THURSDAY, 24 NOVEMBER 1994

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 10 a.m.

AUDITOR-GENERAL'S REPORT

Mr SPEAKER: Order! Honourable members, I have to advise the House that today I received from the Auditor-General the first report on audits performed for 1993-94.

PETITIONS

The Clerk announced the receipt of the following petitions—

Subcontractors and Suppliers

From **Mr Hamill** (60 signatories) praying that the Parliament of Queensland will (a) protect the rights of subcontractors and suppliers by amending the Legal Aid Act; (b) establish an insurance fund to guarantee full payment for goods and services; and (c) amend the Companies Act which shields directors from litigation.

Department of Family Services and Aboriginal and Islander Affairs

From **Mr Pearce** (9 signatories) praying that immediate steps be taken to fill all vacancies in the Protective Services and Juvenile Justice Division of the Department of Family Services and Aboriginal and Islander Affairs.

Petitions received.

PAPERS

The following papers were laid on the table—

(a) Minister for Police and Minister for Corrective Services (Mr Braddy)—

Annual Reports for 1993-94—

Queensland Police Service

Queensland Corrective Services

Queensland Police Service—Statistical Review 1993-94

(b) Minister for Justice and Attorney-General and Minister for the Arts (Mr Wells)—

Payments made to Barristers and Solicitors by the Government—Return for 1993-94

(c) Minister for Health (Mr Hayward)—

Medical Board of Queensland—Annual Report for 1993-94.

MINISTERIAL STATEMENT

Queensland Manufacturing Industry

Hon. J. P. ELDER (Capalaba—Minister for Business, Industry and Regional Development) (10.03 a.m.), by leave: I rise to inform the House about the growth in manufacturing industries which has taken place under this Government. Under this Government, employment in the manufacturing sector in Queensland has increased by over 20 000 people at a time when over 75 000 jobs in this sector were lost nationally. Under this Government, exports of manufactured goods have increased from $4 billion to $6 billion, and the turnover of Queensland's manufacturing sector has increased from $19 billion to $24 billion.

Most of this growth has taken place in the fastest growing population areas, such as around Cairns and in the south-east area of Queensland. For example, the Australian Bureau of Statistics reports that in the far-north Queensland statistical region the number of people working in manufacturing industries has increased in the past year from 6 900 to 12 400, or an increase of some 80 per cent. Other areas of Queensland where manufacturing is increasing noticeably include the Gold Coast, the Sunshine Coast, Gladstone, and the Mackay/Rockhampton region.

The best performing industry within the manufacturing sector is food processing, which accounts for about one-third of total manufacturing turnover and is growing by 10 per cent each year. In 1988-89, processed food exports from Queensland totalled $1.7 billion. In 1993-94, it was $2.4 billion. Other industries performing well are machinery and equipment and metal products, while the most rapidly growing industry is printing and publishing. Queensland is becoming known as a manufacturing State.

Mr BORBIDGE: Mr Speaker, I rise on a matter of privilege. I refer to the annual report of the Police Service that was tabled by the Minister, which is obviously of interest to all members but is apparently not available to them. The Minister said that he has tabled the report; it is not available.

Mr SPEAKER: Order! I have asked the attendants to deal with that.

Mr ELDER: The honourable member could have helped by raising that matter of privilege after my ministerial statement.

Whereas in 1988-89 Queensland accounted for 11.6 per cent of Australia's total manufacturing output, in 1992-93 Queensland produced 13.1 per cent of the nation's

manufacturing output. In the past year, the growth has accelerated. Treasury's index of manufacturing production shows production levels this year running at 12.5 per cent higher than last year. Employment has risen by 4.8 per cent in the same period to 180 000 people.

The increase in the number of people working in jobs in the manufacturing industries is welcomed by this Government as, importantly, they are long-term sustainable jobs. Cuts in tariff protection impacted heavily on the traditional manufacturing States such as Victoria and South Australia, but the relatively unprotected Queensland manufacturing sector weathered the transition to a lower tariff environment far better than those States. Importantly, it means that the new Queensland manufacturing sector is world competitive from the start, and those jobs that are being created are not going to be lost because of tariff cuts.

The outlook is also promising. Private expenditure on plant and equipment in Queensland this year is 24 per cent higher than the levels of last year. The level of growth is about twice that of other States. This re-equipping of Queensland industry and installation of new equipment will ensure that Queensland industry will sharpen its competitive edge over the next few years.

This growth in manufacturing is what a modern, sophisticated economy should do. It means that we will get bast value out of our plentiful raw materials. It means that Queensland will enter the next century as a modern, efficient economy, where a well trained and well educated work force does not just dig up or harvest raw materials but makes them into finished products for both domestic and overseas markets.

LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (10.08 a.m.): I seek leave to move a motion without notice.

Question—That leave be granted—put; and the House divided—

AYES, 32—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lingard, Littleproud, Malone, Mitchell, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Laming, Springborg

NOES, 51—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Warner, Welford, Wells, Woodgate *Tellers:* Livingstone, Pitt

Resolved in the **negative**.

PARLIAMENTARY TRAVELSAFE COMMITTEE

Report and Transcripts of Evidence

Mr ARDILL (Archerfield) (10.14 a.m.): I table a report from the Parliamentary Travelsafe Committee titled "Speed cameras: Should they be used in Queensland?" I move that the report be printed.

Ordered to be printed.

Mr ARDILL: I also lay upon the table transcripts of evidence taken at committee hearings during its inquiry into speed cameras. Hearings were held in Townsville on 26 September, in Hervey Bay on 28 September and in Brisbane on 10 and 11 October. In conducting this inquiry, the committee inspected speed camera programs in New South Wales, South Australia, Victoria and New Zealand. These inspections convinced the committee that, if speed cameras are to be used in Queensland, they should be wholeheartedly implemented or not implemented at all. Tinkering around the edges will not achieve any road safety benefits, nor will it convince the public that the cameras are being used to achieve road safety benefits.

The committee strongly believes that speed cameras can significantly enhance road safety, but only if planned and implemented in a strategic manner. In essence, speed cameras will not achieve expected road safety improvements unless the program has strong political commitment, is carefully planned, is wholeheartedly implemented, is strategically managed and is operated in strict accordance with predetermined operational procedures. A crucial first step is to conduct a network-wide review of speed limits before speed cameras can be used to enforce speed limits. It is obvious that motorists do not consider current speed limits to be either rational or credible, as evidenced by the widespread disregard for these current limits.

This report recommends that speed cameras be used in Queensland. The report also makes firm recommendations on what needs to be done before speed cameras are used and how they should be used when they are implemented. In recommending the use of speed cameras, the committee notes that the number of fatal crashes in which speed was the main contributing factor has steadily increased in

recent years. In 1993, speed was judged to be the main factor in 22 per cent of fatal crashes, up from 18 per cent in 1992 and 14 per cent in 1991. Furthermore, the social and economic costs of all speed-related crashes in Queensland in 1993 is estimated at $90m. Perhaps the most telling statistic is the conservative estimate that 21 fatal crashes and about 590 injury crashes could be prevented each year with the introduction of speed cameras in Queensland. Substantial cost savings to the community would also accrue from these reductions. In the end, the committee found these figures impossible to ignore.

The report also makes recommendations on a proposed model for a Queensland speed camera program. The committee firmly believes that this model represents the best way of achieving road safety benefits from speed cameras in Queensland and of establishing and maintaining community support for speed cameras. Finally, this report contains recommendations which are required to be responded to in this Parliament by the responsible Ministers pursuant to section 10 of the resolution which established the Travelsafe Committee on 12 November 1992. I recommend the report to the House and look forward to the relevant Ministers' responses to the committee's recommendations.

QUESTIONS UPON NOTICE

1. Police Support Officers

Mr COOPER asked the Minister for Police and Minister for Corrective Services—

> "With reference to his department's civilianisation plan involving the concept of police support officers who were to be employed in areas requiring only limited police powers and the advanced nature of industrial arrangements and training requirements which had reached finalisation and, as this concept, which had been raised in Public Sector Management Commission recommendations, is to be discontinued—
>
> (1) On whose authority did the implementation of this concept commence and continue over some four years?
>
> (2) On what basis did his Government reject proceeding with the appointment of police support officers and why did this occur at a late stage when implementation of the process was almost achieved?"

Mr BRADDY: The suggestion of a police support officer designation was a concept which arose from the police special pay case which commenced in 1991. The concept evolved out of attempts to negotiate, with the assistance of the Queensland Industrial Relations Commission, a long-term formula for civilising some police jobs. The concept of police support officers was re-examined in the light of the provision of funding for civilianisation in the 1993-94 budget. However, after examination by the Government, several serious problems in proceeding to appoint police support officers were found. These included: the inconsistency with the Fitzgerald inquiry recommendations regarding the flattening of the rank structure; the creation of low status jobs with no career promotion prospects for police support officers; and police support officers with some police powers would be used in areas where those police powers were not required and therefore not appropriate.

In addition to those problems, if the Government had accepted the concept of police support officers, major changes to the Police Service Administration Act and negotiation of conditions of employment, including pay rates, would have been required. Looking at those problems and others, it was decided that it was not appropriate to proceed. Therefore, the Government, after examination of these advantages and disadvantages of the concept, has decided that the process of civilianisation within the Queensland Police Service will be more successfully and readily achieved by pursuing such civilianisation with options which have been and will continue to be pursued by the service.

2. Mr R. Schwarten

Mr LINGARD asked the Deputy Premier, Minister for Emergency Services and Minister for Rural Communities and Consumer Affairs—

> "With reference to his employment of the former ALP Member for Rockhampton, Robert Schwarten to his Ministerial staff in an advisory capacity—
>
> Will he provide the House with the full details and costings of Mr Schwarten's employment at taxpayers' expense, including (a) his salary, (b) details of expense entitlements and expense claims lodged by Mr Schwarten during his employment, (c) details of Government contributions to his superannuation package, (d) whether Mr Schwarten has access to a Government car for his personal use, (e) whether Mr Schwarten has been issued with a departmental credit card, (f) whether, in the course of his employment, Mr Schwarten has participated in any overseas travel and details of the cost of that

travel to the taxpayer, and (g) the date Mr Schwarten's employment commenced?"

Mr BURNS: I table the answer and seek leave to have it incorporated in *Hansard*.

Leave granted.

Robert Schwarten was engaged on a temporary basis on the 4th January, 1993 when my then Senior Ministerial Policy Advisor took leave.

On the 27th December, 1993, he was permanently appointed and paid the public service salary of an AO7 with its relevant conditions.

He receives the normal employer's contribution to superannuation paid to public servants and is issued with a government car because his duties require him to constantly travel around Queensland on my behalf.

He was issued a corporate card to only cover the period from the 28th October to the 20th November, 1994 whilst travelling overseas as a staff member during my trip to the United Kingdom, Eire and China.

He accompanied me on this visit in a similar fashion to staff accompanying Mr. Borbidge on his overseas tour.

The report on my overseas trip on which I was accompanied by Mr. Schwarten will be tabled as soon as possible.

Mr. Schwarten is entitled to the same expenses as every public servant and these are subject to audit by the Treasurer's Department and the Auditor-General.

3. Queensland Distance Education College; Mount Gravatt College of TAFE

Mr SANTORO asked the Minister for Employment, Training and Industrial Relations—

"With reference to Mr Sielaff's assurance to the recent Estimates Committee hearing that there was no need to allocate money in the TAFE budget specifically for the implementation of quality assurance by June 1995, as all costs would be internal—

(1) How much did QDEC pay to an external agency during the process of successfully obtaining third party accreditation?

(2) Approximately what proportion of QDEC's total operation is covered by this accreditation?

(3) How much did Mt Gravatt College pay to an external agency during its first unsuccessful attempt to obtain third party accreditation?

(4) Approximately what proportion of Mt Gravatt College's total operation was this proposal accreditation designed to cover?"

Mr FOLEY: (1) QDEC paid $21,250 for third party accreditation documentation, advice and training of auditors.

(2) Approximately 85 per cent of QDEC's operation is covered by the accreditation. The design function is the only area not covered.

(3) The member for Clayfield's question is based on a false premise, as, I might add, is so often the case with the member for Clayfield in this House. Mount Gravatt was successful at its first attempt to obtain third party certification.

Prior to obtaining third party certification, Mount Gravatt sought second party certification through the Quality Assurance Unit within the Administration Services Unit. At that attempt, the college obtained substantial implementation status. This was valid for a period of six months at no cost to the college.

Within five months of achieving substantial implementation, Mount Gravatt obtained the third party certification through the National Association of Testing Authorities. The cost to the college was $7,219.

(4) I am advised by the Executive Director of TAFE Queensland that all TAFE activities on the Mount Gravatt campus are covered by the certification.

4. Fire Service Equipment

Mr SANTORO asked the Deputy Premier, Minister for Emergency Services and Minister for Rural Communities and Consumer Affairs—

"With reference to those fire appliances collectively called 'aerials', turntable ladders and hydraulic platforms used in firefighting and emergency situations and, as the Fire Service in Brisbane has always maintained four such appliances to adequately cater for the many high rise buildings in the Central Business District and the inner suburbs and the high population density in the Central Business District—

(1) Will he confirm that, on 10 October 1994, the start of Fire Awareness Week, the Fire Service was down to one turntable ladder, the rest having broken down mechanically due to age and fatigue?

(2) Will he advise the citizens who pay a fire levy for a much better service than this (a) what has been done to rectify this dangerous situation; (b) what time span is needed before all four aerials are operational; and (c) what are the management's plans for replacing this tired machinery with new equipment?"

Mr BURNS: I table the answer and seek leave to have it incorporated in *Hansard*.

