why it will not work and why the Minister will be back here at a later date to fix it.

One of the main reasons the Government introduced this demerit scheme was to ensure that it can still claim to have the lowest workers' compensation premium base rate of any Australian State. As I said, this is on top of a number of recent hikes in workers' compensation premiums. The State Government does not want to have another increase in the base rate just so that it can still claim to have the lowest State premium rate.

One of the most worrying aspects of the annual report is the dramatic escalation in Commonwealth settlements—an increase of 27.4 per cent. Common law claims are the very appropriate claims of employees against their employers where there is some degree of negligence on the part of the employer. I might add that Queensland is the only State that retains that right—and quite rightly so. These claims must be rigorously watched to ensure that they do not go in the same direction as the southern States, forcing a dumping of employees' common law rights. That is most imperative.

Successive Labor Governments in southern States, through their incompetence and incompetent treatment of workers' compensation, have allowed them to become non-funded and non-viable, resulting in the collapse of the schemes and the dumping of employees' common law rights. All of these common law rights were dumped under Labor Governments, not conservative Governments.

According to the annual report, even the statutory claims have blown out by 13 per cent this year alone, from $188m to $212m, yet the average cost of each claim remained the same. Yet at a time when there was not a great deal of employment growth, there was no great increase in the actual number of employees in the premium pool. However, the number of claims increased from 83 000 to 93 000. One then must ask: what are the workplace health and safety officers doing? Their mandate was to try to improve the safety record within the workplace. The sum of $13m a year has been siphoned out of the Workers Compensation Fund to fund this, but the results are not on the scoreboard. I would like the Minister to explain why this has been occurring.

In summary, the Government is allowing massive escalation in the number of claims being made. There is a dramatic escalation in the number of claims. There is also a significant increase in the amount of each common law settlement, which is dramatically increasing the cost of workers' compensation in Queensland. As a result, the Government has dramatically increased the cost to business of workers' compensation over the past few years which, in turn, is now much the same as that of many other Australian States. As I understand it, it is only one basic point below the other lowest State premium.

Because Queensland does not want to become classed as a dearer workers' compensation State, it is implementing a demerit scheme that will increase the cost of premiums to certain businesses. This scheme will simply not work. That is what I was trying to explain to the Minister. Workers' compensation is basically the same as most insurance policies. Insurance

companies do not have demerit schemes because they simply do not work. If company A has a number of claims over a period that force it into a position of having a demerit charge incurred, it will no longer be competitive to operate in Queensland under this demerit charge, and it will simply close down, move interstate, or, alternatively, reopen as another company without the demerit charge being incurred.

Where penalties will be put in place for companies with poor workplace safety records, there will be an incentive for companies that build up this bad record to ditch the existing business for one that does not have the built-up bad record. In other words, if company A trades for a number of years and is on, for instance, a 100 per cent penalty excess— paying double the normal premium for workers' compensation—there will be a major incentive for company A to cease and for company B—in reality the same business—to commence on a much lower, or the base, workers' compensation premium.

For the Government to bring in a penalty system for workers' compensation, it will at the same time be forced to impose additional regulations on industry to stop this practice taking place. This additional regulation will, in many ways, be counterproductive, and it will be just one more regulatory impact on business. As well as that, how will the Minister determine what is the same company? How will he determine that company B is really company A trying to avoid the workers' compensation penalty? Will it be because it has one common director? That would certainly not be fair. If it is attached to the trade name, it would mean that when businesses are sold or the trade name is sold, even with a new organisation running the business, it would still be stuck with this unfair penalty.

The imposition of penalties on insurance premiums is extremely unusual in normal commercial practices. It is unusual because there are far easier ways to properly allocate risk to the premium than imposing penalties. One way that is far easier is to simply increase the standard premium, as I said before—simply increase the standard premium and increase the merit rebate. This will still achieve the same objective as a penalty, but it will not have the resultant requirement for regulation and business restriction. There would still be the same graduation, but instead of putting demerits on the top, the base rate is brought further up and the size of the merit rebate is increased.

This is a very cynical exercise that the Government is going through, because only a couple of years ago it actually reduced the merit rebate from 50 per cent to 40 per cent, which resulted in the equivalent of a 20 per cent rise in costs of workers' compensation across-the-board. One can understand, from a political perspective, why the Government would do this, because then it could claim that the base rate was not increasing. But it had effectively increased it by 20 per cent. This Government is in a position where it could dramatically increase the base rate, if it wanted to, and simply increase the merit rebate and still have the same graduation and the same incentives for business to have a safe workplace. However, this Government does not want to face the reality that because claims are blowing out, it is being forced to increase the real rate of premium, and it does not want to be compared on an apple-for-apple basis with the other States. That is really what it comes down to.

The way the Government is approaching this, where it has reduced the merit rebate in the past and now wants to put up a penalty, can be interpreted in no way other than simply as a measure to increase the grab for funds. This way, the Government does not have to increase the rate, so it can still claim that Queensland is the lowest workers' compensation State.

I refer now to a letter from an engineering firm in Queensland which was involved in the merit bonus scheme review. It made a couple of points that I believe are worthwhile. One is—

> "Possibility of economic cost of persons who are unfit for the workforce being loaded unduly onto workers' compensation."

Another point is—

> "Lack of data base available to prospective employers to assess suitability and risk factor of potential employees for particular jobs."

I am not talking about across-the-board. I am saying that if someone is near-sighted, one certainly would not want to put that person into a workplace situation where he or she would be prejudiced. However, under the current system there is no access to any form of previous claims record. When an employer is faced with potential demerits and additional costs of workers' compensation, one could find that that employer would not be able to access the data necessary to determine the extent of the potential liability because of the standard of the worker that that employer is about to employ or is currently employing.

In its letter, that engineering company went on to say—

> "The increased cost through premium increases and increased payouts could be a

> disincentive to employ. Strong measures are needed to ensure that payouts to employees are limited to the correct amounts and that sufficient pressure is made to encourage employees to re-join the workforce as soon as possible."

That company is basically saying that even though the employer is paying the premiums, the employer is playing quite an insignificant role in the overall process. They are saying that the employer should be in a position to have more input and far more understanding of the process. That is not happening now. They also go on to say—

> "Once the claim has been processed the employer has no input into the amount of benefits paid or the duration of those benefits even though the employer ultimately bears the cost."

That is quite a reasonable and appropriate statement when one considers that, in most cases, especially in companies that are quite labour intensive, the biggest statutory labour on-cost is workers' compensation. On that basis, it is a major disincentive for most businesses if the cost of workers' compensation escalates. It goes on further to say—

> "Every care should be taken so that people who are unfit for the workplace, for other reasons, do not become a workers' compensation case. A solution should be to keep payments under workers' compensation relative. . . that workers' compensation does not become a defacto social security payment."

The letter continues—

> "Lack of recourse by employers—It is rare that employers are consulted in relation to the amount of the claim or duration of the claim. Often the employer will have information that would be beneficial to the workers' compensation board in assessing the fairness of a claim."

I think that is very appropriate when one considers—especially in a smaller work place—that quite often the employer is working beside that employee on an ongoing basis and that employer would have relevant information relating to the claim, yet that information is very rarely accessed. The letter further states—

> "Data base available to employers to assess high risk employees—Too often employees with high incidence of workers' compensation claims are employed with a employer having no knowledge of this fact. This can lead to employees being placed in high risk work area and that further claims are soon made to the policy of the new employer."

Without employers having any scrutiny of the record of an employee, they now face a situation in which they could be facing quite significant increases in their base rate of workers' compensation premiums purely because they have an accident-prone employee. The employers are not in a position to have any idea of that. If they did they could properly position the employee within the business into, hopefully, an occupation that is less dangerous.

I would like to turn briefly to another aspect about which the Minister made assurances a couple of years ago. I will quote from an article in *Business Queensland* of the week ending 5 July 1993, in which the Minister for Industrial Relations gave an assurance that the public service would become part of the workers' compensation scheme. The article states—

> "State Government, by far Queensland's largest employer, with an annual wages bill or more than $5 billion, will, for the first time, contribute to the compulsory workers' compensation fund from July 1995."

Nowhere have I heard that assurance repeated by the Minister. It seems to me that he may have forgotten the assurance that he made back in July 1993. That is a very important assurance, because at the time the Queensland Government's share as a percentage of the total wages and salaries of Queensland was 23.9 per cent. On that basis, the QCCI—or the QCI as it was known then—calculated that on a general rate the Government should be paying $122m a year in workers' compensation premiums. However, on the basis of the system under which they were exempted from that—the Government had to only reimburse the fund for the claims it made plus pay an administration charge—it was paying a mere $21m, or, in fact, $100m less than it should have been paying. The private sector is subsidising the public sector to the tune of $100m a year. At the same time, small businesses and most industries have been forced to incur about a 50 per cent increase in their premiums. Yet, at the same time, the Government—a very big employer, with almost a quarter of the work force—is not paying those premiums and, in fact, is only reimbursing $21m a year, or $100m less than it should be.

As I said, the Minister made the assurance a year or so ago that the public service would be paying into the Workers Compensation Fund, the same as every other employer in Queensland. I invite him tonight to repeat that assurance.

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (10.56 p.m.), in reply: I thank honourable members for their contributions to the debate this evening. I thank the honourable member for Clayfield for indicating the Opposition's support for this important Bill. It is salutary to remind ourselves of the three great principles that underpin our workers' compensation system here in Queensland. Firstly, we are the only State that retains for injured workers unlimited access to the common law right to sue for negligence. Secondly, this State has the lowest average premiums of any Australian State or Territory. Thirdly, all the liabilities are fully funded.

The member for Clayfield identified correctly that the issue of stress in workplaces was an important issue addressed by this Bill. With respect to the reference to public sector expenditure of $15m, I can inform the honourable member that the Workers Compensation Board is not contributing to that at all. The contribution from the Workers Compensation Board is in the order of $2.3m, and that relates to the establishment of a private sector occupational stress policy and advisory unit.

Mr Connor: So, where is the money coming from?

Mr FOLEY: The funding for the public sector is coming out of the budget of public sector agencies across a range of areas from the core public sector, including Corrective Services, Education, Family Services, Health and Police. That picks up a number of the initiatives that they are already undertaking and reflects also a commitment on the part of the Government to address the issue with further funding.