Leave granted.

Brisbane is provided with 4 aerial appliances.

2 turntable ladders and 2 hydraulic platforms are designed for firefighting duties to a maximum operational extension height of 33 metres.

3 of these appliances are provided with crews 24 hours a day.

All 4 appliances are not always available for immediate response due to drill or training use and for routine maintenance reasons.

The operational requirement is for 2 of these appliances to be available for emergency response at all times.

3 of these appliances are within the industry acceptable life span.

1 hydraulic platform has recently been withdrawn from service because of its age.

On Wednesday, 12th October both turntable ladders suffered mechanical breakdown.

This is the first recorded occasion on which the 2 appliances of this type have been unserviceable at the same time.

During the period when these appliances were unavailable, the operational appliance did not leave the Central Business District and was available for immediate emergency use at all times.

Commissioner Skerritt has signed a memorandum to me seeking authority to spend $2.4 million for the purchase of 2 new appliances of this type.

1 for Brisbane and 1 for the Gold Coast.

QUESTIONS WITHOUT NOTICE

Law and Order

Mr BORBIDGE: I refer the Premier to his support for recent claims by his Police Minister that home invasions, and the crime crisis, is a media beat-up. I also refer to the fact that Queensland is the break and enter and bank robbery capital of Australia, and I ask: will he now acknowledge that his administration of law and order and the criminal justice system is now a national disgrace?

Mr W. K. GOSS: No, I will not, actually. The question started off with a deliberate and dishonest misrepresentation, as most of them normally do. I said before, when this matter was raised, that the Police Minister and myself—and I think all thinking people in this place—would share the same concern in relation to the offence known as home invasion. However, I also made the point, of which the honourable member is well aware, that there is a tendency on the part of some sections of the media to show stories that contain more drama and better pictures. That is just a fact of life in relation to the media these days. I really find it tiresome that the Leader of the Opposition deliberately misrepresents such matters in an attempt to try to boost his flagging leadership.

As to the Police Service—I simply say that this Government has a commitment unparalleled by any Queensland Government to providing police with the facilities, with the numbers and with the resources to carry out what is a very difficult job dealing with what is a problem right around the country and right throughout the Western World. That is why National and Liberal Party Premiers of the other States have decided to meet tomorrow in Melbourne to discuss these issues. What we are seeing in Queensland, we are seeing in the Liberal/National Party governed State of New South Wales, in the Liberal/National Party governed State of Victoria, in the Liberal governed State of Tasmania, in the Liberal governed State of South Australia, in the Liberal/National Party State of Western Australia, and in the National Party led Government of the Northern Territory. All State and Territory leaders tell me that they are experiencing the same problem. That is why that meeting is occurring. That underlines the truth of what I say, that this rise in crime in the Western World is reflected right around Australia. However, at least in Queensland we can say that, unlike the previous Government, there has been a dramatic increase in police numbers, police staff and police resources. Honourable members need only look at the Budget. In addition to that, we have been working very hard—and I will finish on this note—in particular the Police Minister, for well over a year to get the breakthrough that we were able to announce yesterday, namely, a fundamental change in the work practices of police so that the Police Service is able to deploy police to the time when they are most needed, in particular from Thursday night to Sunday night. In other words, we will have an unparalleled, unprecedented opportunity to get more police to work at the same time when the criminals are at work.

Law and Order

Mr BORBIDGE: I refer the Premier to the escalating law and order crisis in Queensland based on significant increases in crime—break and enter, up 14 per cent; break and enter in dwellings, up 24 per cent; kidnapping, abduction, deprivation of liberty, up 23 per cent; assault, 8 per cent; sexual offences, 11 per cent; motor vehicles, 7 per cent; and drugs, 14 per cent. I ask him: why did he fail, as his Police Minister admitted during the Estimates debate, to deliver the extra 1 200 police he promised in 1989 not only by the deadline——

Mr BRADDY: I rise to a point of order. My point of order is that I have been misrepresented in the statement that during the Estimates debate I admitted that in relation to the police numbers. It is another half truth from the master of half truths.

Mr SPEAKER: Order! Is the member seeking a withdrawal?

Mr BRADDY: Yes, I am.

Mr BORBIDGE: I cannot withdraw something that was said in the Estimates debate.

Mr SPEAKER: Order! The member will resume his seat; I am on my feet.

Mr Cooper interjected.

Mr SPEAKER: Order! I warn the member for Crows Nest under Standing Order 123A. Honourable members, the Standing Orders are very clear. If a member rises to his feet and says that he has been misrepresented, then I am obliged to seek a withdrawal. It is very clear. I am not here to judge that. The member is obliged to withdraw.

Mr BORBIDGE: I withdraw what the Minister said in the Estimates debate. I ask the Premier——

Mr Elder interjected.

Mr BORBIDGE: It was said. Government members cannot run away from it. It is on the public record.

Mr SPEAKER: Order! The member will resume his seat again. I am going to ask Mr Borbidge to stand up and very gently say, "Mr Speaker, I withdraw those comments", without any qualification.

Mr BORBIDGE: I withdraw.

Mr SPEAKER: The member will now ask his question.

Mr BORBIDGE: I refer the Premier to the Hansard record of the Estimates committee in which it was stated that his Government has not just failed to deliver the extra 1 200 police promised in 1989 by the Minister, not just by the deadline of the end of its first term, but, according to the Minister's own figures, will not deliver them until June next year. Why has the Premier not delivered?

Mr W. K. GOSS: It is very hard for members in this place, and I think it is very hard for people upstairs who are listening—and we have this problem at press conferences and a whole range of public events that the Leader of the Opposition attends—that whenever the Leader of the Opposition speaks it seems, almost invariably, that he will say something that is not true.

Mr BORBIDGE: I rise to a point of order. I think you know what I am going to ask, Mr Speaker.

Mr SPEAKER: Order! The Leader of the Opposition seeks a withdrawal of that statement.

Mr W. K. GOSS: I withdraw what I said.

Mr Johnson interjected.

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

Upper House

Mr PITT: I refer the Treasurer to proposals by the coalition to establish an Upper House in Queensland, and I ask: can he inform the House of the financial impact on the State Budget of such a proposal?

Mr Beanland interjected.

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

Mr Elliott interjected.

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

Mr Slack interjected.

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

Mr De LACY: It is amazing what one finds when one reads press clippings. I have one here from the *Sunday Mail*. Some people who buy the *Sunday Mail* might have read this the first time around. Apart from Mr Slack, I doubt that anybody would buy the *Sunday Mail* these days. One article in that newspaper is headed "A case for an Upper House". I was shocked to see that Pat Gillespie is still writing in the *Sunday Mail*. Someone told me that she had given it away six months ago. This penetrating analysis by Ms Gillespie states—

> "Queensland could see the re-introduction of an Upper House if the Coalition comes to Government at the next state election."

Heaven forbid!

Mr W. K. Goss: Did they call it the Legislative Assembly?

Mr De LACY: She goes on to say that—

> ". . . some members of Queensland Labor are beginning to privately advocate a Legislative Assembly . . ."

I must say that I support a Legislative Assembly; I think it is working very well now. The article states—

> ". . . Joan Sheldon and her deputy Santo Santoro"—

Government members: Who?

Mr De LACY: Santo who?—

> "are strongly in favour and it is now possible it could become Coalition policy before next year's state election."

Good! The article continues—

> ". . . community support has been quietly growing . . . "

They speak of little else in the streets of Cairns, I can assure you! They say, "We want another one of these retirement villages for clapped-out politicians." And I presume they say it in Caloundra. But the plot thickens. The article states—

> ". . . support . . . coming from such diverse areas as the Queensland Greens and the Whistleblowers Action Group."

That is another five.

In another article in the *Sunday Mail*, Drew Hutton has said—

> "I think it is an essential part of democracy that you have accountability built into the system. It has to be an Upper House."

What is good for Drew is good for democracy!

Mr Hamill: Wasn't he an anarchist?

Mr De LACY: He used to be an anarchist; now he is going to become a politician.

Another article stated—

> "The Queensland Greens are holding secret talks about the restoration of the State's Upper House with key members of the State Coalition."

Mr W. K. Goss: How did the *Sunday Mail* find out?

Mr De LACY: How did the *Sunday Mail* find out about the secret talks? That is a good question. Maybe Mr Slack could answer that one.

Mr SPEAKER: Order! The Minister will conclude his answer.

Mr De LACY: The Opposition really does not want to agree. If it wanted an Upper House, it had 32 years in which to introduce one. Has the Opposition done its deal with the Greens yet?

I said to my departmental officers, "How much would it cost to have an Upper House in Queensland?" Based on the New South Wales model, where there are half as many in the Legislative Council as in the Legislative Assembly, the total recurrent costs would be $13.275m per year——

Mr FitzGerald: Did you reduce the Lower House?

Mr De LACY: I will come to that.

Mr FitzGerald: Did you?

Mr De LACY: That is a good question—did we reduce the Lower House? The fact is that a referendum would have to be held to introduce an Upper House, but a referendum does not have to be held to increase the numbers. So once an Upper House exists, just by an Act of Parliament the numbers could be changed.

The additional one-off costs of an Upper House are $13.058m, so the total cost is $26.3m. I will table that with the itemised costs from my department. Somebody asked, "Did you reduce the Lower House?" We had a look at that. I am conscious of the fact that the supporters of an Upper House said, "Get rid of 30 members from the Legislative Assembly." They said, "Reduce the Legislative Assembly by 30 members." So we had a look at how that would affect the quota for electorates, and it would go from 22 000 to 34 000.

I remind honourable members that if we amalgamated Gregory and Warrego, we would still have only 30 000 in that electorate; so we would have one member representing an area of 680 000 square kilometres—three times the size of Victoria. This is a great deal for country Queensland! Then the next thing they said was that they would have part-time members and they would sit in the night-time. Can one imagine a dairy farmer on the Atherton Tableland, after he has finished milking the cows, coming down to Brisbane for the night session of the Legislative Council?

Mr W. K. Goss: Fine, as long as he could be back by four o'clock the next morning.

Mr De LACY: That is right—to do the milking the next morning.

Mr Mackenroth: Hop in the Rolls Royce.

Mr De LACY: Yes. Imagine Bob Sparkes—after he finished ploughing at Jandowae, he could hop in the Rolls Royce and

come down here for the night. The fact is that it is not without cost. I have asked my department——

Mr FITZGERALD: I rise to a point of order. Under Standing Order 70, the Minister's answer must be relevant. It has not been relevant for most of the time. He is just coming back onto the issue now. Mr Speaker, I ask you to rule that the Minister's answer be relevant. He is debating the subject.

Mr SPEAKER: Order! I agree. The Minister is starting to debate the point. The Minister will sum up.

Mr De LACY: It is not without cost, even if it is part time and they sit in the night-time. The one-off cost would be $22.5m, and the annual cost would be $5.79m. For the benefit of those honourable members who are considering the introduction of an Upper House, I table that, also.

Crime

Mr PITT: I ask the Minister for Police and Minister for Corrective Services: will he inform the House of details of the trends in crime in Queensland as detailed in the two police reports tabled here today?

Mr BRADDY: We have an opportunity to get some honest figures rather than the half-truths perpetrated by the Leader of the Opposition.

Mr Cooper: They're all in the book.

Mr BRADDY: I know they are in the book, but I will talk about them and draw some attention to the situation. Over the past 12 months in Queensland, in relation to crime perpetrated in the community and in the fight against crime—those who are interested in fighting it, rather than just beating it up, as the Opposition is—there have been some victories as well as some deficits.

In relation to what the bad news is—the bad news, as we anticipated, is the rate of break and enter offences. When I talk about these figures, I am talking about the rate, that is, the commission of the offences per 100 000 in the community, which is the honest way to talk about them rather than just the raw figures. As the population increases significantly, one looks at the rate to see whether the commission of a particular offence is rising or falling per head of population. The rate of break and enter offences has increased by 11 per cent, and motor vehicle theft has risen by 5 per cent. They are substantially the bad news figures. I will come back to how we are dealing with that.

In terms of other areas in the fight against crime, it is very interesting to report that the murder rate in Queensland—not an inconsequential matter to talk about; people do get concerned about how many people are murdered—the murder rate in Queensland fell by 33 per cent; the armed robbery rate, which members of the Opposition talk about a lot, fell by 5 per cent; and fraud was cut by 15 per cent.

Mr FitzGerald: Its going up with you talking.

Mr BRADDY: These are the statistics that are in the book. The rate for rape and attempted rape——

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest will cease interjecting.

Mr BRADDY: The figures are all in the statistical review. The rate for rape and attempted rape was cut by 12 per cent, the attempted murder rate was down 6 per cent, and arson was down 5 per cent. I have mentioned some of the most horrific crimes in the statute book: murder, attempted murder, rape and arson. The rates for all of those crimes have fallen for the year.

We have seen increases in the break and enter and motor vehicle theft areas. Property crime has increased; we have admitted that at all times. What are we doing about that? What do the reports say that we are doing? As well as the successes in relation to crimes of violence and serious crimes, as honourable members know, we have set up a Property Crime Squad to deal with the anticipated increase in break and enter offences and motor vehicle theft. The Property Crime Squad comprising 32 people started in September. That squad has already arrested 74 people.

In relation to one area of seeming concern, the statistics show that there is relief in the community in terms of what is occurring. Although the numbers of rape and attempted rapes have decreased, sexual assault offences have increased. However, many of those sexual assault cases reported are, in fact, related to events that occurred up to 10 or more years ago. A very high number of sexual assault cases are, in fact, old crimes. Today, women in our community have enough confidence in the Police Service of this State to come forward to report crimes that happened in some cases 10, 12 or more years ago. The number of rapes and attempted rapes, which are usually reported very soon after the event, have decreased, but the incidence of sexual assaults has increased.