In that respect, the theme taken up by the honourable member for Waterford is extremely important. The honourable member for Waterford gave a speech which I, if I might respectfully say so, demonstrated the sort of responsible leadership in the labour movement that the member for Waterford has exemplified through his career both in the trade union movement and in this House. The member for Waterford supported the changes that are set out in the Bill with respect to the provisions concerning stress. What is involved in this initiative is, on the one hand, certain legislative action taken to address the problem and, on the other hand, administrative action taken to address the issue of public sector and private sector occupational stress.

The honourable member for Clayfield also correctly indicated that this Bill includes a number of provisions to combat fraud. I make no apology for that. If we are to have a successful scheme which provides benefits to injured workers and assists them in rehabilitation, it is necessary to ensure that fraud is prevented in whatever form including, for example, underdeclaration by employers.

With respect to the issue of labour hire agencies, I note the honourable member's comments. I have had the benefit of discussions with the honourable member on that issue and with one other member of the Opposition. This amendment has come about through consultation over a significant period of time and is intended to ensure that persons who are working, having been placed by labour hire agencies or pursuant to a contract of service with a labour hire agency, are in fact covered and the workers' compensation premium is paid in respect of them.

I thank the honourable member for Waterford for his frank opposition to the national workers' compensation scheme which has been proposed by certain quarters in the Commonwealth Government——

Mr Santoro: The evil empire.

Mr FOLEY: The honourable member was not referring to the Commonwealth Opposition; it is the Commonwealth Government we are describing here.

While one can understand the concern that the Commonwealth has with respect to the rights of workers in places such as Victoria and South Australia, the fact is that the rights of workers in Queensland are well served by the current scheme of workers' compensation. I am firmly opposed to the proposals that have been floated at the Commonwealth level to establish such a national scheme.

The member for Nerang, Mr Connor, made an embarrassing contribution to the debate tonight. The honourable member really made a number of very foolish observations about the merit bonus scheme. It must be a dreadful embarrassment to the Opposition to have such a member speaking on a topic as important as this. His attack, for example, on the merit bonus scheme must be a dreadful embarrassment to the people in the Queensland Chamber of Commerce and Industry who, after all, were the authors of this reform, working in cooperation with the trade union movement. What the honourable member for Nerang does not understand——

Mr Palaszczuk: Be kind.

Mr FOLEY: I note the interjection of the member for Inala. Sometimes one has to be frank to be kind.

Mr Connor: It will work about as well as WorkCare in Victoria.

Mr FOLEY: The simple fact of the matter is that this initiative is a very positive initiative developed as a result of cooperation between trade unions and industry, and I pay tribute to Mr Clive Bubb, who was one of the driving forces behind this reform. This reform, which will reward employers with good performance in their workplace health and safety and will impose a financial penalty with respect to those employers with bad performance in workplace health and safety, is the very sort of reform we need to get the change of workplace culture that is so important if we are to get a heightened awareness of the need for workplace safety. We have made a lot of progress in achieving a heightened awareness of road safety, but work safety is an area in which we need to ensure that there is heightened community awareness.

I thank honourable members for their contribution to the debate. I commend the Bill to the House.

Motion agreed to.

Committee

Hon. M. J. Foley (Yeronga—Minister for Employment, Training and Industrial Relations) in charge of the Bill.

The TEMPORARY CHAIRMAN (Ms Power): Order! Before I call the clauses, I want to draw members' attention to a typographical error in clause 10, on page 18 at line 27. The expression "subsection (2)" should read "subsection (1)".

Clause 1, as read, agreed to.

Clause 2—

Mr FOLEY (11.07 p.m.)**:** I move the following amendment—

"At page 6, line 9—

omit, insert—

'(3) Sections 3A, 11 and 16 commence on a day to be fixed by proclamation.'."

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3, as read, agreed to.

Mr FOLEY (11.07 p.m.)**:** I move the following amendment—

"At page 6, after line 12—

insert—

'Amendment of s 1.5 (Application of Act to workers)

3A. Section 1.5 (1)—

omit, insert—

'1.5 (1) This Act confers an entitlement in relation to an injury suffered by a worker on the worker or, if the injury is, or results in, the worker's death, on the worker's dependants only if—

(a) the worker is in Queensland when the injury is suffered; or

(b) the worker is entitled to compensation under section 5.2A (1).[1]

'(1A) However, subsection (1) (a) does not apply if the worker is not entitled to receive compensation because section 5.2A (2) applies.'.'.

[1] Section 5.2A (Interstate and overseas arrangements)"

Amendment agreed to.

New clause 3A, as read, agreed to.

Clause 4—

Mr FOLEY (11.08 p.m.)**:** I move the following amendments—

"At page 6, line 15, ' "department of government",'—

omit.

At page 7, lines 20 to 22—

omit, insert—

'(3) Section 2.1 (1), definition "department of government"—

omit, insert—

' "department of government" includes Queensland Railways.'."

Amendments agreed to.

Clause 4, as amended, agreed to.

Clause 5, as read, agreed to.

Clause 6—

Dr WATSON (11.08 p.m.)**:** I rise to ask the Minister formally some questions with respect to clause 6, in particular that part of the clause referred to as proposed subsection (3A). The clause defines a labour hire agency and seeks to insert the following subsection (3A)—

"A labour hire agency that arranges, for reward, for a worker who is party to a contract of service with the agency to do work for someone else continues to be the worker's employer while the worker does the work for the other person under an arrangement made between the agency and the other person."

As the Minister knows, because I have spoken to him on this issue over some time, I have in my electorate some constituents who have been in the business of what one might

more appropriately refer to as a referral agency. I was interested to ensure that such an organisation, which is at arm's length to any contract of employment between, say, a householder and a domestic employee, is not going to be caught under this section. In particular, I indicate to the Minister that those constituents operate a referral agency referred to as Musden Emergency Mums.

The kind of relationship they have is the following: they have a contract of employment between the householder and the agency, which is one by which the householder engages the agency to find, screen and refer suitable applicants for a particular task to the householder. The contract of employment for the actual performance of that task is between the householder and the applicant finally chosen to perform the task.

The householder retains the following kinds of rights and responsibilities: the decision to employ a particular worker; any decision to fire workers; the decision to determine the payment for the jobs, that is, the hours and the rate per hour; the payment of workers and any deduction for taxation where applicable and the keeping of wages books as required by the Taxation Department; to supervise work and decide if satisfactory—it is the householder's responsibility and judgment in this particular case; the agency does not inspect the jobs—the determination of working conditions, including the safety of the workplace, the type of work performed, and everything to do with the job and the workplace; to keep the worker covered with a household worker's policy—and it is always advised by the referral agency that the householder should do so—and in terms of domestics, the householder is responsible for supplying all the cleaning materials and other requirements. In other words, the workers do not supply anything.

In other words, there is an arm's length between the agency and the contract of employment between the householder and any employee of the householder. I guess the question is: does the Minister expect that that kind of activity is going to be necessarily caught by this clause of the amendment Bill?

Mr FOLEY: I thank the honourable member for Moggill for his contribution and I acknowledge the vigorous representations that he has made to me on behalf of his constituents in this matter, both in writing over a period and in person. I acknowledge his active concern on this issue.

It would be inappropriate for me to express in this place a concluded opinion with respect to the application of this law to a specific case. Any specific case of a labour hire agency will turn upon its facts and there will be questions of fact and degree that are best assessed by the officers of the board when they come to deal with the facts of a particular case.

I think that it may be helpful if I set out the reasons why this provision has been introduced, and they are these: as our economy includes more casual work and more part-time work, the role of labour hire agencies becomes more important. We see bodies such as Skilled Engineering, which provide a service to a range of industries. We see labour hire agencies operating in the area of models, musicians, actors and so on. It is very important that those persons who are employed should be properly covered by workers' compensation, and it is important that those who employ them should pay their fair share of workers' compensation premiums, otherwise the other employers throughout the State would be merely paying extra to subsidise those employers who were avoiding their responsibilities.

There has been a problem in this area for some time, which has caused the Workers Compensation Board some difficulty in that the payment of the workers' compensation premium has not always been forthcoming in respect of every person so employed. The provisions in this clause set out to remedy that. The definition of "labour hire agency", which is set out at page 9 of the Bill, is the first step in ascertaining the answer to the honourable member's question. One then goes to the proposed new subsection 3(A), and the key part of that concerns a contract of service. It provides as follows—

> "A labour hire agency that arranges, for reward, for a worker who is party to a contract of service with the agency to do work for someone else continues to be the worker's employer while the worker does the work for the other person under an arrangement made between the agency and the other person."

So the question asked by the honourable member for Moggill really comes down to this issue: is the worker in that case a worker who can be said to be a party to a contract of service with the agency to do work for someone else? That question, in turn, begs a series of other questions, namely: what is the nature of the control relationship between the agency and that worker? It is in accordance with the issue of control in particular that assessments are made. This is an area which includes a number of grey areas ranging from persons who are at arm's length in a contractual relationship through to those who may be said to be in the more traditional master/servant type of relationship, as

it was quaintly called. The central question is: is that worker in a contract of service with the agency in question?

Mr SANTORO: Did the Minister have a chance to consult his advisers in relation to the suggestion that was made during my speech, that is, that any penalties involved or any loss of benefits involved could be taken up within the policies of the employer, even though the hire agency may still pay the premium? Has the Minister had a chance to consult with his advisers in relation to that suggestion?

Mr FOLEY: I will take the honourable member's comment on board and give it consideration in due course.

Question—That clause 6, as read, stand part of the Bill—put; and the Committee divided—

AYES, 47—Ardill, Barton, Beattie, Bird, Braddy, Bredhauer, Briskey, Budd, Campbell, Casey, Clark, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nuttall, Palaszczuk, Pearce, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone.

NOES, 27—Beanland, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Lingard, McCauley, Malone, Mitchell, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

Clause 7, as read, agreed to.

Clause 8—

Mr CONNOR (11.25 p.m.): This clause deals with the recovery of claims costs and unpaid premiums. I would hate the Minister to embarrass himself and his Government by neglecting to inform the House, as he informed the public in July last year, that he would be ensuring that the public service paid its share of workers' compensation premiums. The Minister neglected to reiterate that after my invitation in my speech in the second-reading debate. That then puts into question whether it was purely something that he omitted from his reply or, alternatively, whether he is doing a backflip on the assurance that he gave to the business community and to the public of Queensland in July last year. I would ask the Minister to either confirm or deny that he is going to live with that commitment that he gave the business community?

Mr FOLEY: I will say two things. I doubt that the question has the slightest relevance to this clause, but I think it might be quicker if I answer it. The first point is this: as of 1 July next year, the public service will pay a premium in the same way as do other employers. The second point is that the honourable member's questions seem to be based upon a false premise. The honourable member seems to labour under the fond belief that there is somehow under the current arrangement a subsidisation going from the private sector to the public sector. That is simply not correct. It is not the case that that occurs. At the moment, there is a refund paid to the Workers' Compensation Fund from the public sector plus a sum of interest. The factual premise upon which the honourable member expressed his concern is without substance.

Mr CONNOR: I thank the Minister for that undertaking, which I was looking forward to hearing in this Chamber. I look forward to it being implemented before the next election. I refute the Minister's assertions that the private sector is not subsidising the public sector. That is not the case. The Minister knows it, as does the Government. The fact is that the public sector work force, as of the March quarter 1994, is almost a quarter—in fact, 23.9 per cent—of the overall work force. At that time, it paid about $22m while the private sector paid $377m.

How can the Minister say that the private sector is not supporting the public sector when one sector has a quarter of the work force and pays $22m, and the other three-quarters of the work force pays $377m? Earlier, the Minister stated that the QCCI was supporting and backing the Minister all the way with his changes to workers' compensation and that somehow or other there was some sort of an arrangement between the union movement and the Confederation of Industry. That same institution, the QCCI—then the QCI—worked out that, if the public sector properly paid its share of workers' compensation, it would amount to $122m. At that time, it was paying $22m—$100m short. That means that the private sector is paying $100m more than its fair share. That is out of a total of $377m. That works out at more than one-quarter.

Since the Government has been in office, it has increased workers' compensation premiums for most small businesses by almost 50 per cent. It would not have to be anywhere near that level if the Government had ensured that the public sector paid its share. That comes down to the fact that, over the past couple of years, the private sector has been subsidising the public sector to the tune of $200m or more and, as a result, is paying probably in excess of one-third more in premiums than it should be.

Mr FOLEY: The honourable member's proposition is incorrect. The honourable member's mind resembles the sort of confusion of materials that attend the birth of a planet from time to time. I suppose there are times in human history when inanity is concentrated in one place and at one time. The contribution of the honourable member for Nerang truly exemplifies that moment in history.

I might explain, in words that I hope even the honourable member for Nerang might understand, that when one calculates the basis upon which compensation is paid and upon which premium is obtained, the basis is not, let me inform the honourable member for Nerang, in accordance with the relative numerical strengths of the work forces. The basis is in respect of the cost to the fund of paying the relevant workers' compensation claims. It may come as a shock to the honourable member to learn that the costs of workers' compensation in the largely clerical areas of the public service are less, believe it or not, than in the building and construction, manufacturing and mining industries. For these reasons, the sort of logic that the honourable member urged upon the House is patently defective.

Mr CONNOR: Those were not my figures; they were the QCI's figures. The Minister might be interested to know how that figure was arrived at. It was worked out on the base clerical rate and not any other rate that the Minister would like to suggest. The QCI arrived at that figure using the very lowest clerical rate. The workplaces that public servants work in would invariably be much higher than that in many cases, but the QCI worked that out using the base clerical rate, and it still came up with $122m. If the Minister cares to read *Business Queensland* of 7 July 1993, he will see that that is fully set out. The Confederation of Industry also issued a press release in relation to it. I suggest that the Minister have a look at that. That was at the time that the Minister assured the public and the business sector that they would pay their fair share.

Mr ELLIOTT: I cannot see any other clause under which I can raise this point. I refer to an anomaly in relation to premiums. As the Minister is well aware, I led a deputation to him regarding farmers and in particular cotton growers who are——

Mr Casey: Talk to me about the farmers. I will fix it up.

Mr ELLIOTT: I thank the Minister for Primary Industries; that would be good.

Many farmers, particularly cotton growers, have half a dozen people working on their properties. Because a farmer has run cattle on his property, those workers are designated under the high risk rate applying to stockmen. I seek an assurance from the Minister that his department is still actively involved in trying to resolve that problem. As the Minister is aware, it has been some time since that deputation put its case. I appreciate the fact that the Minister received the deputation. The producer bodies and those private individuals who were part of that deputation also appreciate the fact that the Minister listened to their concerns. I seek an assurance from the Minister that he has not swept the issue under the carpet and that it is still being actively considered. This is a serious matter, and it is not made any easier by the fact that this unbelievable drought is persisting. At present, most of those farmers are taking the biggest hiding imaginable, particularly one gentleman who was part of that deputation. He is facing a desperate situation in respect of trying to grow dryland cotton. I ask the Minister to give that assurance.

Mr FOLEY: The short answer is that the issue is still being addressed by the officers of the board. Following the delegation which I received, which included the honourable member for Cunningham, Mr Macfarlane and other gentlemen, there has been one further meeting. I am informed by officers of the board that they are awaiting further approaches from those gentlemen to give further consideration to the issue.

Clause 8, as read, agreed to.

Clause 9, as read, agreed to.

Clause 10—

Mr ELLIOTT (11.36 p.m.): I want to canvass the principle involved in this clause. If I understand it correctly, it is definitely a step in the right direction. Some contractors whose principal place of business is in Queensland work backwards and forwards over the border undertaking contract work, sometimes quite a way into New South Wales. That has created a tremendous amount of confusion. In recent times, my colleague the member for Warrego outlined the problems of a constituent of his who was facing this very issue.

I seek clarification of exactly how this works. I have read proposed new section 5.2A (1) through to 5.2A (5). I am still somewhat confused. I will cite an example. I understand the position relating to workers who live in Queensland and who go over the border and back. My understanding is that if such workers are undertaking the same sorts of work activities which they undertake in Queensland and for which they would be covered by workers'

compensation, then they are also covered whilst undertaking work in New South Wales.

However, confusion arises when casual people are employed in Queensland from towns or properties in New South Wales. The principal place of residence of those people is definitely New South Wales. However, the principal place of business of the company that employs them is Queensland, even though that company may operate as much in New South Wales as it does in Queensland. In some cases, it might even do more work in New South Wales than it does in Queensland. I seek clarification of the position relative to such workers. A lot of confusion currently exists. People do not know whether they should take out workers' compensation in both New South Wales and Queensland.

It must be understood that those people are most definitely casual workers. The clause refers to "a continuous period of not longer than 6 months". Most of those people would not work for six months continuously. In many cases, they would have continuous work for only two or three months and, depending on the weather, even that work may be broken up such that it would not be continuous for any more than three or four weeks.

Mr FOLEY: It may be convenient if I respond to the honourable member under the next clause, which is the one I think he is dealing with. Clause 10 deals with investigation and enforcement. With respect to that, I move the following amendment—

"At page 15, line 7, 'offence'—

omit, insert—

'decision'."

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11—

Mr FOLEY (11.40 p.m.): The provision of clause 11 is designed to clarify the liability of employers in relation to the insurance of interstate workers. It is designed to operate in conjunction with similar legislation in other jurisdictions and it reflects an agreement among States and Territories. The clause provides for the application of two tests in establishing employers' liability and eligibility of benefits for injured workers, that is, firstly, the principal place of employment and, secondly, the principal place of business. It is necessary to read this clause together with the amendment to section 1.5 of the Act which was passed earlier in the Committee.

With respect to the administration of this provision, I should say that these provisions will not come into operation until all of the States and Territories are in a position to introduce them. The officers of the board would be happy to make available to the honourable member and indeed to any other interested persons practical details of how these are to be administered in practice, because the whole object is to cut red tape and ensure that people do not fall between two stools. I think it may be more convenient if I invite the honourable member to simply follow up that matter with me and with officers of the board. I will be happy to make that information available at an administrative level.

I move the following amendments—

"At page 21, line 22, heading—

omit, insert—

' 'Interstate and overseas arrangements'.

At page 21, line 24, 'State'—

omit, insert—

'State or country'.

At page 22, lines 5, 9, 10, 12, 13, 15 and 18, 'State'—

omit, insert—

'State or country'."

Amendments agreed to.

Clause 11, as amended, agreed to.

Clauses 12 to 26 as read, agreed to.

Clause 27—

Mr FOLEY (11.43 p.m.): I move the following amendments—

"At page 29, after line 1—

insert—

'(3A) Section 11.2 (2), after 'total incapacity for work who'—

insert—

', without reasonable excuse,'.'.

At page 29, line 4, after 'A person who'—

insert—

', without reasonable excuse,'."

Amendments agreed to.

Clause 27, as amended, agreed to.

Clauses 28 to 30 and Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

GRAIN INDUSTRY (RESTRUCTURING) AMENDMENT BILL

Hon. E. D. CASEY (Mackay—Ministerfor Primary Industries) (11.45 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Grain Industry (Restructuring) Act 1991."

Motion agreed to.

First Reading

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

Second Reading

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (11.46 p.m.): I move—

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

The Grain Industry (Restructuring) Amendment Bill once again is an example of this Government cooperating with rural industry to facilitate further restructuring of the grain industry in the State. No doubt, Mr Deputy Speaker, you may have seen from recent articles in the press, that Grainco Queensland Cooperative Association Ltd— Grainco—and the Australian Wheat Board— AWB—have been negotiating a merger of their respective operations in Queensland. This Bill essentially facilitates this process.

The key features of the proposed restructuring of Grainco provide for, subject to approval of the grower shareholders—

> the merger of the Queensland operations of the AWB into Grainco;
>
> allowing the AWB to own 49 per cent of the merged body;
>
> forming a company under the corporations law as the corporate structure for the merged body; and
>
> merging the operations from 1 March 1995 if possible.

In order for the merger to proceed, it will be necessary for Grainco to convert from a cooperative association registered under the Primary Producers' Co-operative Associations Act 1923 to a company under the corporations law. As the Grain Industry (Restructuring) Act currently stands, if Grainco did convert to a company, the statutory marketing powers granted by the Government to the grain industry and administered by Grainco, would cease. According to Ross Bailey, Chairman of Grainco, Grainco is expected to convert to a company structure in the near future even in the event that the merger does not proceed.

The industry has rightly argued that the statutory marketing power should not be interfered with merely because Grainco changes its corporate structure. Those powers are under review in accordance with the Act and a report is to be lodged with me by 30 June 1995. The statutory powers are sunsetted for 30 June 1996 and the Government, after considering the review committee's report, will decide whether any extension of the powers is justifiable.