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

Mr BRADDY: Mr Speaker, I will conclude on this note. A fair and honest review of the statistical report will show that property crime has increased in the two areas that I mentioned—break and enter offences and motor vehicle theft—and we are dealing with that. In terms of serious crimes, such as murder, rape, attempted murder and arson, the rate of criminality is decreasing.

Queensland Police Service Annual Report

Mrs SHELDON: I draw the attention of the Minister for Police—although he has obviously been on the magic mushrooms again—to the annual report and statistical review of the Queensland Police Service tabled today in which it is stated that break and enters had increased by 14 per cent, overall property offences had increased by 5.4 per cent, or 12 238 cases, while the clear-up rate had gone down, offences against people had increased by 8.9 per cent or 1 984 cases, and that the percentage of cases cleared in that category had also dropped. I ask: will he now admit that these figures produced by his department show that he is failing in his duty——

Mr De Lacy: Didn't you listen to the last answer?

Mrs SHELDON: I did indeed, and that is why I am asking the question again—to protect Queenslanders from harm and to protect their homes from invasion and their property from theft? Could he please detail exactly how he is doing that because so far he has convinced no-one?

Mr BRADDY: The question was prefaced by an entirely gratuitously insulting remark that I will not bother to ask be withdrawn because that is the honourable member's style and we have come to accept that. She is accepted by the community for what she is: a loud-mouthed and empty vessel.

The answer to the question is what I just said in answer to the previous question. In the long-term fight against crime, the review shows some successes and some indications of our needing to fight harder. Having had to spend several years reforming the Police Service and the prison system bequeathed to us by these people opposite——

Mr Cooper: Excuses, excuses.

Mr BRADDY: No excuses—I repeat: a corrupt, inefficient and dishonest Police Service bequeathed to us by members opposite who had spent 32 successive years in Government. When they went out of Government, we had to spend several years reforming and reinvigorating that service. That is history. Opposition members should read the Fitzgerald report and the Kennedy report. Having done that, we are now embarking successfully on the fight against crime. We have, as these figures reveal, had successes in terms of several important areas of crime. We have already acted in relation to the areas of break and enters and motor vehicle theft by the appointment of a special squad that commenced work in September this year, before these reports were released. We will continue to do that. With the installation of CRISP and the connection of every police station in this State, including the most remote, to our computer technology, we can upgrade the fight against crime. That is what we are doing. We have reformed the rotten system that the members opposite gave us and we are now out there fighting crime with honest efficient police officers.

Transport Department House Purchases

Mrs SHELDON: I refer the Minister for Transport to his claim yesterday that the Transport Department is prepared to buy homes on busy roads and that it bought homes along the route of roads that he has promised not to build. In his answer, he said—

> ". . . it is still the case, and it is the case across-the-board, that some residents will wish to sell properties on hardship grounds to the Department of Transport, and the Department of Transport will purchase on hardship grounds if no other purchaser can be found."

Given that thousands of people from Ipswich to the Gold Coast will rejoice at this news, I ask: how much money has been spent, how many homes have been purchased on hardship grounds and how much of the Department of Transport's allocation is budgeted for this expenditure in the current financial year?

Mr HAMILL: Of course, I have all those fine details at my fingertips, but I am reminded on occasions such as this of a great riposte by Winston Churchill. When he was accused by a lady of being drunk, he said——

Mr Comben: Lady Astor.

Mr HAMILL: Lady Astor—he said that she was ugly, but he pointed out that he would be sober in the morning. The Leader of the Liberal Party continues to tell untruths. Although I have been a little unwell in recent weeks, I am getting better, but she is not getting any better. In fact, I was listening to the member for Caloundra on radio this morning. I obtained a transcript of her comments in relation to the matter about which she asked a question yesterday, when she

claimed that the Transport Department has bought 34 properties along what yesterday she did not realise was Metroad 5 or what had been known as Route 20. It was interesting that in the interview, Anna Reynolds, the compere of the program, actually asked Mrs Sheldon—

> "Let us have a look at the particular case of the 34 houses."

Mr Perrett: Did she ask you to go on the show, too?

Mr Hamill: Members of the House might be interested in understanding just how the Leader of the Liberal Party works to distort the truth. The compere actually asked Mrs Sheldon when these properties had been bought. Mrs Sheldon said—

> "They were bought over a period of time, Anna."

Anna Reynolds then asked Mrs Sheldon whether they were bought long ago or recently and Mrs Sheldon said—

> "Well, over a longer period of time from what we can find out, but the point is that they are still there."

This is the same person whose opening gambit on the program was that the Opposition had just found out under FOI that the Department of Transport had been buying up all these properties along what had been known as Route 20. One has to wonder where these people have been living for the last 10 years, because the properties to which Mrs Sheldon referred were the very properties that were acquired when the Liberal and National Parties were wanting to build a freeway through the western suburbs. I suggest that the Leader of the Liberal Party might like to talk to luminaries such as Bill Gunn and others about how those properties came to be owned by the Transport Department.

It is the case that, at times, people have had difficulty in disposing of their properties, particularly where there has been some suggestion that those properties may be affected by present or future works. Those people approached what was then the old Main Roads Department, and what is now the Department of Transport, and sought on hardship grounds to have the properties acquired. Given that the process of long-term planning is a difficult one, and where there is a real concern about the blight that can occur in suburbs even when there are long-term plans, it seems to me that it is not unreasonable for the State Government to meet a reasonable request by a person who would otherwise endure hardship. I make no apologies for trying to adopt a compassionate approach to the needs of individuals.

Just for the record and so that the people of Queensland know what an absolute fraud the member for Caloundra really is, let me inform the House that, contrary to the low assertions that were made not only in this place yesterday but also in a malicious and untruthful way on radio this morning, the Department of Transport has not been buying up homes for some secret plan along the old Route 20. In fact, if the member for Caloundra had the fundamental decency to acknowledge her behaviour, she would go out and extol the virtues of this Government because, along that corridor where the member for Caloundra was alleging there was a secret plan, in fact, three houses that were acquired by the Opposition when it was in Government have been sold. I refer to the properties at I Vimy Street, Bardon, 18 Vimy Street, Bardon and 16 Runic Street, Bardon, which were sold on 18 March, 19 July and 23 July last year.

This Government is not in the business of trying to buy up properties for secret road plans. It will conduct the business of Government only to acquire properties when they are required or when people request on hardship grounds that they be bought, and if the Government does not need them, it will sell them off.

Oyster Point Development

Mr LIVINGSTONE: I refer the Premier to the current debate over the Oyster Point development in north Queensland, and I ask: when does he expect a resolution of this issue?

Mr W. K. GOSS: The workshop convened by Senator Faulkner will be undertaken tomorrow. We are still waiting for final advice as to the process——

Mr Slack interjected.

Mr SPEAKER: Order! I warn the member for Burnett. I have warned him once before; this is his last warning. I warn him under Standing Order 123A.

Mr W. K. GOSS: I think the important thing for everybody concerned—the Federal Government, the State Government, the council, the developer, the local community and those people concerned about the environment—is that a decision is made quickly and that this issue is not allowed to drift into some other process.

I want to make a couple of other points in relation to the final resolution. People need to understand the background. I will not go through all of the background, but I want to make the point that the previous development approved by the previous Government, which failed, left behind an ugly scar. I have made that point before. However, I think that many people who have not actually been to the site fail to

appreciate the magnitude of the problem. In terms of the damaged and degraded site—my advice is that the actual size of that site is the equivalent of 120 football fields. It is that kind of damage and degradation that this Government was hoping to see repaired.

As for the mangroves in question—the point has been made that mangroves were cleared in the 1970s and in the 1980s and that these mangroves are mainly regrowth mangroves. What proportion of the mangroves in the Hinchinbrook Channel are we talking about? The facts are that we are talking about a stand of mangroves which is one 2 500th of the total stand of mangroves.

Mr Slack interjected.

Mr SPEAKER: Order! The member for Burnett!

Mr W. K. GOSS: It is one 2 500th of the total stand of mangroves in the Hinchinbrook Channel. Over recent days, the question has been raised as to whether or not the Federal Government raised its concerns over mangroves. I think that, unfortunately, this question has descended into a bit of a semantic battle. However, I make the point for the record that, as I have said before, the Federal Government—neither Senator Faulkner nor his department—never raised concerns with us in respect of the clearing of the mangroves. There is a reference in the Valentine report to mangroves, among other things, but the State Government responded to the Valentine report and there was no concern raised in relation to mangroves. The deed of agreement was discussed with the Federal Government and that deed of agreement covered the clearing of the mangroves.

I want to refer members and those who are genuinely interested in this issue to the document that I tabled earlier this week, namely, the history of involvement with the Commonwealth Government. I want to refer to just a couple of sections of that document. The draft Valentine report was forwarded to the Office of the Co-ordinator General.

Mr Slack interjected.

Mr SPEAKER: Order! I advise the member for Burnett that although the Premier is not taking his interjections, I will take the next interjection that he makes. The member has been warned.

Mr Slack interjected.

Mr SPEAKER: Order! Obviously, the Premier is not going to take the member's interjections, so I am not going to allow him to keep on yelling out. The member for Burnett is warned under Standing Order 123A, and that is his last warning.

Mr W. K. GOSS: The draft Valentine report——

Mr Slack interjected.

Mr SPEAKER: Order! I now ask the member for Burnett to leave the Chamber under Standing Order 123A. I have had enough.

Whereupon the honourable member for Burnett withdrew from the Chamber.

Mr W. K. GOSS: That is the member's own petulant protest. He is running around the place moaning to people that the leadership group will not take his advice on the tactics for these issues. So his tactics are to get himself thrown out.

I return to the Valentine report. On 1 July this year, that report was forwarded to the Office of the Co-ordinator General. A firm of consultants, Loder and Bayly Pty Ltd, was again commissioned by the Coordinator-General to review the report, and a copy of that consultants' review was sent to the Commonwealth Government. On the same day, 1 July, Mr Stuart Hamilton, who is the head of Mr Faulkner's department, and Dr Graham Keliher from the Great Barrier Reef Marine Park Authority inspected the site with a representative of the Office of the Co-ordinator General. On my advice, both gentlemen were more concerned about Hinchinbrook Island and the channel rather than the project site. However, they indicated that the Commonwealth Government's reaction would depend ultimately on the final Valentine report.

On 25 August, the final Valentine report was forwarded to the State Minister for Environment, Ms Robson, and that asked for information on baseline monitoring work to be initiated to protect the World Heritage values. That is 25 August. On 2 September this year, there was a further meeting between State officers and officers of Senator Faulkner's department. A full briefing was provided to them on the deed of agreement, which covers the work and the environmental conditions. At the end of this meeting, on 2 September——

Mr Rowell You tabled this on Thursday.

Mr W. K. GOSS: But it was ignored in the debate yesterday because, obviously, some people have not read it.

Mr Rowell: I read it.

Mr W. K. GOSS: The member might have read it, but many people have not. In terms of this debate, this point is very important. At the briefing on 2 September, Mr Gerald Early of Senator Faulkner's department advised our

officers that the draft deed of agreement was a substantial document, and he was prepared to brief Senator Faulkner that the Queensland approach was considering all environmental issues. Subsequently, this approach was summarised in a letter from the State Minister to Senator Faulkner on 9 September, and it included details of the deed of agreement, which they had for over three weeks before the green light was given to proceed. This letter also sought Senator Faulkner's advice on whether the Commonwealth would need to take any additional action, and it did not.

Consumer Pitfalls

Mr LIVINGSTONE: I ask the Deputy Premier: with the Christmas period approaching rapidly, is he aware of any initiatives which are being taken to warn the public of the many potential consumer pitfalls over the festive season?

Mr BURNS: I thank the honourable member for his question. Mr Littleproud is not here at the moment. This morning, he said that I was on my bike again. Consumer credit, buying wisely, lay-bys, credit cards, buying the right toys and getting the most out of the Christmas sales are all issues that we try to address each year. After Christmas, the Consumer Affairs Department receives a large number of complaints. The honourable member for Ipswich West has been very helpful to us in this regard. He has been in contact with my office fairly regularly about consumer affairs issues. We receive complaints because people overreach in relation to credit.

This year, we are trying to feature a couple of major items. One is buying mobile phones or computers. Buyers of mobile phones can get a really good deal. However, purchasers who do not look at the sale contract may be surprised to find that they will spend more on the following few monthly payments than they paid for the phone.

The same thing applies to computers. A lot of computers that are sold at sales may be out of style and past their time. However, such computers are offered for retail sale, and people who know little about them but who decide to buy one for their son, daughter or for themselves at home——

Mr FitzGerald: What computer would you advise them to buy?

Mr BURNS: In fact, I would not advise people to buy any. I am a computer dill, and I know it. I accept the advice of my officers in relation to this matter.

The issue that the honourable member for Ipswich West has raised a couple of times is that of buying bikes, in particular those which have to be assembled by consumers. The old system of retailers putting a product together for sale in one piece seems to be part of the past. These days, bicycles have to be assembled by purchasers. So that they can assemble them correctly, we are putting out advice about checking nuts and bolts, checking that the frame is straight and in line, checking that the hubs are greased, checking that the chain is taut and not loose, checking that the pedals turn smoothly, and checking that the brakes are fitted and operating effectively.