We support this merger proposal for the following reasons:

> it will increase the competitiveness of the grain industry in Queensland and, for that matter, Australia, by rationalising the number of grower-owned or funded bodies. Savings will be achieved through elimination of administrative and marketing duplication;
>
> it allows Australia's statutory wheat exporter, the AWB, access to handling and storage facilities in which it will have an interest. It makes good commercial sense for the marketer of our largest grain crop to have a say in future infrastructure development or rationalisation within the grain industry;
>
> the investment by AWB into the merger will inject tens of millions of dollars of growers' money from the Wheat Industry Fund into Queensland's rural economy. This too will enhance Grainco's competitiveness by giving it increased capital capacity to invest in downstream value-adding opportunities; and
>
> given the devastating drought of the last few years, it will spread this and other climatic risks nationally, thus enhancing the long-term viability of our grain industry.

These amendments will allow the statutory marketing powers to apply to Grainco when it converts to a company. As I mentioned earlier, even if the merger does not proceed as planned, it is Grainco's firm intention to convert to company status before the end of February 1995.

Other consequential amendments to the Wheat Marketing Facilitation Act are also included. They provide for the changed relationship between Grainco and the AWB following the merger and removal of the statutory Wheat Varieties Advisory Committee. I commend the Bill to the House.

Debate, on motion of Mr FitzGerald, adjourned.

ELECTORAL AMENDMENT BILL 1994

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (11.49 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Electoral Act 1992."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (11.50 p.m.): I move—

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

The Electoral Amendment Bill 1994 seeks to implement, apart from a raft of administrative refinements which I will discuss in some detail later, necessary reforms in our electoral system relating to the disclosure and public registration of political donations and collateral arrangements establishing partial public funding of election campaigns. The genesis of this initiative can be traced back to recommendations made in the Fitzgerald report.

The Fitzgerald report highlighted the fact that the motivation of persons making donations to political parties could well be that they expected in return favours to be granted by the Government or by Government bodies. In this regard, the report formally concluded that "while no finding of misconduct is made, there were other occasions when persons or organisations engaged in business with the Government or seeking business from it made substantial donations to its political party. There was no disclosure of that, and the attitudes and practices adopted allowed such donations to remain hidden".

Fitzgerald, in his relentless campaign against manifestations of corruption in this State, went on to observe that—

> "The possibility of improper favour being shown or being seen to have been shown by the Government to political donors must also be eliminated.
>
> There is a legitimate entitlement, ordinarily, to privacy in respect of membership of or loyalty to political organisations. It may be that, however, that private right should be subservient to the public interest in proper standards in public administration.
>
> Evidence before the commission indicates that there is an urgent need to consider establishing a public register of political donations. Lack of such a register has given rise to community suspicion and lack of confidence in the political process.
>
> The requirement for disclosure should extend far beyond those who because of their public positions, ought to disclose financial, political and any other relevant interests. Arguably, there should be disclosure of all donors, and the amounts they give. Alternatively all donations above a minimum sum could be disclosed."

Accordingly, Fitzgerald recommended that the Electoral and Administrative Review Commission, the establishment of which body was, of course, a fundamental recommendation in the Fitzgerald report, consider as a matter of priority the preparation of a report on issues relevant to the registration of political donations. As is well known, EARC picked up this recommendation and undertook the necessary investigative and consultative work, which culminated in the publication of its report in June 1992 titled "Report on Investigation of Public Registration of Political Donations, Public Funding of Election Campaigns and Related Issues". EARC recommended that candidates and political parties should be required to disclose political donations they have received.

The EARC report's arguments for and against this measure were well canvassed, and a wide variety of authorities were cited, including references to other commission of inquiry reports around Australia, for example, the New South Wales Independent Commission Against Crime (ICAC) whose commissioner at the time, Mr Ian Temby, QC, argued that all rights, including the right to confidentiality and privacy in people's affairs, cannot be absolute and that there is a competing public right to know what influences might be being brought to bear on public officials. The EARC report comprehensively developed the line that a disclosure regime is an effective weapon against the potential for corruption through secret political donations.

It is the fundamental philosophy of this Government, as it should be of all responsible persons in our political system, that every avenue which assists in minimising the potential for corruption in our public life should be fully explored. Subsequently, in conformity with the established procedures in these matters, the Parliamentary Committee for Electoral and Administrative Review considered the EARC

report and produced its own report in November 1993 on the same issue.

The EARC and PCEAR recommendations contained many similarities, although PCEAR recommended that, for administrative ease, Queensland should enact legislation based more closely on the relevant sections of the Commonwealth Electoral Act than is the case with the draft Bill which was contained in the EARC report. In passing, I should mention that this PCEAR recommendation has been largely followed.

One of the reasons for this approach is that it will minimise the burden on political parties who are already required to report to the Commonwealth on these matters. A similar system will assist them in their duties under the Queensland Act. I would submit, then, that a public disclosure and registration of political donations scheme is one which is well justified as a mechanism for addressing corruption in this and any other jurisdiction. If one agrees with that basic assertion, it is a logical step to progress to the acceptance of the other feature of this particular arrangement, namely, the public funding of election campaigns. In this regard, I would advert to the submission made by the Queensland Liberal Party to EARC in its review of this issue.

Much has been made of the fact that, if there is in place a system of disclosure and of public registration of political donations, the level of private donations can be expected to decline for various reasons. In this context, I would refer to the submission of the Liberal Party outlined at page 111 of the EARC report—

> "The reality of disclosure laws would mean a substantial reduction of money raised by political parties by way of donation.
>
> The disclosure requirements would impact unevenly across the political parties depending on the nature of their donor base.
>
> Accordingly, the Liberal Party takes the view that if disclosure of the sources of donations is introduced then public funding of election campaigns . . . must be introduced."

The Liberal Party submission then went on to describe this outcome as an "inescapable result of disclosure laws" but, in doing so, used it as another factor in arguing against a disclosure system. It is my view and the view of this Government that, as I have outlined before, disclosure laws are an absolute necessity in fighting corruption, and that being the case, a system of public funding of election campaigns unavoidably follows.

The Fitzgerald report was very strong on the point that a fair democratic system requires voters to be as fully informed as possible on the issues relevant to an election. It is incumbent on political parties to get their message across to voters to allow them to make an enlightened assessment of their relative strengths and weaknesses and thus to approach their task of voting in a thoughtful way. Such communication in an election campaign in this electronic age is extremely expensive.

As I mentioned earlier, this legislation in relation to the issues of public registration of political donations and public funding of election campaigns follows the Commonwealth model closely, which jurisdiction has had legislation of this nature in place since 1983. The amendments to the Commonwealth Electoral Act which were introduced into the House of Representatives on 9 November 1994 have been incorporated into this Bill. Those amendments, of course, seek to close off various loopholes that have arisen in the Commonwealth model, for example, with reference to donations being laundered through trusts and other mechanisms. On this point, I would like to pay a particular tribute to the Office of the Parliamentary Counsel and to the staff of my department, who worked extremely long hours to incorporate these amendments, which became available only at a very late stage in the developmental process of our legislation into this Bill. In support of this regime, I should also point out that, apart from the Commonwealth, analogous arrangements have been introduced in New South Wales as well as the United States of America and Canada.

The opportunity has also been taken to make a number of amendments, some of which are primarily of an administrative character, which will assist in enhancing the effectiveness and efficiency of the workings of the Electoral Act. These provisions encompass the following matters—

> the removal of an anomaly, whereby convicted prisoners who are under sentence for an offence punishable by imprisonment for less than five years and who are enrolled or who are entitled to be enrolled on the Commonwealth Electoral Roll, were unable to enrol for Queensland elections;
>
> the prohibition on names under which persons nominate as candidates which may be confusing, for example, a person who might change his or her name to Mr or Ms Labor Party;

it is understood that in the last Tasmanian State election in 1992, one such person sought to nominate as a candidate under the name "Informal";

Mr FitzGerald: I've been told to turn up informal.

Mr Beattie: Yes, but you're always informal.

Mr WELLS: When it came to a question of voting for the honourable member, I do not suppose that it would not make much difference which of those two names he wrote, the same outcome would follow—as the honourable member for Brisbane Central says.

The provisions also encompass the following matters—

the removal of a technical difficulty which prevented the registration of political parties under the names contained in their constitution if those names were longer than six words;

allowing for assistance to be given to electoral visitor voters who may need assistance in the same way that the Act presently allows for assistance to be given to electors at polling booths attempting to cast an ordinary vote and to persons seeking to cast a postal vote;

permitting ordinary votes at joint booths and at the Brisbane City Hall;

providing that electoral visitor voting is to be by way of ordinary voting;

allowing for greater flexibility in the presentation of how-to-vote material for the purposes of electoral visitor voting;

to remove an anomaly in the Act in situations where a school, for example, is designated as a polling booth and not particular buildings within the school complex, in which case party workers were required to stand outside the fence of the school complex—

An honourable member interjected.

Mr WELLS: That is right. As a result of this, people will not be required to stand outside the fence any more.

The provisions also encompass the following matters—

the widening of the prohibition on the display of certain badges and signs displaying political messages in a polling place to cover emblems and badges which may have any political connotation or relevance to the election being conducted; and

the removal of the requirement that unused and spoilt ballot papers and other unused material was required to be kept until the issue of the writ for the next general election.

Provisions for these matters will ensure that the Electoral Commission of Queensland will be able to administer the operations associated with the conduct of elections in a more efficient way.

I strongly urge honourable members of this House to consider the provisions of the Bill in great depth in order to discern the fundamental logic contained in them and to understand that the philosophy behind this Bill is a keen desire to ensure that electoral practices in this State are of the highest order, thereby protecting our democracy.

I commend the Bill to the House.

Debate, on motion of Mr Beanland, adjourned.

LAND BILL

Hon. G. N. SMITH (Townsville— Minister for Lands) (12.02 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to consolidate and amend the law relating to the administration and management of non-freehold land and deeds of grant in trust and the creation of freehold land, and for relate purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. G. N. SMITH (Townsville— Minister for Lands) (12.03 a.m.): I move—

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

This Bill seeks to repeal the existing Land Act 1962 and provide for the establishment and administration of a modern, streamlined land tenure and management system. A number of minor and consequential amendments of other Acts is also included.

The Bill will create a new era in land administration in Queensland, with a move away from the pioneering, closer settlement days appropriate to past years, to an era of consolidation, with the focus firmly placed on

land sustainability. This approach will mean our children's children will have a land resource worth inheriting.

The Bill makes this transition without decreasing the integrity of the Queensland leasehold system, and without decreasing the security of tenure that lessees, in particular those in the pastoral and grazing land, enjoy.

The Bill repeals a number of Acts, including some Acts written early this century or last century, and brings the tenures of those Acts within the one statute. These tenures include: non-local government public cemeteries; conditional deeds of grant issued to local governments for public purposes in the late 1800s and early 1900s; and the remaining miners' homesteads.

Miners' homesteads are leases and licences introduced in the early days of the colony of Queensland. The tenure permitted miners to take up residence on the goldfields, and later, over mining fields and in mining towns. Over the past three years the Government has actively embarked on a campaign to encourage the holders of miners' homesteads to apply for freehold title to their holdings. The campaign has been a success and the great majority of holders have applied for freehold title.

By re-writing the Act completely, many outmoded, duplicated or unnecessary practices have been eliminated. Changes include the ability to continue public utility easements when freehold land is surrendered and a reserve over the land is established, and an ability to sue for non-payment of rent instead of having to forfeit a lease.

In addition, an internal decision review mechanism has been included in the Bill, and many more decisions have been made appealable.

A property build-up focus has been achieved through a number of new initiatives. These include: provisions specifically relating to making parcels of land available for property build-up; the ability to allow a concessional rent to ensure that there is no disincentive to property build-up; and enabling parcels of land to be tied to other parcels to ensure that where the Government assists in providing land for property build-up, it is not at a later date inappropriately broken up again into small blocks.

While the current restriction against corporations holding grazing perpetual leases has been retained, the restriction of the 1962 Land Act against corporations holding "preferential pastoral holdings" has been removed.

The existing requirement to obtain a tree clearing permit continues, for land where the State owns the trees; however, the decision on whether to issue a permit will have an increased focus on natural resource management and potential environmental impact. Guidelines for considering whether a permit should or should not be issued will be developed locally, with community and industry input.

The maximum penalty for illegal tree clearing is still 400 penalty units, but it is my intention to review this penalty over the next year to determine whether or not it adequately reflects the impact that illegal tree clearing can have on the environment.

The process of developing this Bill, from the extremely complex 1962 Land Act, to the understandable Bill being introduced today, has taken over two years. I would like to take this opportunity to thank the members of my Land Use Consultative Committee who, as representatives of their organisations, have provided valuable advice and comment to officers of my department over those two years.

The Bill also contains, in the section on amendments to other Acts, three amendments to the Land Title Act that are of particular significance. The first amendment addresses matters relating to contracts of sale made prior to the commencement of the Land Title Act, but not due for settlement until 1997. The amendment will allow those contracts of sale that require a certificate of title to be read without that requirement. This will prevent purchasers from being able to use the non-production of a certificate of title as a way to escape the contract.

The second amendment provides for a settlement notice. This settlement notice will provide statutory protection for purchasers and financiers under a contract of sale, between the time of settlement and the time of the lodgement of documents with the Registrar of Titles.

The third amendment allows survey plans and related documents to be pre-examined by the Registrar of Titles, before the plan is sealed by the local government. The amendment will shorten the time between the registration of plans and documents, and the creation of the indefeasible title.

These changes have been made in consultation with legal, financial and other industry groups.

I commend the Bill to the House.

Debate, on motion of Mr Hobbs, adjourned.

NATIVE TITLE (QUEENSLAND) AMENDMENT BILL

Hon. G. N. SMITH (Townsville— Minister for Lands) (12.58 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Native Title (Queensland) Act 1993."

Motion agreed to.

First Reading

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

Second Reading

Hon. G. N. SMITH (Townsville— Minister for Lands) (12.59 a.m.): I move—

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

As honourable members would be aware, the Queensland Government has demonstrated a continuing commitment to the preservation of native title, on the one hand, and the need within the community for certainty in relation to land administration and resource management on the other. In this regard, the Native Title (Queensland) Act 1993 was enacted before the passage of the Commonwealth Native Title Act 1993 by the Commonwealth Parliament. With this Bill, the Queensland Government once again shows it considers native title an important issue for all Queenslanders.

Other States and Territories have addressed this issue in various ways. The New South Wales Government intends to commence its native title legislation shortly. In Victoria, legislation confirming land title has been passed but not proclaimed. The Tasmanian Parliament is considering validating legislation. The South Australian Government has legislation in a draft stage but is awaiting the result of its joint challenge with Western Australia in the High Court to the Commonwealth native title legislation.

In the Northern Territory validating legislation has commenced along with consequential amendments to other land management legislation. This brings the Territory into line with the Commonwealth legislation. Lastly, the Australian Capital Territory Legislative Assembly has recently passed and proclaimed legislation confirming land titles and Crown ownership of minerals.

The Queensland Government has continued to address the issue of native title. However, because the Queensland Native Title Act preceded the Commonwealth legislation, it is necessary to bring it into line with the Commonwealth Native Title Act 1993. This Bill achieves that aim. Further, it improves on some of those procedures. For example, the Queensland Bill states more explicitly the details to be included in claimant applications and at the same time conforms with the provisions of the Commonwealth Act. The Native Title (Queensland) Act 1993 has essentially been adopted in New South Wales in their Native Title (New South Wales) Act 1994. The only significant difference between these Acts is the New South Wales Legislature passed their Act after the Commonwealth Native Title Act 1993 was enacted.

This Bill has five objectives. Firstly, to amend the Native Title (Queensland) Act 1993 to reflect amendments made by the Senate to the Commonwealth Native Title Bill 1993. Secondly, to facilitate Commonwealth recognition of the Queensland Native Title Tribunal and so allow participation by Queensland in the national scheme established by the Commonwealth Native Title Act 1993. Thirdly, to clarify the meaning of certain minor technical matters in the Native Title (Queensland) Act 1993. Fourthly, to amend the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991 to simplify the operation of these Acts and to provide the most efficient means possible for the grant or transfer of land to Aboriginal or Torres Strait Islander people under these Acts. Finally, to clarify the meaning of certain technical provisions and to correct certain minor drafting errors in the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991.

I will now explain in more detail how these objectives are met by the Bill. The first objective of this Bill is to amend the Native Title (Queensland) Act 1993 to reflect amendments made by the Senate to the Commonwealth Native Title Bill 1993. These amendments are contained in Schedule 1. The Commonwealth Native Title Act 1993 received royal assent on 24 December 1993. The Native Title (Queensland) Act 1993 was drafted in the same form as the Commonwealth Native Title Bill 1993 as introduced into the House of Representatives on 16 November 1993. The State Act was enacted to enable Queensland to participate in the national scheme proposed by the Commonwealth Act. However, this Bill also makes it clear the Native Title (Queensland) Act 1993 provides the State with jurisdictional responsibility for land management processes within Queensland. This responsibility is not affected by the Commonwealth Native Title Act 1993.

As a result of amendments made in the Senate to the Commonwealth Native Title Bill 1993, there are now discrepancies between the

Commonwealth Native Title Act 1993 and the Native Title (Queensland) Act 1993. It was always acknowledged amendments to the Queensland Native Title Act might be necessary should the Commonwealth Bill be amended in the Senate.

The second objective of this Bill is to facilitate Commonwealth recognition of the Queensland Native Title Tribunal and so allow participation by Queensland in the national scheme established by the Commonwealth Native Title Act 1993. The Commonwealth Minister may determine a court, office, tribunal or body is a "recognised State/Territory body" under the Native Title Act 1993 provided that body meets certain criteria. The Commonwealth Act specifically provides for the States and Territories to propose their own tribunals and arrangements to determine native title claims and to decide whether proposed grants affecting native title may be made.

In the second-reading speech for the Commonwealth Native Title Act 1993, the Prime Minister said and I quote—

> "In regard to decisions on land use, where we have recognised State and Territory processes the Commonwealth will step back. State bodies, not the Commonwealth tribunal, will decide whether grants should proceed."

When proclaimed, section 19 of the Act will establish the Queensland Native Title Tribunal. Under the Native Title (Queensland) Act 1993, the Queensland Native Title Tribunal is intended to perform the same functions as the national Native Title Tribunal and the Federal Court under the Native Title Act 1993, and to operate in essentially the same manner as those bodies under that Act.

It is clear from the second-reading speech of the Native Title (Queensland) Bill the policy intention of the Bill was the Native Title (Queensland) Act 1993 would not simply result in the enactment of the Commonwealth legislation in Queensland. Rather, the Native Title (Queensland) Act 1993 operates in conjunction with the Commonwealth Native Title Act 1993.

The amendments now before the Parliament will enable the Queensland Native Title Tribunal to be recognised by the Commonwealth Government for the purposes of the Native Title Act 1993. The Bill also brings the operating procedures for the Queensland Native Title Tribunal into line with those of the national Native Title Tribunal, specifically in relation to—

> the manner in which appeals from the Queensland Native Title Tribunal are heard;
>
> making approved determinations on the existence of native title; and
>
> dealing with compensation moneys held in trust.

The third objective of the Bill is to clarify the meaning of certain provisions of the Act and to correct certain definitions and drafting errors. These amendments are contained in Schedule 2 of the Bill. For example, subsection 155 (3) refers to "chapter" where it should refer to "part". Importantly, the Bill is also intended to provide certainty for all Queenslanders about the effect of valid past extinguishments of native title.

The Bill proposes a new section for, and an amendment to the preamble of, the Native Title (Queensland) Act 1993 to provide certainty about the extinguishment of native title by valid past Acts. The section and the preamble will declare native title was extinguished by previous Acts which were inconsistent with the continued existence, enjoyment or exercise of native title rights and interests. Of particular importance with regard to the new provision is the position of pastoral leases. In Queensland, pastoral leases operate to extinguish native title. The provision would declare the State Government's understanding of the effect of pastoral leases on native title but would not in any way interfere with any person's rights. The Queensland Government has taken this position for a number of reasons. First, the Queensland Government has been advised that under the common law the issue of a valid pastoral lease in the past extinguished native title. Among other reasons, Justice Brennan, with whom Chief Justice Mason and Justice McHugh agreed, indicated in the High Court case of Mabo v. State of Queensland native title is extinguished by the valid grant of a leasehold estate. Justice Dawson took a similar view and Justices Deane and Gaudron held that native title is extinguished by a lease conferring exclusive possession.