Some 39 per cent of the accidents that occur on bikes occur at this time of the year—around Christmas time, straight after purchase. They occur mainly as a result of faulty bikes and parts or poorly maintained bikes. We advise people also to make certain that the bike is the right size and type. BMX bikes are suitable for——

An honourable member: What sort of bike would you advise Mr Veivers to buy?

Mr BURNS: My advice to Mr Veivers is to buy a bike of the right size. I do not think that a BMX would be suitable for him. My advice to him would be: when he buys a bike, he should make certain that he can put both feet on the ground. I would suggest that it would be in the interests of bike safety and his safety to do that.

There is a Shop Smart for Christmas consumer media campaign which we will be sending to every electorate office. We will be asking local members to rewrite the media releases that are sent to them for inclusion in their local papers, because we want to put out as much information about these issues as possible.

Royal Brisbane Hospital

Mr HORAN: In directing a question to the Premier, I refer to the 90 beds closed at the Royal Brisbane Hospital last week and to the fact that a further five wards of 170 beds will be closed by Christmas due to his $10m budget cuts to this major Queensland hospital. The Premier should be aware that this hospital has been operating at more than 100 per cent bed occupancy. I advise that last Thursday one group of six elderly patients from various parts of Queensland waited all day for admission for their prearranged surgery, only to have their operations cancelled and to be sent away. I ask: why does he continue to allow these massive cutbacks of desperately needed hospital beds when the system is already overloaded? Is

slashing hospital budgets more important to him and his Government than treating sick Queenslanders?

Mr W. K. GOSS: I am not familiar with the detail of the bed and ward issues at the Royal Brisbane Hospital. I think the honourable member knows that I would not be. That is the tactic that the honourable member seeks to pursue. I have been handed a brief by the Minister for Health, so I will give the honourable member the benefit of it.

I understand that the closure of the two wards is a local management issue, but I also understand that it will not reduce the number of——

Mr Horan: Ninety beds—two wards plus 20 beds.

Mr W. K. GOSS: They do not want to listen. They are just not genuine.

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

Mr W. K. GOSS: The honourable member is a self-promoting fraud. If he were genuinely concerned, he would listen to the answer. However, the honourable member is not genuinely concerned. He knows that his question was fraudulent. He is just a fraud.

Mr FITZGERALD: I rise to a point of order under Standing Order 70. If the Premier is going to abuse members on this side of the House and they are warned under Standing Order 123A, they must react if we want to have order in this place.

Mr W. K. GOSS: We will see whether the honourable member listens.

That issue is a local management issue, but I am advised that it will not reduce the number of beds at the hospital. At present, there are groups of a few beds that are closed temporarily in wards around the hospital as a consequence of the memorandum of cooperation that was agreed to recently between the Government and various health unions and health employee organisations. That has identified patients to nurse ratios which are acceptable to those employees as a reasonable workload, and bed numbers are varied accordingly. It is to try to accommodate what people see as a reasonable workload.

I presume that the member's tactic would be, if we did not vary the number of beds——

Mr Burns: He'd complain about overworked nurses.

Mr W. K. GOSS: He would complain about overworked nurses. The honourable member complains either way. That is the problem with people like him—whinge, whinge, whinge, knock, knock, knock, and no constructive contribution.

I concede that there are also some beds which have been closed because there is a shortage of appropriately trained staff to fill available positions. I suppose the alternative is that we could whack those beds back on line and put people in to service them who are not trained. The member would complain about that, and rightly so. I think we have to understand the tactic of the shadow Minister.

The hospital is taking a rational management approach to deal with those sorts of issues. To consolidate available staff and maximise resources, it has decided to amalgamate all of the scattered closed beds into two wards. So they have been simply brought together as a better way of managing the issue. The simple fact is that, regardless of how many more or fewer beds there are at Royal Brisbane—and I know that the honourable member wants to concentrate on this because it is an easy way to portray the problem as he sees it—the Royal Brisbane Hospital is treating record numbers of patients every year. The honourable member should have the honesty in his public pronouncements to acknowledge that.

There is certainly a management approach in relation to the closure of wards or beds to deal with those issues that I referred to before. However, the truth is that under this Government the Royal Brisbane Hospital is treating more people—more services are being provided to more people under this Government's approach and under the current management of the Royal Brisbane Hospital.

For example, in 1993-94, the last full financial year, the RBH treated 3 200 more patients than it did in 1991-92. The point is that 3 200 additional Queenslanders were treated at that hospital. Why does the honourable member not have the decency to acknowledge that performance by people who are working very hard in the face of huge demand? The hospital administration and staff of the hospital are working harder than ever before, treating more people and providing more surgical procedures, yet the honourable member does not have the decency or the honesty in his public pronouncements on this issue to give any sort of balance to his commentary. It is typical of the tactic that has been decided opposite, namely, half-truth or no truth at all. That is why the Opposition has no credibility. Whenever he speaks——

Mr VEIVERS: I rise to a point of order

under Standing Order 119. I ask the Premier to withdraw. I ask him also why 600 were turned away in the past three months in Southport.

Mr SPEAKER: Order! There is no point of order. The member will resume his seat.

Mr W. K. GOSS: I thank the member for the interjection; it gave me an opportunity to read a bit more of the brief.

There is a long-term expectation that the number of beds—let us get this clear—at RBH will be reduced even further when the hospital is redeveloped as part of our $1.5 billion hospital rebuilding program. There will be a further reduction of beds, and people need to understand the reasons for that. Over the course of this 10-year program, older and inappropriate beds such as some of those on the verandas—and that is the way the National Party used to run it, beds out on the verandas—will be decommissioned. We make no apology for that. The shorter length of stay is also having an impact. If the member knew something about the health area, he would know—and he probably does know this, not that he would say it—that advances in medical technology, improved drugs and improved procedures generally mean that people are staying in hospital for less time. It is not the number of beds; it is the quality of the beds and the quality of work that is undertaken that is the key issue. The member needs to get up to date.

We are also pursuing a policy of putting hospital services and beds where the people are. The member must take into account additional beds being placed in other hospitals—for example, the opening of new beds and the development of new services at Caboolture: 130 in Stage 1. We are putting beds where the sick people are and we are improving the quality of the beds at places such as the Royal Brisbane Hospital. The proof of the improved performance is in those sorts of figures that I referred to earlier.

Take the 1993-94 financial year and compare it with 1991-92. In that time, 3 200 more Queenslanders received surgical procedures. More people are getting the services, they are getting better quality services and they are having to stay in hospital for a shorter period because of the rational and quality approach that we are taking in terms of the provision of beds in hospitals.

Hospital Resources

Mr HORAN: I refer the Honourable the Premier to the Government's blatant health advertisements that gloss over the dangerous, overcrowded and understaffed conditions at the Princess Alexandra's Accident and Emergency Unit caused by the Government's neglect, budget cuts and closure of a similar unit at the QE II Hospital. I refer also to the staff shortages that have patients lying on trolleys for hours in the passageways of the Accident and Emergency Unit waiting for admission to wards, and the serious concerns for patients' safety and security in this area, and I ask: is the Premier aware that last Monday a man collapsed and died in the PA's Accident and Emergency Unit seven hours after admission while waiting with X-rays in hand for admission to a ward? Will the Premier now stop hiding behind his false advertising and take immediate action to provide more staff and space for this unit at PA?

Mr W. K. GOSS: The first point I want to take up is the absolute rotten and corrupt hypocrisy of the people opposite on one particular issue, that is, the QE II Hospital, which is just down the road from my place. I know something about the QE II Hospital. The characters opposite should have put that hospital in Logan City, and they know it. But a corrupt Liberal Health Minister and a corrupt National/Liberal Party Government put that on the border between the seats of Mrs Kyburz and Mr Scassola to try to prop them up. The former Government put a hospital there, but it never opened most of it. What a disgraceful and corrupt use of public money to prop up a couple of Liberal hacks! That is the record of members opposite. We will not cop any of that from them in relation to QE II. They are an absolute disgrace.

Mr BORBIDGE: I rise to a point of order. The question related to why a man died last week. I would have thought it would have required a more appropriate response.

Mr SPEAKER: Order! The question referred also to the QE II Hospital. I advise members that, if they want a simple answer, they should ask a simple question. When they ask a question that has four or five parts to it, they can expect an answer with four or five parts.

Mr W. K. GOSS: The question clearly related, among other things, to the QE II Hospital. I will come to the accident and emergency section at PA, and I do not need interjections from the Leader of the Opposition, who wants to crawl over the back of paedophiles one week and dead bodies the next to try to raise his flagging leadership stakes.

Mr BORBIDGE: I rise to a point of order. I seek a withdrawal. I find that offensive. It reflects on the character of the man who made the comment.

Mr SPEAKER: Order! I ask the Premier to

withdraw. The Opposition Leader finds that offensive.

Mr W. K. GOSS: Certainly, I withdraw that.

In relation to the QE II Hospital, I conclude on that point. The kind of performance we saw from members opposite is an absolute disgrace. Those beds and those services should have been provided in the growth area where the need was. Members opposite ignored the need to prop up a couple of Liberal members who were justly and properly disposed of by us, notwithstanding the former Government's waste of public money in terms of the positioning of the QE II Hospital.

What the Health Minister has undertaken in respect of the QE II is that, as part of the delivery of services on a regional basis on the south side, we are going to completely restructure and refocus the QE II so that it is delivering services, particularly in relation to aged care, rehabilitation and elective surgery. We are going to refocus it and restructure it so that it delivers something worth while to people instead of the shoddy approach to health policy and health services adopted by members opposite.

In relation to the accident and emergency facilities at the PA Hospital—how long has it been there, 20 years?

Mr Burns: Thirty years.

Mr W. K. GOSS: That hospital has been there for 30 years, and we are in fact working on that at the moment as part of this program. The facility is there. It is too crowded. It has been there for 30 years. It is typical of the sort of rubbish that we inherited from the previous Government. What is up there—the stress clinic, isn't it?

A Government member interjected.

Mr W. K. GOSS: I forget the particular circumstances. That is currently under assessment by the Health Capital Works Program for redevelopment, and it is part of that $1.5 billion hospital rebuilding and re-equipping program. I will keep referring to that, because we need an additional hospital rebuilding program of that magnitude as a result of the huge mess that we inherited. We are going to fix up the disgraces of the past one by one, make no mistake about it. The member can complain and knock all he likes, but he has no credibility because he does not have the guts to release his own policy. He claims to have a policy. Does the member have a policy? He will not answer me. If he does not have the guts to release his policy, then he has no credibility as a shadow Minister and no potential as a future leader.

Assistance to Queensland Exporters

Mr ARDILL: I ask the Minister for Business, Industry and Regional Development: can he outline what assistance the Government has given to Queensland exporters, especially those in regional Queensland?

Mr ELDER: As I said in my ministerial statement, Queensland should be proud about the fact that it has achieved increases in exports, particularly manufactured exports, which have grown from over $3 billion when the white-shoe brigade opposite was in Government to now, under our stewardship, to $6 billion. That shows that we are starting to use our abundant raw materials in the correct way, that is, value-adding at home by producing a finished product. The export drive is coming from small and medium businesses in regional and rural Queensland. It is those companies that we have been supporting through a number of schemes.

Recently, I read that the member for Nerang and the member for Caloundra were saying that we did not support rural and regional areas; we supported only a couple of companies in rural and regional Queensland. They were talking about one scheme—the QED scheme, which targets companies that are already exporting. There are myriad schemes out there to help small to medium-sized companies. The fact that we have set up a regional network means that they are playing a more dynamic role in providing export growth.

I want to correct the member for Caloundra, because she gets it wrong, wrong and wrong. I am not sure who briefs who—whether the member for Nerang briefs the member for Caloundra or the other way round.

Mr De Lacy: Has she ever got it right?

Mr ELDER: She has never got it right. It must be a really underwhelming experience when the two of them get together!

For the information of the member for Caloundra, I point out that on the Sunshine Coast 15 companies have been assisted through total export assistance of $600,000. In the constituency of the member for Nerang, last year a quarter of a million dollars was provided to 26 companies to assist them to export. Those two members opposite complained about Townsville companies not getting support, but the members in that area know that we have supported 15 Townsville companies over the past 12 months to the tune of half a million dollars. I am not sure where the member for Caloundra gets her information from. It is much like the Price Waterhouse report. She pulled two paragraphs out of that report and claimed that it was a calamity; that the sky is going to fall in. I

wondered what her strategy was, and then I realised that it was a nursery rhyme that I read last night to my daughter, "Chicken Little". "The sky is going to fall in." Look at them—Chicken Little, Henny Penny, Goosy Lucy and Turkey Lurky up the back. That is the strategy, that is where it came from: "The sky is going to fall in, or at least a bit of it might fall in. Heck, it might fall in in the next 10 years."

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

WINE INDUSTRY BILL

Second Reading

Debate resumed from 15 November (see p. 10311).

Mr VEIVERS (Southport) (11.21 a.m.): Mr Deputy Speaker——

An honourable member: Don't laugh.

Mr VEIVERS: Of course I will laugh if I want to; I am the Opposition spokesman on this Bill. I must commend the Government on the Wine Industry Bill. On this occasion, the Government has listened to and consulted with members of the Queensland wine industry. That is a refreshing change from its usual attitude of rushing legislation through the House with little consultation and having to come back to the Parliament within a short time to amend that legislation because it had not listened or consulted properly in the first place.

I congratulate the member for Warwick, Mr Lawrence Springborg, on his tireless approach in listening to and consulting with all levels of the wine industry. He has been in constant contact with the Minister, and vice versa, on this well-put-together Bill. I must also commend Mr Black, the chairman of the committee set up to put the Bill in place. In the past, I have had my differences with Mr Black.

Dr Watson: A former senator, and a good senator, too, until he was dumped by the ALP.