Further, in the High Court case of Coe v. the Commonwealth, Chief Justice Mason stated that, in relation to a claim to native title over land which was subject to leases under the New South Wales Western Lands Act 1901, the plaintiff's claim to native title and I quote "meets a formidable obstacle". These judicial views are reflected in the Bill. Secondly, the policy development process behind the Commonwealth Native Title Act 1993 was predicated on the basis native title was extinguished by the grant of a valid pastoral lease.The preamble to the Commonwealth Native Title Act 1993 states native title is extinguished by valid Government Acts that are inconsistent with the continued existence of

native title rights and interests, such as the grant of freehold or leasehold estates.

The Native Title Act 1993 contemplates native title is extinguished by the grant of a pastoral lease. In that regard, particular attention should be paid to section 47 of the Native Title Act 1993, which provides for the revival of native title over pastoral leases which are purchased by Aboriginal and Torres Strait Islander peoples where they can show a continuing connection to the land. In other words, it acknowledges valid pastoral leases are inconsistent with the continued existence of native title.

The Prime Minister's second-reading speech drew attention to the preamble of the Native Title Bill 1993 and the Commonwealth Government's view that under the common law past valid freehold and leasehold grants extinguish native title. He stated that and I quote—

> "There is therefore no obstacle or hindrance to the renewal of pastoral leases in the future, whether validated or already valid."

Thirdly, the inclusion of the contemplated amendment would provide a clear statement of the law and so would give certainty about an issue of concern to many in the community. It will also enable the Queensland Government to proceed to deal with confidence in land which was, or had been, the subject of a valid pastoral lease, whether it be to allow mining on a pastoral lease or to allow the subdivision of a lease for other purposes.

This amendment would also enable any dealings in land which would otherwise be of benefit to Aboriginal or Torres Strait Islander peoples to proceed with confidence. In Queensland, land is made available for transfer and for claim under the provisions of the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991. Land can also be made available to Aboriginal and Torres Strait Islander people under the Land Act 1962. Land dealt with by those processes includes land formerly comprised within pastoral leases. Certainty about the effect of valid pastoral leases on native title will assist the Queensland Government to make such land available to Aboriginal and Torres Strait Islander people.

Finally, this amendment is consistent with the approach of the national Native Title Tribunal. It has recently issued guidelines indicating it will not accept native title claims over pastoral leases which do not contain reservations for the benefit of Aboriginal or Torres Strait Islander people. In fact, no existing Queensland pastoral leases contain reservations for the benefit of Aboriginal or Torres Strait Islander people.

I would like now to turn briefly to those two objectives of the Bill which concern the Aboriginal Land Act and the Torres Strait Islander Land Act. You will recall, Mr Speaker, the fourth objective of the Bill is to amend these Acts to ensure what is already a useful means for granting or transferring land to Aboriginal or Torres Strait Islander people is made even more effective and efficient.

As most honourable members will be aware, the Aboriginal Land Act and the Torres Strait Islander Land Act enable certain lands to be claimed by Aboriginal or Torres Strait Islander people respectively. I am referring here to those areas of vacant Crown land and national park the Governor in Council declares to be available for claim. If claims are proven before a land tribunal, these lands are granted to the successful claimants.

In addition, certain other lands, largely the existing Aboriginal and Torres Strait Islander deeds of grant in trust and reserves, may be transferred to Aboriginal or Torres Strait Islander people without a claim being made. I am pleased to report these measures are working well. Title to approximately 100 000 hectares of land has already been provided under these Acts.

Honourable members, notwithstanding its operation to date, it is my intention to streamline and simplify certain provisions of these Acts and so better provide for the grant or transfer of land to Aboriginal or Torres Strait Islander people. For example, I would like to speak briefly about that part of the process relating to the appointment of trustees of lands to be provided to Aboriginal and Torres Strait Islander people.

I am committed to ensuring the processes of consultation that occur prior to the appointment of trustees are effective and efficient. I am also committed to ensure they meet the administrative needs of Government as well as considering the needs and wishes of Aboriginal and Torres Strait Islander people. Several of the amendments put forward in this Bill will ensure this occurs.

Other important amendments focus on how land may be provided to Aboriginal or Torres Strait Islander people. These amendments will allow small areas of claimable or transferable land adjacent to land which has already been granted or transferred to Aboriginal or Torres Strait Islander people to be included in their existing deed or lease. This may provide considerable savings to Government by avoiding the need for additional claims or transfer processes at extra cost.

The final objective of the Bill is to clarify the meaning of certain technical provisions and to correct certain minor drafting errors in the Aboriginal Land Act and the Torres Strait Islander Land Act. The amendments proposed here include the deletion of references to repealed legislation and the clarification of the meaning of certain existing provisions.

Honourable members will be aware of the recent challenge by the Western Australian and South Australian Governments in the High Court of Australia to the Commonwealth Native Title Act 1993. The High Court is not likely to hand down a judgment until next year when it will also rule on challenges raised by Aboriginal people to the Western Australian Land (Titles and Traditional Usage) Act 1993.

A ruling against the Western Australian Government would confirm the position of the Commonwealth and Queensland Governments in respect of native title. However, a ruling in favour of the Western Australian Government may require significant changes to the Commonwealth's Native Title Act 1993. This would, of course, have a significant effect on the Queensland legislation but this is not considered to be the most likely outcome. However, if it becomes necessary, the Queensland Government will introduce appropriate legislation.

In summary, the Queensland Government has demonstrated a continuing commitment to the recognition and protection of native title together with the need in the community for certainty in relation to land administration and resource management issues. To that effect, this Bill will—

bring the Native Title (Queensland) Act 1993 into line with the Commonwealth Native Title Act 1993;

facilitate Commonwealth recognition of the Queensland Native Title Tribunal;

clarify the meaning of certain minor technical matters in the Native Title (Queensland) Act 1993, the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991; and

simplify the operation of the Aboriginal Land Act 1991 and the Torres Strait Islander Land Act 1991.

I commend the Bill to the House.

Debate, on motion of Mr Hobbs, adjourned.

CITY OF GOLD COAST (HARBOUR TOWN ZONING) AMENDMENT BILL

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (12.27 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the City of Gold Coast (Harbour Town Zoning) Act 1990."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (12.28 a.m.): The City of Gold Coast (Harbour Town Zoning) Amendment Bill 1994 will facilitate the staged development of a regional shopping centre having a retail floor space of not less than 45 000 square metres and not more than 50 000 square metres on what is generally referred to as the Harbour Town site.

The Bill will also enable the Harbour Town land, which comprises an area of approximately 80 hectares, to be lawfully used for a range of other uses which are set out in Schedule 2 of the Bill, provided the town planning consent of the Gold Coast City Council is first obtained.

The first stage of the regional shopping centre, the construction of which is likely to commence early in 1995, must have a retail floor space of not less than 30 000 square metres and contain certain retail facilities which are set out in the Bill. It is anticipated that approximately $70m will be spent on construction of the first stage of the shopping centre and 600 tradespeople will be employed during this phase of the development. In addition, when opened, the first stage of the centre will provide approximately 1 500 direct and indirect jobs of a permanent nature.

This area of the Gold Coast is presently undergoing substantial urban development and a demand exists for the provision of further retail and service facilities. This fact is reflected in the Gold Coast Council's strategic plan which designates the Harbour Town land as being the preferred site for a future regional centre.

Turning to the Bill itself, it will be noted that the Harbour Town land is to be included in the special facility zone of the Gold Coast planning scheme on and from 11 February 1994. Under this zone the land will be capable of being

developed in stages for a regional shopping centre of a prescribed size and containing certain retail facilities. A range of other uses will also be possible provided the prior town planning consent of the council is obtained.

The Bill also enables the council to impose reasonable and relevant conditions on the development of the regional shopping centre or on the development of any stage. As is the case with any major development, the council and the developer must enter into an agreement which contains the conditions imposed. This will ensure that the conditions are ultimately complied with by the developer.

Since the City of Gold Coast (Harbour Town Zoning) Act came into force in 1990, the council has issued a number of town planning consent permits to the developer. In all respects these consent permits have been validly issued and the Bill ensures they remain so.

I commend the Bill to the House.

Debate, on motion of Fitzgerald, adjourned.

ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (12.30 a.m.): I move—

"That the House do now adjourn."

Dr L. Kelly

Mr COOPER (Crows Nest) (12.30 a.m.): I rise today to bring to the attention of this House a matter of considerable concern that warrants the attention of those present here. The efficient and effective administration of justice in this State is of great concern to all of us as parliamentarians. Such a particular course of events in regard to the efficient and effective administration of justice occurred on the Pacific Highway north of the Logan River Bridge at approximately 4.30 p.m. on 4 June 1993. Such a course of events needs to be fully rehearsed here.

Dr Langton Patrick Kelly, 62 years of age, a practising medical practitioner with his own surgery at Coolangatta, was returning home to Brisbane in a northerly direction on the right-hand lane of the Pacific Highway on 4 June 1993. This was a normal event for Dr Kelly, who had travelled the same route many previous times. Traffic was rather heavy on the highway at this time as he crossed the Logan River Bridge.

At this stage, Dr Kelly, as is his normal practice, looked into his rear-vision mirror. He observed a large truck immediately behind him, and apparently not more than a foot behind the rear of his vehicle. Dr Kelly continued across the Logan River Bridge doing the speed limit, with the truck continuing not more than approximately a foot behind his vehicle. The truck continued to tailgate Dr Kelly's vehicle as he came off the bridge. A small space appeared in the left-hand lane.

At this stage, Dr Kelly again looked in his rear-vision mirror to observe that the driver of the truck had activated his left-hand indicator and had started to execute his aggressive push into the left-hand lane. The truck was now in the left-hand lane and was accelerating past Dr Kelly's vehicle. Dr Kelly crouched down in the driver's seat to enable him to see who the driver of the truck was. Dr Kelly recalls the description of the driver. Dr Kelly observed the driver of the truck look out of the window, look down at the front of the bonnet of Dr Kelly's car, put the truck's indicator on, and begin to swerve into the right-hand lane in front of Dr Kelly's car—and all of this in one move.

Dr Kelly had to immediately apply the brakes of his vehicle and take evasive action to avoid a collision with the truck. If Dr Kelly had not taken such evasive action, his vehicle would have crashed into the centre of the truck. Dr Kelly's vehicle ran off the road and onto the median strip. Dr Kelly's vehicle became airborne as it left the road and impacted with a tree in the gully over the median strip.