Mr VEIVERS: Yes. He and I have crossed swords, but on this occasion I have to commend him for doing a very good job. Honourable members know that I never hold any personal grudges. I must also commend Mr Black's committee on a job well done.

I take this opportunity to thank the Minister for the briefing that he gave me. It is the first briefing that I have received from this Minister in five years, so it was a refreshing touch. I think he has becoming warm and tender now that he has become the President of the Labor Party in Queensland. I do not know; maybe he has an ulterior motive. I thank Laurie Longland and Gail Cartwright for giving Mr Springborg and I a briefing on the Bill. Once again, it was Mr Springborg who properly organised that, and I thank him for that. I also thank the Minister for allowing his staff to give us a run-through of the Bill.

The Opposition supports the Bill in total; we think it is a very good Bill. I believe that the wine industry in Queensland is now set to take a well-deserved jump past other winemakers in Australia. People may smirk or laugh at that comment, but the Australian wine industry is now on a par with or better than the countries which are our opposition. Our Australian wine exports are making dollars for the Australian export trade. I believe that the Queensland wine industry can now stand up and be counted as one of the best in the world. I also believe that this industry will grow very quickly. For example, I know that 1 000 acres in western Queensland will be planted with grapes. The people who own that property are doing that to support what they feel is to be a massive increase in wine production in Queensland. That is what I call confidence in the industry.

I am not going to speak for too long because other members may want to speak on other Bills. As I have said, the Opposition supports this Bill. Just in closing, I want to say that I recently had the pleasure of attending a private function to which the people attending were told to bring along a bottle of wine. Knowing that the Wine Industry Bill was coming up for debate in this House, I thought it was a golden opportunity to test these so-called wine connoisseurs.

Mr Gibbs: Much the same as yourself.

Mr VEIVERS: Yes, although some people have said that me drinking wine is like feeding strawberries to pigs, but I do not believe that. Once again instructed and influenced by the member for Warwick, I took along this bottle that I have in my hand. I am not going to give any particular grower a kick-start, but this is a 1988 Ballandean Estate cabernet sauvignon.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! Is the honourable member intending to table that?

Mr VEIVERS: Yes, I am definitely going to. I will be tabling it on my table this evening! At that function, I took the liberty of covering up the label, because people sometimes see that a wine comes from Stanthorpe and they think that it will be bad because in the old days some pretty rough reds were produced there. However, as I said, the industry in and around Stanthorpe is approaching world standards now, and it will jump in leaps and bounds.

Anyway, I went along to this function with my bottle of Ballandean Estate with the label covered. I made sure that I opened the bottle, poured the wine into a carafe and then back into the bottle again. I am told by wine experts that that is enough to aerate the wine, to let it breathe. Apparently, the bottle does not have to be open for two or three hours; one simply needs to pour the wine into a carafe, then pour it back into the bottle. The bubbling, etc., fixes that problem, which allows the drinker to attack the wine quickly, which suits people like me. Anyway, I did this, and without exception all the red wine drinkers said, "That is one of the better cab savs we have ever tasted. Where did that come from?" With great glee, I was able to rip the paper off the top and show them the label. They did not know what to say. They were stunned. They said, "We have always thought that those wines were no good." I said, "Well, there you are." Unfortunately, the production in the area is a bit low. This is an '88, and no-one will ever get it. I will not table it; I will take it back outside, Mr Deputy Speaker.

An honourable member interjected.

Mr VEIVERS: It does not matter which winemaker it is. I said that I would not name people, but this wine is produced by one of the many, many producers in Stanthorpe, and probably elsewhere throughout Queensland, who will contribute to the burgeoning wine industry in Queensland.

Very rarely, in a bipartisan way, do the Minister and I get on when we debate Bills. We had a bit of fun during the Liquor Amendment Bill (No. 2), which I enjoyed debating with the Minister.

Mr Gibbs: I suggest we could improve a wonderful friendship if we could share that bottle at lunch.

Mr VEIVERS: I do not want to rush into this one just yet. Sometimes in this House party politics or political point-scoring occurs to the detriment of the people whom we are supposed to be serving, but in the debate on the Liquor Amendment Bill (No. 2) and in the debate on this Bill we have been able to approach the legislation in a bipartisan way. We on this side of the House support the Bill. I again thank the member for Warwick, who took me through Stanthorpe and opened my eyes in regard to the industry in that area.

The Opposition does believe that in the future some problems might arise which will necessitate amendment of this legislation. On the last occasion legislation affecting the wine industry came before this House, it was introduced by the Minister for Primary Industries, whose main expertise was in the artificial insemination of cattle. He was sent out to Stanthorpe to formulate a wine Act for Queensland. I am not denigrating that particular person, but I know that he used to drink mainly beer and not much wine. He did not have pleasant things to say about the wine industry.

The wine industry has been crawling along on its hands and knees. This wine Bill will put it in the fast lane of world agriculture and winemaking. I support the Bill.

Ms SPENCE (Mount Gravatt) (11.31 a.m.): In common with the honourable member for Southport, I rise in support of this Wine Industry Bill. The member for Southport made a very enjoyable speech, but he did not mention much about the legislation which we are going to pass today. This legislation is important, because it will provide the foundation for the future of Queensland's wine industry. In common with the member opposite, I believe that it is on the brink of a very fine future provided the climate is kind to the industry and it targets the correct markets and tastes.

I believe it is worth while mentioning the level of consultation that has gone into this Bill and to congratulate the Minister and his department on their approach to the review of the Wine Industry Act. This fact has been recognised by the Opposition, and this legislation is an indication of what goodwill can be achieved when consultation is undertaken in the correct manner. In 1990, it was recognised that the Queensland wine industry was fast outgrowing the Wine Industry Act 1974, and the Department of Primary Industries released a Green Paper on proposed amendments to that Act. Further consultation resulted in the responsibility for the Wine Industry Act 1974 being transferred to the Department of Tourism, Sport and Racing.

In December 1992, the Minister for Tourism, Sport and Racing announced that a task force comprising members of the industry would be formed to review the legislation. The review of the Wine Industry Act 1974 was advertised in rural, metropolitan and national newspapers, inviting submissions from anyone wishing to comment on aspects of the current legislation. A total of 16 submissions were received from the Wine Industry Council of Queensland, the Queensland Winemakers Association, individual winemakers, tourism bodies and interested members of the public.

Major findings as a result of the Queensland consultation confirmed the concerns of the industry that had been detailed in the submissions. The liquor industry associations expressed their concerns that any greater flexibility afforded to the wine industry by new

legislation might impinge on their markets and adversely affect their members.

The delegation to South Australia found that the wine industry of that State was not an appropriate model for the industry in Queensland, despite its position as the premier wine-producing region of Australia. The delegation found that problems existed in the same areas as the task force was recommending to legislate against. A free market of grape juice that operated within the area made it extra difficult to trace the origin of juice used in the production of wine in the area. Amendments to the Liquor Act in that State to make the task of growers and producers easier had resulted in a piece of legislation that was difficult to administer and confusing to the industry. The question of what constitutes a winemaker is as prevalent on the national scene as it is within the Queensland industry, and apparently as difficult to answer.

This Bill addresses the problems and issues that have concerned Queensland winemakers for some time. This Bill ensures that entry to the industry is simplified and that a licence may be approved as long as the licensee sells wine made from fruit grown in Queensland by that person or just made in the State by that person. This will allow for different operations to take place, such as someone wishing to grow grapes and send them away to be made into wine and then returned for sale, or for the purest approach of growing and making the wine at the same premises.

This Bill ensures that only operators who are participating in the industry in an active and value-adding way can be licensed under this proposed Act and enjoy the exemption from assessable licence fees afforded by it. The Bill contains a provision allowing licensees to blend wine from other sources with the wine they have made, and the percentage that can be so blended is to be set by regulation. This is a separate issue to the sourcing of grapes and needed to be addressed separately. Thus we will see the end of clean skinning, where wines are brought into the State already bottled, with no Queensland content, and sold as a licensee's own product.

The Bill contains a regulation-making power to require certain particulars to appear on the label. Although these particulars are yet to be finalised, there are good reasons for them. A label identifying the contents of a container as a licensee's wine that can be sold under the Act will assist in enforcement of the Act. The label will ensure that consumers are aware of the origin of any wine they are considering purchasing.

This Bill does much to allow a winemaker every opportunity to promote and sell his or her product to enhance Queensland wine production. It provides for promotional permits to be approved at no cost so that on special occasions licensees can sell their wine away from their winery. It allows producers to have more than one premises, so that they can operate a bottle shop detached from the winery to further their opportunities to sell their product. It gives producers the opportunity to sell glasses of wine for sampling if they wish. Along with most members of the general public, I would hope that producers continue to maintain their practice of offering free samples at the cellar door. However, I am aware that many producers desire the right to sell sample wine, and no doubt the forces of competition will determine whether Queensland producers take up this option.

For consistency, the Bill also gives producers extended trading hours by bringing their hours into line with those provided in the Liquor Act. This means that licensees may open at any time between 10 a.m. and midnight, with provision for extended hours on application.

Finally, the Bill refrains from imposing an assessable licence fee on licences, requiring each licensee to pay a set annual fee of only $300. I am sure members would agree that this is a very reasonable amount designed to give Queensland winemakers every opportunity to achieve success.

The Bill has the endorsement of the Wine Industry Council of Queensland, whose President, Denis Parsons, said in his media release of 26 November 1994—

> "We congratulate the Minister, Mr Bob Gibbs and his departmental officers on their common-sense and commercially sound approach. The new legislation as outlined in Mr Gibbs' speech will be the initiator of increased activity and investment in Queensland's developing wine industry, and there are also some excellent initiatives aimed at fostering increased activity and opportunities in wine industry related tourism."

He went on to say—

> "The new Wine Industry Bill will enable Queensland participants to be more effective in identifying and developing opportunities for expansion and growth. We anticipate that there will be very positive long-term benefit to the State."

That was a ringing endorsement from the industry itself.

This legislation concerns itself not only with the promotion and regulation of Queensland's wine producers, but is also concerned with the minimisation of harm from alcohol use by

subjecting licensees to the same scrutiny, obligations and responsibilities as other licence holders under the Liquor Act. It introduces a nominee system for licensed premises so that the premises at all times is in the control of an authorised person. Along with these responsibilities come the appeal provisions that apply under the Liquor Act, offences for those who breach their licence conditions and the requirement to keep records to be made available to an investigator, if required.

In December 1992, I had the opportunity to visit the Stanthorpe district with the Minister. That was my first visit to our premier wine-making district. At a public meeting attended by the wine producers, I became aware that there was a diversity of opinion among the winemakers on the direction their industry should take. The fact that this legislation has their support and the support of the Opposition is a remarkable achievement for the Minister, who established the task force and has personally worked very hard at ensuring that the consultation process produced the level of agreement necessary to ensure the workability of this legislation. The task force chairman, Mr John Black, whose vision is ensuring the wine industry taps directly into the tourist industry, also deserves the recognition of this House. Many of the new initiatives will mean a big boost to the tourism-related aspects of the industry, and this will be beneficial not only to the wine industry but also to tourism and to Queensland. I support the Bill.

Mr SPRINGBORG (Warwick) (11.40 a.m.): In rising to participate in this debate on the Wine Industry Bill 1994, I would like to briefly outline the history of the Queensland wine industry. If honourable members on both sides of the House will bear with me, I would like to go through it in some detail. The wine industry in Queensland was grafted into the State's agricultural endeavours in the 1850s. Surprisingly, the first commercial vignerons were from Britain, and not from the more traditional wine-producing countries such as Italy, Germany and France.

In 1852, the Government of the colony of New South Wales sent a representative to Germany to select immigrants for the Darling Downs and Lockyer Valley areas. In November 1852, 75 German immigrants, including a number of vinedressers, arrived in Brisbane. The immigrants worked for squatters on the Darling Downs, which was part of their agreement of passage. Initial wine production was small and poor. To the squatters for whom the immigrants worked, the attempt at establishing a wine industry was regarded as a hobby. As those initial immigrants moved off the properties in the mid-1850s, some of them purchased land of their own. It was almost 10 years before Drayton's Swamp, now known as Toowoomba, had firmly established vineyards. In the 1860s to the 1870s, a large thriving wine industry was established in Middle Ridge, which is today a semirural area in the south-eastern corner of Toowoomba. These vineyards existed for over 100 years until urban growth in Toowoomba caused their demise.

Around 1890, a fruit cannery and winery was built in Toowoomba where a mixture of local grapes as well as grapes from the Granite Belt and Roma were crushed. Toowoomba had a climate and soil that German vignerons considered conducive to grape growing and subsequent winemaking. From the 1850s to 1900, Toowoomba was a major wine region of Queensland. However, the children of the first immigrants were not as keen to keep up the tradition of winemaking, and in the 1890s wine production from that area began to fall.

In 1893, 245 growers on the Darling Downs produced 38 000 gallons of white and red table wines from 340 acres of vines. However, this was down from 55 000 gallons the year before. The reason for the decline was a combination of high excise duties and licence fees and the failure of the area to produce first-class vintages as first anticipated. A small cottage wine industry did survive in Toowoomba during the first half of the twentieth century, but mostly as a supplement to family income.

I turn to the genesis of the legislative environment for the wine industry in the State. From its beginnings, the wine industry in Queensland has had to struggle hard for acceptance. For instance, the Winegrowers Association was formed as a reaction to a Maryborough magistrate fining a store keeper for selling colonial wine. The immediate effect of the case was to discourage unlicensed persons from selling the product. Another problem has been getting people to drink wine, as beer is mostly preferred.

One of the early pieces of legislation was the Grape Vine Diseases Act of 1877 that was enacted to lessen the risk of the insect Phylloxera being introduced from Europe. In 1874, the wine producers were to the fore in opposition to a free trade agreement between the Queensland and South Australian Governments. Such a move would have placed increased pressure on the wine industry in Queensland. That would have been subject to competition from the more established South Australian wine industry.

In 1885 a wine seller's licence was introduced to provide outlets for local producers. This was accomplished by amendments to the Licensing Act. The biggest problem that the industry continued to face was the lack of sufficient sympathetic retail outlets. At the time, the industry believed that publicans were biased towards beer—and I suppose they were—and wanted changes to the liquor laws to allow for more wine cafes. In 1895, the Liquor Act was altered to provide for a licence to sell Queensland wine only. A licence was still not required to sell wine from the premises on which it was made.

In 1898, the Queensland Government appointed a viticulture adviser who set about readying the industry to compete against southern wine producers after federation.

Free trade between the States upon federation in 1901 was devastating for the industry. Sales of southern wines increased whilst local production fell from 600 000 litres in 1901 to 300 000 litres in 1907. At the same time, production from South Australia nearly doubled from 6 million litres to 11 million litres. By the 1920s, the Roma district was producing two-thirds of the State production. At that time, that amounted to only 200 000 litres.

Production remained at a low level until Granite Belt producers injected new life into the industry. The Wine Industry Act of 1974 was an attempt to revitalise the industry. The Act provided for an ordinary vigneron licence for smaller winemakers to sell from their cellars and vigneron/vintner licences for larger wineries, allowing them to sell from one other nominated place apart from the winery. Prior to this Act, vignerons were licensed under the Liquor Act 1912-1973.

One of the biggest bones of contention within the industry has been truth in labelling. As recently as 1988, there was concern within the industry over the existence of the practice of importing wine and applying a Granite Belt label. That is the practice referred to by the honourable member for Mt Gravatt and also the Minister as clean skinning.

Currently, the Queensland wine industry is crushing around 500 tonnes of wine grapes a year. This compares with 18 000 tonnes from the Hunter Valley.

At the time the Wine Industry Act 1974 was introduced, there were 50 established wineries producing 250 000 litres of wine a year. This was even lower than the output in 1901. The objectives of the Act were to assist the State's winemakers by helping to reach a greater purchasing public, the promotion and sale of wine made locally in Queensland, and the encouragement of fully fledged tourism in the vineyard districts.

This was to be achieved by the establishment of vigneron/vintner licences to allow sales from outlets other than the winery doors but within ordinary retail trading hours and with a minimum sale quantity of nine litres per person. Trading hours at the wineries themselves were to be 8 a.m. to 7 p.m. The sale quantities at the wineries were to be per bottle.

Fortified wines could be produced by allowing the blending of grape spirits introduced from other areas to a level of 30 per cent. Wineries would be able to sell wines made by them interstate at the approved outlet other than the winery but such sales would be restricted to 30 per cent of total sales from the second outlet. The applicable section allowed for the percentage of total sales to be varied by Order in Council.

The issuing of a vigneron/vintner licence would be restricted to those cultivating a minimum of 32 hectares of wine grapes producing 50 000 litres per year. The licences issued would still be covered by the Liquor Act and issued by the Licensing Court under the Act. At that time, the Opposition said that they hoped that the Bill would achieve the objectives stated and announced their approval of the Bill. That is similar to the bi-partisan approval that we have in the Parliament today.

The Wine Industry Act 1974 is the existing legislation and remains almost intact from that time to the present. On 4 May 1993, the present Minister for Tourism, Sport and Racing, the Honourable Mr Gibbs, appointed a task force to review the Wine Industry Act 1974. That is why today we are standing in the Parliament debating the new Wine Industry Bill.

I would very much like to congratulate the Minister on the completion and the presentation of this Bill to the Parliament. I congratulate the Minister's parliamentary committee as well as the members of his staff, Mr Longland, Ms Cartwright—and I am not sure who the other gentleman is who is seated in the lobby to advise the Minister—who were actively involved in the process of making this Bill a reality. I congratulate also the committee which had as part of its membership such notable identities as Otto Haag, Denis Parsons and John Black, who was the chairman. That is not to take away from the contribution of other members of the committee, who, no doubt, made an outstanding contribution in balancing what I see as very competing interests within the Queensland wine industries. Nevertheless, at times they could be particularly ferocious competing interests, as the Minister may have found out during the course of

the preparation of this Bill. I believe that the Bill has really done a wonderful job of balancing those particular interests.

We see the Queensland Winemakers Association and the Wine Industry Council of Queensland agreeing with the sentiments of the Bill and stating that the Bill is good legislation. It has been well drafted. The Bill adequately balances those competing industries; it looks into the future of the Queensland wine industry and promotes it; and it gives it a legislative environment in which it is going to grow and become more and more of a force to reckoned with within the Australian wine industry.

I would also like to commend the honourable shadow Minister for Tourism, Sport and Racing for accompanying me late last year to Stanthorpe to look at the tourism aspects of my electorate and particularly to look at the wines at the time. I suppose the honourable shadow Minister for Tourism, Sport and Racing was like many other members of this Parliament and many other Queenslanders—rather sceptical of the Queensland wine industry, and the quality of the wines. Our wines have been stigmatised. Some people still have the thought in the back of their minds that the wines are probably like they were 20 years ago, where one had a bit of grappa down the back shed. They do not understand that since that time a lot of people within the wine industry have spent a considerable amount of resources in upgrading their wineries and going abroad and interstate to learn the latest winemaking techniques. That certainly has meant that, now, many of those winemakers are winning medals in open competitions at some of the best wine shows around Australia. So many members of the industry, many members of this Parliament and I are seeking to break down that stigmatisation of the Queensland wine industry. The honourable shadow Minister was pleasantly surprised at the quality of those wines. I know that he has been constantly partaking in that quality ever since, as have other members of this Parliament.

Mr Elliott: A spot of research.

Mr SPRINGBORG: Yes, a spot of research. I would just like to say that the previous legislation, which is much maligned, was relevant to the time. I think that we have to go back and look at the way in which that legislation was drafted. At the time, Queensland had a fledgling wine industry. An officer from the Department of Primary Industries was sent out to look at the industry. He came back and drafted legislation that, I think, probably had many good aspects to it, but many aspects of it were deficient. For example, when the issue of clean skinning was raised, I know that the Department of Primary Industries had some difficulty recognising that that was a problem. The department would say, "It is nothing to do with us; it is to do with the Division of Licensing", which comes within the Honourable Minister's department. Quite clearly, it was not. The regulations were laid down under the Wine Industry Act.

The people in authority did not want to know about clean skinning. So I am pleased to say that the Minister has taken this matter on board, and the parameters have been set within the Bill to outline what a Queensland wine is. That will prove very harsh on the practice of clean skinning, which has caused a great deal of animosity within the Granite Belt community. Winemakers were making their own wine and putting their labels on bottles, yet other people were bringing in wine from interstate, putting their own labels on those bottles and giving people the misconception that they were coming out to the Granite Belt and buying Queensland wines.

This legislation will allow people to produce their own grapes and make them into their own wine or, in fact, to bring in grapes, produce their own juice and make it into wine, or to actually grow their own grapes, export them, and have their own wine made. If anybody wants to adopt the practice of clean skinning, they are going to have to pay for it. I commend the Minister and his department for that particular aspect of the Bill. It will do a fair bit for the credibility of the industry as a whole. Many people who visit the Granite Belt believe that they are tasting Queensland wines and, in the greatest majority of cases—90 per cent or more—they are. If they wish to buy wines that have been brought in from interstate and are appropriately labelled, they should be allowed to do that. However, consumers should be made aware that that wine has not been produced on the Granite Belt. We need to preserve the purity of our industry.

Now that the Queensland wine industry has been given the parameters within which it can expand—although I believe that under the previous legislation that expansion has been occurring—I would like to throw out a challenge to the Queensland wine industry. I believe that this legislation will free up the industry and widen the parameters for expansion within the industry. At the moment, a certain amount of grape growing is occurring in the St George area and we have the long-established Romavilla Winery out at Roma, which I think is one of the oldest operating wineries in the State—going back over 100 years. Currently, an investigation is under way into establishing a major winery in the Burnett region. Also, I was told recently that a person is looking at putting 1 000 acres of winegrowing grapes on the Macintyre in the

Inglewood area, which is also within my electorate.

As I say, I throw out a challenge to the wine industry. I say that we should develop this industry not only on the Granite Belt but throughout the State because I believe that the industry has a great deal of potential. It can contribute a great deal towards our State earnings and also our export earnings. I do not know how many members appreciate this, but it is interesting to note that the Australian wine industry—and I refer more to interstate wines—is now winning the majority of the medals in international competitions. I believe that people do not realise that; they believe that the Europeans are the ones who have almost a franchise on those medals. However, it is the Australian wine industry that is going out there and showing the Europeans what to do. It is also interesting to note that, for example, the French and people from other European nations are sending experts out here to Australia to learn how to make wine. Over the years, as an industry, we have come forward with ideas and innovations, and we have developed technology that now makes Australia a world leader. I give 10 out of 10 to the Australian wine industry for doing that.

I would like to comment on a couple of aspects of this Bill. I know that it offers wineries the opportunity to charge for tastings. I think that that provision needs to be contained in the Bill. However, I would also like to say that I hope that no wineries do that. I say that because many people want to go out to the wineries, taste the wines and buy at their leisure. If every winery adopted the habit of charging for tastings, that would not be good public relations and I certainly do not think that it would be good for the tourism industry. Were that to happen people will go back to where they live and say, "Do not go to that winery because they charge for tasting. Do not go to that winery because they charge for tasting." Nevertheless, I think that that particular provision needs to be included in the legislation.

I would also like to congratulate the Minister on the inclusion in the Bill of a provision for a free promotional permit. Under that provision, a winemaker can apply for a free promotional permit to take his wines anywhere around the State, and set up that promotion for two, three or four months. Also, the establishment of a Wine Industry Policy Council is a good move. I know that the Bill states that the Minister may establish a Wine Industry Policy Council, and I am pretty sure that the Minister will actually establish that council. We need those people to be advising the Minister and the Government constantly about the innovations and changes that are occurring within the industry.

I have already spoken about label integrity. I would just like to say that I welcome the provision within the legislation for unrestricted cellar door sales, as I believe that that is certainly going to help the industry as a whole. I believe that the extension of the trading hours to between 10 a.m. and midnight, which replaces the current trading hours of between 8 a.m. and 7 p.m., is also a positive step. Although many of the wine producers in the Granite Belt have indicated that they probably do not have a need to open to midnight—probably to 5 o'clock or 6 o'clock at night is quite adequate—that provision is there if they do wish to open beyond those hours. Certainly, because of the burgeoning tourism industry in the area, I believe that we need to be able to cater for the needs of the tourists, which that particular provision does.

I would like to congratulate the industry within my area and all the winemakers whom I have come to know and respect over the five years that I have been the member for Carnarvon and, subsequently, the member for Warwick. I congratulate the president of the Wine Industry Council of Queensland, Mr Denis Parsons, and also the President of the Winemakers Association of Queensland, who is probably one of the most notable characters within the wine industry, Mr Angelo Puglisi. He certainly has been a great advocate for the wine industry. I think that he crushes almost half of the wine grapes on the Granite Belt. No doubt, they are doing it very tough at the moment——

An honourable member interjected.

Mr SPRINGBORG: He certainly has good, big feet but I do not think that he needs to use those any more. So I give my congratulations to those people who have made a long-term commitment to the industry within my area. I will certainly do whatever I can to assist them over the years to make sure that they have their views and their opinions articulated in this Parliament.

One last aspect that I would like to comment on about the Bill is the commitment from the Minister and the department to review the legislation after five years. I believe that, because we are looking at an evolving, living industry, we cannot afford to sit still. As was proven by the 1974 Wine Act, many things change and the legislation just does not keep up. So that provision of five-yearly reviews is certainly going to help keep up with current issues, current trends and current technology.

I would like to conclude by quoting from an article in the *Stanthorpe Border Post* in which Mr Denis Parsons states—

> "The new Wine Industry Bill will enable Queensland participants to be more effective in identifying and developing

opportunities for expansion and growth. We anticipate that there will be very positive long term benefit to the State."

I certainly hope that the Wine Industry Act 1994 lives up to that statement. I have no doubt that it will.

Mr BUDD (Redlands) (12 noon): I suppose the worst part about being the last speaker in the debate is that many of the things that I was going to say have been mentioned by previous speakers. However, I think that they are worth while repeating because this Bill is a good piece of legislation. Like all legislation brought to this Parliament and like the Honourable Minister, it is good and those things deserve repeating.

Mr Veivers: Don't get carried away, now.

Mr BUDD: I am not getting carried away; it is just a good Bill and a number of things need repeating.

The wine industry in Queensland is very young compared with those in other States. For instance, the modern Granite Belt wine industry started in 1970 with two commercial producers adopting modern winemaking techniques to improve the quality of wine. One of those producers was John and Heather Robinson, who planted vines at Ballandean in 1969, had their first commercial vintage in 1975 and established the Ballandean Estate Winery in 1978.

I believe that the industry has great potential to expand in this State not only in the Stanthorpe region but also in other areas of the State. According to the President of the Wine Industry Council of Queensland, Denis Parsons, the legislation will enable Queensland participants to be more effective in identifying and developing opportunities for expansion and growth. That council anticipates that there will be a very positive long-term benefit for the State.