The truck that was the cause of this incident did not stop. Several passing vehicles then stopped at the scene of the accident. One of the witnesses to this incident identified himself to Dr Kelly as an off-duty police officer. At this time, the registration number of the truck was supplied to Dr Kelly by one of the witnesses. Dr Kelly and the witnesses provided complete statements to the police at the scene of the accident. The statements obtained by the police clearly identified the offending vehicle through the registration number, and Dr Kelly expected that the ensuing police investigation would clearly identify the driver of the offending vehicle.

Dr Kelly was transferred to the Logan Hospital, where he was diagnosed as suffering from a fractured sternum. He elected to go to the Mater Private Intensive Care, where an injection for acute pain was administered. Later that evening, he suffered a cardiac arrest and was immediately transferred to the Intensive Care Unit of the Chermside Chest Hospital, as there was a possibility of damage to his heart and the major blood vessels in the chest. Dr Kelly spent some 10 days under observation in hospital. The matter finally came to be heard in the Beenleigh Magistrates Court on 13 December 1993.

Dr Kelly, all of the witnesses and Dr Kelly's medical doctor were all in attendance at this time for the matter to be heard. At this time, Dr Kelly was informed that the driver of the offending vehicle could not be established. I wish to bring to the attention of the House that the driver of the offending vehicle could have been established through a simple course of inquiries through the transport company to which the vehicle was registered. It is reported that police had contacted the transport company involved and such advice from the transport company had established the driver of this particular truck at the time in question. Further similar fundamental inquiries by Dr Kelly's appointed legal counsel with the transport company also managed to establish the driver of this particular truck at the time of the incident.

Dr Kelly was further informed at the Beenleigh Courthouse that the alleged driver had told the police prosecutor that he was not the driver of the truck. From the alleged driver's advice to the prosecutor, it was determined that there was insufficient evidence to proceed with the case. That was despite Dr Kelly being able to recognise the driver of the truck, and sworn statements from several witnesses which positively identified the truck as that operated by a particular transport company. All this, together with inquiries with the transport company that clearly identified the company employee as the driver of the truck at the time of the incident!

Something has gone wrong. An elementary investigation has failed, and failed miserably. The alleged driver was a contract driver for the transport firm, with such firm holding job sheets which detail the whereabouts of the truck and the driver of the truck. A very basic investigation should have been undertaken at the commencement of this matter to ascertain precisely who the driver of the truck was. The investigation was a poor attempt at the efficient and effective administration of justice. It seems that there was nothing that could put the alleged driver at the scene of the accident.

Unfortunately, the prosecutor works on what evidence has been prepared. Dr Kelly was naturally shocked and dismayed at this course of events, as this incident had nearly cost him his life. Dr Kelly rightly complained to the CJC. On this particular occasion, it was determined by the commission that it was only an allegation of misconduct of a minor nature, and it was subsequently referred to the Commissioner of the Police Service for investigation. Subsequent to Dr Kelly's complaint to the CJC, the case was relisted for 1 June 1994 at the Beenleigh Magistrates Court.

Time expired.

Bunya Park Sanctuary

Mrs WOODGATE (Kurwongbah) (12.35 a.m.): Last evening in this House, the member for Clayfield spoke about a proposed development of Bunya Park Sanctuary in my electorate, and on information obviously supplied to him by one Councillor Graeme Ashworth. He subjected this House to a conglomeration of half-truths, blatant untruths and just plain rubbish. In short, this is just what we on this side of the House have come to expect from "buckets"—that is his nickname—the member for Clayfield opposite.

For the benefit of honourable members, I would like to set the record straight. It came to my notice that Bunya Park was to be developed for a housing development. So upon hearing this, I immediately contacted the Minister for Lands, Geoff Smith, and requested that departmental officers inspect the site to see whether it met the criteria for acquisition under ROSS. The officers duly did so, inspected the site and reported to the Minister. I was advised that, with the exception of the river frontage, the land was not of any regional significance and was of local significance only and, in short, did not meet the ROSS criteria.

I might point out that this inspection took place before the initial public meeting called by Councillor Ashworth to gauge public opinion on whether to develop or not. It was evident from the plan that the developers had lodged with council that the river frontage was to be protected and would not be developed, even though the member for Clayfield last night said that houses would be built on the river bank and so on. All of his claims are just blatantly untrue.

In particular, what is evident is that it is clearly a matter to be decided by the Pine Rivers Shire Council. It is a town planning matter which the town planning committee has to decide. It is nothing to do with the State Government. It is completely up to the council whether it allows the subdivision to proceed with or without changes.

Let us get one thing clear. This State Government does not interfere in local government matters, an election promise made by the then Goss Opposition in 1989. I might add that it was a promise that was welcomed by all local authorities Statewide at that time. The land in question does not have regional significance but is of local significance only, as is evidenced by the falling numbers of visitors to the sanctuary over the past years. The State Government is quite satisfied that the river frontage will be protected if the development goes ahead. The large trees will stay. I understand that the lake will stay, too. The member for Clayfield claimed that

the lake would be destroyed, that significant trees would be removed, that buildings would be demolished and that houses would be constructed along the river bank. We must have been looking at different plans.

I have explained this situation to Councillor Ashworth, who rang me to discuss the matter, and also to various other callers to my office, most of whom accepted this. I completely reject the premise that I do not support the local community. I believe it is taking the easy way out to agree with everything and anything that people want. For anything that people put forward, it is easy to say, "Yes, I agree with you." Councillor Ashworth and the member for Clayfield may learn with experience that this is not always possible. It is more responsible to be honest and to tell them the truth up front.

Governments do not set criteria, particularly this Government, for funding under certain schemes such as ROSS and then completely ignore the facts to win a few friends and a few votes. I do not operate that way. I take exception to the fact that the member for Clayfield said that, with an election pending in the next 12 months, I should be listening to the community's views. I do listen to the community's views, but you do not overturn criteria and say, "Here is $2m. Just go and buy some land to save it from being developed."

The ROSS was never intended to be used as a tool for State Governments to purchase land that local authorities and local people do not want developed. They are just using the State Government and hiding behind the skirts of this Government to save them making a decision. Whether it is developed or knocked back, is up to them. They can say, "No." They can approve the subdivision with or without changes. If they say, "No", the developer may take them to court. Then we will let the courts decide. In short, it is their decision. It is not up to us.

Councillor Ashworth will be better advised to stop trying to score brownie points at the expense of a fiscally responsible State Government and get on with the job of assessing the pros and cons of the proposed subdivision, as I suggested to him when he rang my office. I repeat: it is a matter fairly and squarely for the Pine Rivers Shire Council to determine.

The land has been identified by officers, not political officers—and we have been accused on this side of playing politics. Councillor Ashworth stood against me as the Liberal candidate in the last election. I do not think that he has got over it yet that he is not sitting here and that I am. It is of local significance. Let the council give consideration to purchasing the land in its own right if it wants to do the right thing by the constituents.

I await with interest the council's decision in this matter. I completely reject the slurs of the member for Clayfield that the Minister for Lands and myself are politically motivated because, as the member for Clayfield incorrectly claims, we have intervened. He has been political. The fact that ex-National Party Minister is the mayor of the shire has nothing to do with anything.

Time expired.

Know Your Rights at School

Mr LAMING (Mooloolah)(12.41 a.m.): I rise to speak in this Adjournment debate regarding concerns that I hold about a kit which is supposed to be distributed throughout schools in Australia. It is titled *Know Your Rights at School*. Evidently, this kit is based on the Convention on the Rights of Children, called CROC for short. I understand that it is being distributed by the National Children's and Youth Law Centre in Canberra.

The kit purports to tell children what their rights are if they get into trouble at school. It claims that CROC gives special rights to children in education. Although it says that children must obey reasonable school rules, it is not explicit as to who should interpret what "reasonable" means. It advises children, for instance, that they do not have to go to their neighbourhood school if they would rather go to another school. Mr Speaker, you can imagine the problem that this would cause for parents if a child came home from school after having a disagreement with another student or perhaps a teacher and insisted on going to an alternative school.

The kit then goes on to tell youngsters that if they do not want to go to school at all they should talk to their parents about home schooling. Once again, what a shock to parents to be confronted by such a request if both are working and are not able to provide this or do not have the skills and training to provide such schooling. Moving through the document, it claims that ministers or religious teachers cannot leave leaflets at the school, but this Know Your Rights kit can be left at the school. One wonders which could do the most damage to children's values.

CROC claims to ban discrimination against anyone under 18 because of their age. One wonders, once again, how young readers will interpret this in relation to driving cars or being on licensed premises. Is this an appropriate message? The kit advises children that they may be allowed to wear a badge with a political message. I doubt if this particular right would

extend to teachers or visiting parents at the school. It then goes on to indicate to children that if they suffer discrimination they should immediately go to their teacher or the principal and, if they are not satisfied with the redress they get from that quarter, they should go to the Anti-Discrimination Commission. One wonders why the kit overlooked suggesting that the children might like to speak to their parents on such matters. One area that has caused concern to the Teachers Union is that the kit claims that teachers have no right to search a student's bag. This is still the case even if the parent of the child has given permission. One wonders what the outcome of this would be in schools where liquor, drugs and perhaps even weapons could be a problem.

The next mischievous section I would like to relate is that the kit tells children that they are not breaking the law if they do not go to school at all but that their parents are. I wonder if this is an appropriate message— even though technically true—to give to young people who might be tempted to inflict some hurt on their parents. The following question in the kit asks, "What if the student misses out on a lot of school?" The answer given to that is that their parents can be taken to court. There is no advice as to the effect on their life and their career in the future that might be a more serious outcome from losing a lot of time at school. Then there is some more advice. If the student hates going to school, they are advised once again to talk to their counsellor or their teacher. Once again, there is no mention of talking to their parents about this problem.

I have spoken to several principals regarding the kit titled *Know Your Rights at School*, and there has been a great deal of concern expressed at its very existence, let alone any chance that it might be distributed in their schools. I would like to table an article from *Education Views* of 10 June this year titled "Concern Over Controversial New Rights Kit". In it, Queensland Teachers Union officials are quoted as being concerned that these kits could lead to discipline problems in schools, and I would agree with that assessment.

I wrote to the Minister on 30 June this year asking whether the Minister's approval was given for the distribution to be conducted in Queensland. The Minister responded that, as with any organisation, the National Children's and Youth Law Centre has the right to distribute material to State schools in Queensland and that how each school responds to the kit will, however, be a matter left to the discretion of the principal in consultation with the members of the school community.

The question I raise is whether the Education Department through the Minister should be taking a more pro-active role in deciding what should or should not be distributed in schools. After all, many areas of policy are dictated by the Minister, and rightly so. The Know Your Rights kit appears to me to be anti-parents and anti-teachers. The concern that I have with it is, unfortunately, exceeded by the same organisation's latest disgraceful submission for $5.6m in Federal funding to encourage children to become plaintiffs in court against public authorities and, I predict, against their own parents. I table an article on that matter that appeared in the *Courier-Mail*. I wonder what will be next!

Law and Order Initiatives, Kowanyama

Mr BREDHAUER (Cook) (12.45 a.m.): Last week, the Minister for Justice and Attorney-General and Minister for the Arts and I travelled to the community of Kowanyama in the Gulf of Carpentaria to perform an important task in the history of the Kowanyama community. We travelled there to present certificates to 10 of the first people in the State who had qualified as Justices of the Peace (Magistrates Court).

There has been a strong move in Kowanyama to have people within their community become qualified as justices of the peace. Those 10 people have now undertaken the course and sat the examination and are at the highest level possible under the appropriate legislation— Justices of the Peace (Magistrates Court). Such measures are important in Aboriginal communities such as Kowanyama, because those councils have their own by-laws and they have local courts which can be presided over by justices of the peace. From time to time, those people who have qualified will be called upon. Ten sounds like a significant number, but from time to time people are out of town or out of the community camping, fishing or whatever, and that is why it is important to have that number. We presented the awards to Thomas Hudson, Frenchie Jimmy, Robin Native, Irene Major, Priscilla Major, Shenane Jago, Gehemat Loban, Gordon Gertz, Ernie Redgrave and Dellis Gledhill.

As well as having the Justices of the Peace (Magistrates Court), the Kowanyama community has also established what it calls the Kowanyama justice council. That has been activated by a genuine desire in the community of Kowanyama to do something about improving in their own community law and order and justice issues. They have decided that it is not good enough for them as a community to sit back and wait for State Government organisations such as the Police

Service or the Department of Family Services and Aboriginal and Islander Affairs to solve their problems for them. They have sought to take into their own hands a community approach to law and order and justice issues in Kowanyama.

The justice council is representative of the three major tribes: the Kunjun people, including Nelson Brumby, Judy Brumby, Alma Wason, Colin Lawrence, Myrtle Luke and George Lawrence; the Kokko Berra tribe, including Banjo Patterson, Barbara Major, Priscilla Major, Lewis Anthony, Doris Gilbert and Maurice David; and the Kokko Menjen group, represented by Thomas Bruce, Rebecca Kitchener, Fanny Bruce, Ezra Michael, Evelyn Josiah and Earnest Teddy.

Those people are elders of their respective clans in Kowanyama, and essentially they are attempting to restore in Kowanyama a respect for the traditional Aboriginal relationship of discipline and law between the elders and the younger people in the community and to make people understand that they have to respect the law and to make the law appear relevant to the people in Kowanyama. They have been very successful in that aim. They have been well supported by the Kowanyama council under Chair, Darby Horace, and also the new clerk, Bobbie Sands.

One of the obvious manifestations of the success of this scheme in Kowanyama has been the fact that over the past nine months they have not had one juvenile offender appear in their court on juvenile justice related matters. This followed a situation up until March this year in which they had numerous and serious offenders among their juveniles. However, over the past nine months, thanks to the work of the community, the community justice council and people such as their Justices of the Peace (Magistrates Court), they have been able to eliminate problems of juvenile justice in that community.

The front page of the *Cairns Post* of Saturday, 12 November carried a terrific story. The community sought to reward some of the children who had created problems in the past but who had been on their best behaviour for a period of nine months by taking them on a tour. I commend the inspector in charge of the Weipa subdistrict, Garry Harland, and Constable Bill Hiscox of the Kowanyama police. They have been working closely with the community. They would like to see this scheme transfer across to other communities. I have nothing but praise for the Kowanyama community and particularly for Gordon Gertz. I also commend the *Cairns Post* for running that positive story.

Time expired.

Brisbane-Gold Coast Rail Project

Mr JOHNSON (Gregory) (12.51 a.m.): Tonight, I rise on a very serious matter which could well involve a scandal over works being carried out on the Brisbane-Gold Coast rail project. I question the intent and actions of the contractor involved, Watpac, and its shabby dealings with a subcontractor, Roy Davis Contracting, who is left with $1.49m owing, $800,000 of which is due to 30 subcontractors for Davis Contracting.

When one studies the details of the sorry, sordid deal, one wonders where the Queensland Rail inspectors were working and how they missed it all, particularly what could be termed the fraudulent practices and cover-up, including illegal selling off site.

Questions have also arisen from skilled observers about whether the contractors, Watpac—skilled in construction but not railway works—have the expertise to build works which can even take the strength of a train—in this instance, passenger trains. I am calling now for the Transport Minister to intervene and order an immediate inquiry to explain some very dubious activities and why some former employees of Watpac are terrified of blowing the whistle.

Last October, the subcontracting firm of Roy Davis Contracting began earth and drainage works on the Ormeau and Coomera sections of the rail line. Payments have continued to Roy Davis Contracting since October last year, but on 12 October last, Davis Contracting was informed that its contracts were being terminated on the flimsy excuse that they were incompetent and behind schedule.

I have been informed that, walking along some of the track and looking at the total mess now in evidence, Roy Davis Contracting is humiliated by the disaster which has occurred since they have been moved off the site. One comment made by an executive of Watpac to Queensland Rail engineers was, "Davis does not operate here any more, he has sent himself bankrupt through poor business management." Yet what do we find there now after Davis has been moved out? The sites are overstocked with equipment brought in to replace the trim, efficient Davis work force. Fill material is strewn over finished product; there is no evidence of compacting on some major filling areas, while giant sheepfoot rollers are being used to compact retaining wall backfill with no moisture being included. Crowds of trucks are waiting in line for removal of spoil which Watpac is illegally selling off site.

Watpac is operating on every kilometre of the three contracts, with no supervisors, save the one chief foreman, which is an impossible

task. Watpac is aware that, given time, it can completely cover, confuse and eliminate any sign of Davis' occupation of the site, hence the frantic, undersupervised flood of manpower, equipment and materials. It obviously planned this operation way back in March by attempting to run Davis Contracting as an arm of its own organisation. As it slowly slipped behind its own construction program through poor management and it started losing money, it set Roy Davis Contracting up as the sacrificial lamb, taking the profit from the earthworks to fund sadly lacking construction coffers.

Work is way behind schedule. Instead of a November finish, I understand they will be lucky to be out of it by February. The Roy Davis people inform me that they would have finished on time. In the meantime, several executives involved in initial negotiations and supervision, and employed by Watpac, have left the company. One of them, who is terrified to even open his mouth, has gone into hiding. The impression they have given is that Watpac wanted Davis out of the job by any means available.

I should add that I have repeatedly tried to contact Queensland Rail executives, but to no avail. This is the same treatment that has been meted out to the Davis group. It is struggling to survive without the money due to it. The answer to the problem, intervention, lies squarely at the feet of the Transport Minister, David Hamill.

Remembrance Day

Mr BARTON (Waterford) (12.56 a.m.): Last Friday, 11 November, was Remembrance Day. At Beenleigh, in common with most Australian cities and towns, there was a moving ceremony to remember those who paid the supreme sacrifice so that the rest of us might live in peace. In conflicts from the Boer War to Vietnam, over 100 000 Australians lost their lives. Beenleigh had a second ceremony last Friday. It was conducted by the Minister for Veterans' Affairs, Con Sciacca, to launch the national program to refurbish Australia's war memorials. Beenleigh's memorial, which is cherished by the community, is the first to be refurbished, enhanced and moved to a more appropriate location.

In common with everybody who participated in ceremonies on Friday last, I reflected on the importance of peace and visits to locations that I have taken in recent years which demonstrated the ferocity and futility of war and certainly had an overwhelming impact on me and my views on the issue of peace and the sacrifices that people have made. Those visits include a visit to the Peace Park at Hiroshima, where I stood in front of the dome that appears in most photographs. I stood at the statue dedicated to the thousands of school children who were billeted at Hiroshima, away from the dangers of Tokyo, and who lost their lives in that blast.

I stood in front of the memorial to Sadako, the schoolgirl who became a symbol of the loss of life in Hiroshima and who made the paper cranes and fell just short of the number that was supposedly needed to ensure that she entered heaven. Every day, thousands of school children come to Sadako's memorial and leave hundreds of thousands of paper cranes there still as part of their tribute to what occurred in Japan.

I stood at the mass graves at St Petersburg, where 750 000 victims of the siege of Leningrad are buried in mass graves in an area the size of Lang Park. It is now an area of beautiful gardens, but the enormity of just how many people are buried there and how many lost their lives in that siege overwhelmed me.

I have also visited Sachsenhausen concentration camp, near Berlin, where hundreds of thousands of people, mainly German dissidents, were executed. It is also where the SS perfected the system of gas chamber and large scale crematorium technology. That is an absolutely haunting and ugly place, but it stands at the end of a beautifully treed road leading out of a traditional German village. It is a place where one's skin literally crawls when one looks at the remains of the gas chambers and the overall area of the concentration camp.

I have also stood at the remains of the village of Oak Tree, a small village in Belorussia, where every woman, man and child of the village was executed in World War II. At each location one cannot help but stand there with the tears running down one's face while one thinks about the enormity of what has occurred.

The most moving moment that I had was a discussion with an old man, the owner of Ben's, the most famous delicatessen in Montreal. When I was there, he picked me as an Aussie and told me about the Australian fliers from World War II who received at least their theoretical flight training at a building across the road from that delicatessen. They used to use Ben's as their eating, drinking and partying location while they were in Canada. All of them promised old Ben that they would return one day because they loved the location so much. He said to me quietly—and he had the tears welling in his eyes—that some of them still come back. He said that some of them come back one at a time, but comrades had advised him that most of their friends had lost their lives in the war in Europe.

All of us must do all in our power to ensure that those horrendous war experiences are never repeated. Australia, as a small nation, paid a disproportionate price in the lives of young women and men. We must never forget that and what they did for us.

Motion agreed to.

The House adjourned at 1 a.m. (Thursday).