The most important benefit would be a new winery. Already a proposal is being drafted and will be presented to a seminar in Brisbane early next month. The winery would draw grapes from newly established vineyards in the Burnett Valley, which is now calling itself "Australia's newest wine region", as well as St George, Surat and Roma. Advisers to the Burnett Valley claim that the advantages of growing wine grapes there include good rainfall, relatively large farm size, large areas of suitable soil and significantly lower land prices. The Burnett offers the potential to establish a wine tourism industry with wine quality and type similar to the Hunter Valley region of New South Wales.

I will refer to some of the background to this Bill. The Wine Industry Act was introduced in 1974 to foster the development of the Queensland wine industry in an orderly fashion. This Act was administered by the Department of Primary Industries. In 1990, it was recognised that the Queensland wine industry was fast outgrowing the Wine Industry Act 1974, and the Department of Primary Industries released a green paper on proposed amendments to that Act. Further consultation resulted in the responsibility of the Wine Industry Act being transferred to the Department of Tourism, Sport and Racing in May 1992.

In December 1992, the Minister for Tourism, Sport and Racing announced that a task force composed of members of the industry would be formed to review the legislation. The task force was appointed on 4 May 1993 and consisted of the following members: former Senator John Black, who was the chairman, Denis Parsons, Peter Scudamore Smith, Jim Lawrie, Otto Haag, from the wine industry, and also Laurie Longland from the Department of Tourism, Sport and Racing Licensing Division.

There were some fairly major concerns within the industry, which were quickly identified. They included such things—and this has been mentioned—as the wineries not growing grapes or making any wine of their own but rebottling bulk wines. As we have been told by previous speakers, this is known as clean skinning. The Minister stated in his second-reading speech that any other sale of wine is merely retailing and is contributing nothing to the wine industry as such. Therefore, it is not relevant to this Bill and is more appropriately addressed by the Liquor Act 1992. This will see the end to the practice known as clean skinning, in which wines are brought into the State already bottled with no Queensland content and sold as the licensee's own product.

Another one of the problems that was addressed was the authenticity, or truth in labelling, of the origin of wine. This Act does contain a regulation-making power to require certain particulars to appear on the label. A label identifying the contents of a container as licensee's wines that can be sold under the Act will assist in the enforcement of the Act. The label will ensure that consumers are aware of the origin of any wine that they are considering purchasing.

It has already been mentioned that some of the wineries in the Stanthorpe region wish to be able to have the right to charge for tasting. The producers will be given that opportunity of selling glasses of wine for sample if they wish. One of the big problems was the possibility of a 10 per cent to 14 per cent licence fee. But the Act refrains from imposing that type of fee. It would place an unfair financial burden on the Queensland licensees, whose counterparts in

other States enjoy exemptions. So there will be a set annual fee of only about $300.

In December 1993, members of the Minister's legislation committee visited Stanthorpe and met with a delegation at the Civic Centre attended by members of the Queensland Wine Makers Association, the Queensland Wine Industry Council and the Queensland Fruit and Vegetable Growers Association. The members of the committee who went on that trip were met with a good response. There was good, open and frank discussion. I would like to thank the member for Warwick, Mr Springborg, for his support on that trip in particular.

Also, we visited a number of wineries in that area—the Felsberg Winery, the Bald Mountain Winery, the Ballandean Estate Winery and the Heritage Cellars. We spoke to those operators and received a good response. They really appreciated the visit and the interest shown by the Minister and the committee in their industry.

As a committee, we also looked at the legislation in other States and found that the wine industries in New South Wales, Victoria, South Australia and Tasmania are all administered under the Liquor Act. There is no specific legislation in the Northern Territory or the ACT. The legislation committee visited South Australia last year, the main reason being that South Australia has been long acknowledged as Australia's prime wine-producing area and is probably the area best known to tourists and to overseas purchasers of Australian wine. It has also been said that in the early days of production there were some pitfalls in the South Australian model that Queensland could learn from.

Apart from the wineries we visited, we met with Government and departmental officials. We explained the reason for our visit, that is, the proposed new legislation in Queensland. We were disappointed, because the legislation in South Australia is very restrictive. The South Australian Licensing Commissioner told us that, when we introduce the legislation in Queensland, we should not follow the South Australian legislation. However, we did meet and visit with a number of small and large operators in the Barossa Valley. We met with Brian Croser, the President of the Wine Makers Association of Australia. Again, we mentioned the intentions of the Queensland legislation. People such as Brian Croser were fully supportive of the changes that we intended to make in this State. We visited a number of boutique wineries and large operations such as Yalumba. There is a very large task force at that winery.

Mr Gibbs: How many people actually work at Yalumba?

Mr BUDD: About half. My response to the Minister's question was a comment originally made by the most self-opinionated, obnoxious, chauvinistic, seething mass of impulse covered by skin whom I have ever had the opportunity to meet. That certainly was not the thing that this committee found. All of the workers at Yalumba Wineries were magnificent people.

I would like to thank the departmental officers for the briefing, in particular Mr Laurie Longland from the Licensing Commission, and the Minister's own staff. I would like to conclude with the following quote from the *Courier-Mail*—

> "Queensland's wine industry is about to undergo a tourism-related revolution.
>
> . . .
>
> The new legislative framework will be good for the wine industry, good for tourism and very good for Queensland."

I support the Bill.

Hon. R. J. GIBBS (Bundamba— Minister for Tourism, Sport and Racing) (12.08 p.m.), in reply: I thank all honourable members for their contribution today and for the overwhelming display of support from both sides of the House, particularly from the Opposition, for this legislation.

I express publicly my appreciation for the support by the shadow spokesperson, the member for Southport, Mr Veivers, who I know has spent considerable time, energy and money over a number of years honing his skills to such a degree that he could now be truly described as a connoisseur extraordinaire of some of the fine table wines of this country. He could rightly be described as a true marvel of the grape. I am told by those with a great knowledge of the industry that his expertise has broadened so well in recent years that the first test that he applies to a fine red these days—and I understand this would have been the rule that he followed when he selected the bottle that he so proudly displayed here today—is that the colour of the wine has to come up to the deep rich maroon that shows up in a Manly guernsey. That is the first test. If the redness is there, he moves to the second one—the wine's taste and aroma. I offer my congratulations to him.

Much has been said today about the very first meeting that was held by my parliamentary committee in Stanthorpe in 1992. The divisions between the major players in the industry was something to behold on that particular day. I walked out of there with a large degree of concern as to how we should handle this problem. Sensible negotiation and the fact that we were able to have people from all sections of the industry make a major contribution—they

were able to sit down around a table and talk maturely about their different points of view and where they believe the industry should be heading—was a major factor in achieving broad agreement on this legislation.

Although this is a wine industry Bill, one of the driving thoughts in all our minds as we set about the task of overhauling this legislation was not only that it was 20 years old and fairly archaic, as the honourable member for Warwick has pointed out, but also that the wine industry in Queensland is now emerging to such a degree that its professionalism enables it to start playing a major role in our State's burgeoning tourism industry. In framing the legislation that is before the Parliament today, we were very cognisant of the fact that we needed to have a wine industry that supplemented our growing tourism industry and at the same time a tourist industry that complemented the excellence of much of the product that we are now seeing produced in Queensland.

The Stanthorpe area, where we spent some time speaking with winemakers and visiting a number of establishments, is an absolutely beautiful area of this State. It is one which often goes unnoticed by many people who are looking for a day trip, a weekend trip or perhaps one of those long weekends when we are able to enjoy a public holiday. It truly is a magnificent area. Its beauty and the way in which it has been planned is a credit to the rural people in that section of our State. Indeed, many Queenslanders would be very pleasantly surprised to see how professional this industry has become in that region over the past 20 years. One could do a lot worse than paying a visit to that region before seeking out other areas of the State for a day trip.

It is significant that the winemaking industry is now emerging in other areas of Queensland. Although to a large degree they have been considered small players in the industry for many years, areas such as Wallangarra and Roma—which has been fairly famous for its product over many years and is now producing a quality wine—are now emerging. There are other regions in Queensland which often are not mentioned— some of them in the far north of the State and some in the central west of Queensland. There was the great news recently of the investment by people particularly from Taiwan in the Burnett region, which will see a burgeoning new industry taking off in Queensland. There are many who would describe that as being the most exciting new initiative for the winemaking industry anywhere in Australia. I understand that the composition of the soil and the weather conditions are ideal in terms of production of a winegrowing grape, and we can all look forward in coming years to the success of that area.

I take on board the comments made about labelling and the clean skin issue. We have addressed those two issues a great deal through the new legislation. Labelling is important, because for many years—whether it has been Queensland or other States in Australia—although there has been Federal legislation in relation to labelling, it has not been adhered to by the letter of the law, and that has caused a problem. In no area has the problem been worse than in the Stanthorpe area, as honourable members would be aware. On many occasions, if one purchased a wine from that area, it carried a label saying that it was a locally produced wine when in fact it was not.

I make the point that that is not an issue that was peculiar to the Granite Belt. It probably is not a commonly known fact among many members who like to have a bottle of wine occasionally, but the reality is that one can go to places such as the Barossa Valley and drink a wine with a label that says it is a Barossa Valley wine when in fact the content of the bottle may be only 60 per cent grape content from the Barossa Valley and 40 per cent grape imported from Western Australia, New South Wales or Victoria. As we head down the track of this legislation—which has been described by a number of major players interstate as the legislation that will set the benchmark for the industry Australia-wide—I think that we will see a change in that practice.

The decision by the Wine and Brandy Makers Association of Australia has not yet been made, but we are in constant consultation with that group. We will be writing into the regulations of this legislation the required mix. If my memory is correct, the mix that has been discussed is 80/20—80 per cent local content and 20 per cent imported from other sources in Australia.

As to the matter of sampling—I concur with the comment by the honourable member for Warwick. The reality is that, although it would be highly desirable to keep samples free, we have allowed within this legislation the possibility of vignerons being able to charge for samples because it has become not a favoured practice over the years that some people within the tourism industry—coach operators, for example—are pulling up outside wineries, unloading 40 or 50 people off the bus who go into the winery and on some occasions have proceeded to make a reasonable mess of themselves over a couple of hours, overstaying their welcome, drinking the place dry of the samples and then leaving without even purchasing one bottle of wine. The loss factor for vignerons in that regard has been very high.

I hope that the industry on the Granite Belt makes a collective decision so that it cuts out any competition between vineyards in this regard and says, "We are all free or we all impose a small charge." In order for them to interconnect with the tourism industry, the best way to do that in my opinion would be to approach coach operators and major tourist associations and agree that included in the day ticket price of the coach tour there be an allowance of 50c to cover the loss factor that those people experience. That is an optional choice that the industry itself can make.

I regret that the honourable member for Nudgee is not here to have made a contribution to this debate. I have no doubt that his contribution would have been of a very sheepish nature, but I am sure that we will be able to include his views at another time. I thank all honourable members. Apart from the commonsense approach that has been taken to the legislation, perhaps it is indicative that the noble art of imbibing still has the capacity to bring people together with common causes to share commonality and be able to arrive at sensible and rational points of view.

I extend my very sincere thanks to former Labor Senator John Black, who chaired the committee. He certainly had a knowledge of the industry as a result of an involvement in and a study of it in the Barossa Valley for some years. His input was invaluable. I thank Laurie Longland from the Liquor Licensing Division, who worked very hard on this legislation. As a man of extremely moderate means, he found it very difficult at times in accompanying some people to a number of these establishments. I acknowledge the very excellent contribution that Ms Gail Cartwright has made in terms of framing the legislation and looking after the legalities of it. I thank also all the other people within my department who have made a contribution. I thank all honourable members.

I believe that this legislation will not only set the benchmark for the rest of Australia to follow but also facilitate the expansion of a great industry that provides this State and Australia with an export potential which is still virtually untapped. What we export overseas is still a very small drop in the bucket compared with the overall production of wines in the world. The point made by the honourable member for Warwick is correct. Our wines are now of such a significantly high standard internationally that winemakers from France and Germany are coming here to learn the art of good winemaking. As our wine industry grows, along with our tourism industry, we can all look forward to a very exciting future for Queensland winemakers. I thank all honourable members.

Motion agreed to.

Committee

Clauses 1 to 67 and Schedules 1 and 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LAND BILL

Second Reading

Debate resumed from 16 November (see p. 10413).

Mr HOBBS (Warrego) (12.23 p.m.): In 1860, some 130 years ago, a leading public person said—

> "Judging from the experience of older countries it would seem safe to predict that Queensland will not settle its land policy until two or three parliamentary sessions have expired."

We are into the forty-seventh parliamentary session and the Parliament is still working on the State's land laws. The last time there was a major overhaul of Queensland's Land Act was in 1962, when the sixth consolidation of the State's land laws was undertaken. Some 79 different Acts were consolidated.

In 1962, the Honourable A. R. Fletcher, MLA for Cunningham and Minister for Public Lands and Irrigation in the Nicklin coalition Government, in initiating that Land Bill, quoted from Bernays in his book *Queensland Politics During Sixty Years* about the introduction of the Land Act of 1910. In terms of history, I repeat those words to give the Parliament the opportunity to reflect on work on land laws in this place—

> ". . . at this period the land laws of Queensland might well be described as chaotic. It was a series of amendments superimposed upon amendments until the confusion already existing became worse confounded. The gigantic task of consolidating them was taken in hand, with the result that the very complete and comprehensive Land Act of 1910 was passed—a work of unusual magnitude. All previous Land Acts were by this measure virtually swept into oblivion, and the land law, for reference purposes, was simplified to a remarkable degree. Very few persons outside the department could with any

> reasonable certainty say at this time what the law really was, but we started in 1910 with a brand-new Act compiled on the experience of 51 years."

The 1994 Land Bill comes before the House compiled on the experience of 134 years and another benchmark in the ongoing development of our State's land laws. This Bill continues the consolidation of various Acts relating to land administration and the simplification that was apparent in its predecessors. Simplification and consolidation is the common thread running through all the major changes to our land laws since separation.

We support the Bill, but because of the differences in philosophy and policy that divide the coalition Opposition from the Labor Government, it is to be expected that there are matters in the Bill that we oppose. I will be mention them later. The gulf that divides the coalition and Labor becomes stark when we look at the objects of this Bill. It includes the principles of sustainability, evaluation, development, community of purpose, protection, consultation and administration, but it does not mention the primary use of the land, which is primary production, and the economic and social benefit to be derived from the land. The understanding of land, the economic and social benefits, the basic love for the land is not apparent in the Bill or in the Minister's speech that introduced the Bill.

Former Lands Minister Fletcher, speaking to the 1962 Bill, said—

> "It is no over statement to say that land law is of the greatest importance to Queensland. It is fundamental to the prosperity and well being of what is still predominantly a primary producing State . . . It applies not only to the large pastoral leases in outback Queensland but also to . . . allotments in our towns and cities."

The Bill before the House "is of the greatest importance to Queensland", but what does not shine through is the simple fact that "it is fundamental to the prosperity and well being of what is a predominantly primary producing State". The Bill ignores the people and the worker. Mr Ludwig, the Australian Workers Union boss and the leading power broker in this State, would not like this Bill overlooking the people. West of the divide, Mr Ludwig is better known as a more powerful force than the Premier.

The path of the 1994 Land Bill to the Parliament has been complicated, convoluted and fraught with concerns for Queensland's pastoralists. This Bill before the House today has had very limited consultation. It has laid on the table for one week and one day when people could have a look at it. It is absolutely disgraceful that the Government wants to do a total review of this legislation, and that it wants to do it in secret. What is the Government hiding? Why does it not want to show its land laws to the people and let them be the judge? The Government has, in secret, consulted only with the Land Use Consultative Committee and a few other people. That is very limited consultation. The Government should have learnt its lessons from the titles legislation, and even the building units and group titles legislation that was passed recently. The Government will learn another lesson from this legislation. It must consult with people. If the Government is frightened to consult, then it does exactly what it is doing now. If it is not frightened to consult, if it has the goods, if it has something that is fine, the people will support it. If it does not have something good, the people will reject it. There are concerns in this legislation that we will deal with today.

Mr Bredhauer: Lead with your chin. It's all right.

Mr HOBBS: I will give the member a little bit now.

The beginning of the process was frightening, when in his maiden speech—and this should haunt the Government to its grave—the Labor member for Hervey Bay said—

> "I contend . . . as did the old-time socialists—that, by and large, freeholding of land is just as immoral a proposition as the proposition that the very air that we breathe should be owned—possessed by the favoured few. The freeholding of Crown land by the Crown is an immoral Act and, as a land tenure, is not to be compared with a system of long-term leases, which existed in the past."

The Government is condemned by its own words. That was a frightening contention that concerned land-holders from Cape York to Coolangatta.

Mr Nunn: I will remind you of what you did in 1989 in a minute.

Mr HOBBS: The member can remind me. I am reminding him of exactly what he said. He is the one who said it.

This was followed by ministerial action establishing a committee to review land leasing policies. Three requirements were set, and one of them was that the future land administration system generate a fair return to the State on its land assets. This requirement set a continuing theme for the administration of the land system under the Goss Government, and that has been increasing land rentals. That is all the Government can do. It hates freeholding. All it

wants to do is put up the price for whatever land it can. The review was accompanied by the freezing of freeholding leasehold tenures for the duration of the review, causing much concern and uncertainty. The House will recall that this Goss Labor Government introduced an amendment to the Land Act to validate this freeze.

The freeholding of land is not the favoured policy stance of this Labor Government or, indeed, the Labor Party. The relevant section of the ALP's 1989 land management policy says that Labor will—

". . . outlaw excessive aggregation of freehold rural land;

restrict the freehold ownership of land in Queensland to Australian citizens."

Mr Smith: That's a bit out of date. That's 1984.

Mr HOBBS: Has the Minister changed his policy?

Mr Smith: It is more readable.

Mr HOBBS: The Minister says that it is more readable. We will see.

Judging from statements of former Labor Ministers and other members, it is clear that the ALP has unfavourable views of freeholding. An analysis of the Bill before the House shows that policy stance coming through. So the Minister has only changed the words; he has not changed the philosophy. This Bill definitely has an anti-freeholding flavour, albeit in a subtle way. I will come back to that matter later.

The dreaded Public Sector Management Commission got into the process by reviewing the Department of Lands and made some recommendations, which included that all legislation administered by the Department of Lands be reviewed with a view to increasing penalties for failure to comply with lease conditions and for other transgressions.

Mr Bredhauer: Hear, hear!

Mr HOBBS: I note that the member for Cook is supporting that move. The outcome of the PSMC review for the Lands Department has been complete and utter disaster from land titles to land administration and, of course, morale is low within the department. In passing, it must be said that the PSMC has been the worst management body ever to be foisted on the public service. It has made a mess of everything it has reviewed. The mess in the Lands Department bears witness to the legacy of Mr Coaldrake. Reviews by the now defunct Electoral and Administrative Review Commission impacted on Crown land administration, as did a business regulation review.

There were a couple of other reviews over the last five years, and it is a credit to hardworking officers of the department that this Bill has finally made it to Parliament after its tortuous path. I want to emphasise the work that has been put into this Bill by all departmental people. It has been a very long Bill that has involved a lot of work. I certainly commend them for that dedication. I thank the Minister for the briefing provided by departmental officers with respect to this Bill. I also thank departmental officers for their professionalism.

As I said, the Land Bill 1994 provides for the consolidation of various pieces of Acts, the simplification of land legislation and the tenure system. With respect to leases—there will be only two different types, namely, term and perpetual, as opposed to some 20 leases that apply at present. The move is both good and worrying, as the changes for some lessees will be to their detriment.

Miners' homestead leases are to be phased out, and there are some concerns about that. I understand that something like 8 387 leases have been converted in the last three years. There are still more to go. Those people who have the fully paid miners' homestead leases should not have to go back to a perpetual lease and go through those conditions of paying rent. If they do wish to freehold down the track, they will have additional charges placed on them. They virtually have been there and done that. The Government does not have to take the land back.

Mr Smith: Those around Gympie—Mr Stephan didn't encourage them to make the change.

Mr HOBBS: I do not doubt that there are a lot of people who have not done that. But many people still need that security of tenure. The Minister must do something better. He cannot just take back the land. Those people virtually have freehold title now. The Minister is reverting it to perpetual lease.

Mr Smith interjected.

Mr HOBBS: I think they need longer than that. The people out there need time. They have to be encouraged. Perhaps the Minister will have to write to them. I do not know what he should do. But he is the relevant Minister, and this Government must understand the problems that those people face.

There are two worrying aspects underpinning this Bill. Both are new and insidious in land legislation in Queensland. They are control—Government control over

lessees—and the weakening of security of tenure. I will be very interested to have a look at the Minister's latest Labor Party policy in which he says it has changed. Through this whole Bill the Government is reducing the security of tenure and putting more control over people. That is all the Government wants: control, control, control.

Turning first to the aspect of control—and I will go through some of these things with the Minister—control is not mentioned, but it lurks there in the thicket of clauses to frustrate, restrain and contain the economic and social benefit of good land administration and management and the people with leases. Graziers and farmers will be subjected to a raft of Goss Labor Government controls—some of them in the Bill, and others to come by way of policy implementation and regulation.

The Goss Labor Government, through its expensive public relations machine, whose prime function is to write letters to editors ranging from the *Goondiwindi Argus* to the *Longreach Leader* and beyond, is arguing that flexibility is the new key to the Bill. I take this opportunity to quote from a letter to editors written by the Goss Labor Government's expensive public relations machine. It says—

> "The new Act encourages innovative pastoralists, operators and developers by introducing a degree of flexibility which the old Act never had."

A "degree of flexibility" is probably correct—just a degree—because underpinning the Bill is control of farming and grazing practices. Pastoralists, operators and developers will have to be innovative to live with the threat of the controls that the Goss Government has ready for the unsuspecting land-holder. For example, under the principle of sustainability in the Bill, the Goss Labor Government can impose conditions on the lease for the protection or sustainability of the land without the consent of the lessee. Whatever happened to the consultation which the Government reckons it is good at? It cannot do it! It is not doing it, and it is not going to do it in this Bill. It is going to control them.

A respected land lawyer, Mr Bill Loughnan from Sly and Weigall Cannan and Petersen, was reported as saying—

> "If the Minister believes that a lessee, through his property management and practices, is causing permanent injury or serious degradation to the land, the Minister can issue a 'land protection order' which amounts to a condition of the lease. If the grazier objects to that condition, the only avenue is an appeal to the courts."

Mr Smith: Old Bill is drumming up a bit of business for his firm.

Mr HOBBS: That might be the Minister's opinion. Here is a person who understands the industry, is quite concerned and obviously wants people to understand that. He went on to say—

> "These land protection orders can limit the number of stock being carried or the types of crops being planted, and the Minister can demand access to stocking records and leasing information that was previously at the discretion of the grazier."

The Minister, who was allowed to sign one or two of those letters, along with the expensive public relations machine, argued—

> "To suggest the Government could enforce stocking rates and types of grazing on the State's leasehold properties is losing touch with reality as legislation cannot read the change of season."

Those were the Minister's words.

It is very astute politicking, I must say, by the Minister and the media machine to rush into print, in an endeavour to allay the fears of graziers, farmers and operators, that the Minister will not impose conditions which may include the enforcing of stocking rates and to add that the "legislation cannot read the change of season". That, in particular, is very original thinking and most instructive, but unfortunately the legislation does not support the Minister's statements. He has been caught out. The legislation says quite clearly what he can do. The credibility of the Minister's letter is somewhat tarnished, as there are three sections in the legislation that prove radical changes. They include section 211: "Conditions must be reviewed". This gives the Minister the right to review conditions of the new leases and carry out a review of the lease every 15 years—and as frequently as every 10 years—in consultation with the lessee. They also include section 212: "Minister may change conditions after review". Again, the Minister has the right—with or without the lessee's agreement—to change a condition about the protection and sustainability of the land. Who will be the judge? Will it be the Minister? He cannot even get his press releases right. There are controls in there. People will not have the security of tenure they had before.

The Minister can give all the lessees old and new licences or a remedial action notice to protect a lease or a licence. The effect of the notice amounts to the change in the conditions of the lease. So the Minister wants to shift the goalposts. If the Minister is of the opinion that the lessee or the licensee is using the lease or the

licence beyond its capability for sustainable production and not fulfilling the responsibility of duty of care for the land in a way likely to cause or has caused permanent or serious degradation of the land, he can change the conditions. It may mean that a particular paddock cannot be cultivated or grazed. Once again, the Minister is the judge. I do not think that he is a good judge of this issue. I do not think that it is his right. I think he has conditions in those leases that can control those types of issues without using the big stick. It may mean that it cannot be stocked with sheep or it cannot be stocked with cattle; in other words, it may mean that the Minister can dictate what animals can be grazed. That is in the Bill. The wily old lawyer downtown got it right. In the Government's case, Big Brother is watching. This is what is in the legislation. It is control.

The difference between the Labor Party of old and the new Labor Party is that in the past they were workers and they wore singlets; now they wear suits. That is the only difference.

Mr J. H. Sullivan: We would be prepared not to wear suits if you could get Mr Lingard to agree.

Mr HOBBS: That is a very interesting analogy. If it is the Minister's opinion that there is a problem with respect to the matters just mentioned, he has the option to inflict on the lessees an imposition. There is no mention in the Bill of the Minister taking into account the impact on the viability or the equity of a lessee's financial structure. Nowhere is there mention about the particular lessee. All the Minister is doing is taking control without any compassionate understanding of the economic situation that the particular person may be in. It takes no account of the long experience and understanding that lessees have in managing land and caring for it, nor the investment.

The Bill provides authority to the Minister to impose extra conditions at his whim. The lessee has to fulfil his obligations under which the lease is granted, but these Big Brother sections are not in the spirit of a good relationship between the lessee and the landlord.

I draw the attention of the Minister to the editorial in *Country Life* of 20 October 1994, which states—

> "Some speculation has even suggested that changes will enable the State Government to dictate how the land will be stocked, whether a producer can run sheep or cattle.
>
> So Mr Smith needs to make it crystal clear just what the new Act can and cannot do, so there are no nasty surprises in store for the unwary."

The Act says he can do that. Today in his reply the Minister has the chance to say that he will not be doing that. It is not in the Bill. The options are there, but we in this House and all the graziers and farmers who have land would like to know exactly what his intentions are. The added controls are unnecessary encumbrances and do nothing to advance good land management in this State.

The Goss Government talks about the consultation process that it undertakes to determine the needs of industry. The entire consultative process of this Government is a sham. It locks people up for days talking to them and then ignores them. The Minister has ignored even his own consultative committee in a lot of these recommendations. Another example is the natural resource management proposals where the views of the industry are being ignored. All the Minister has to do is read it. The Bill provides the opportunity to say to the Minister and to this Goss Labor Government that both should start looking at imposing conditions on Crown land, for which they have responsibility, to ensure that they are properly managed, that noxious weeds are eradicated, that the water supplies and boundary fences are maintained and attended, and that feral animals are controlled. They should be looking after their own land and at least show that they can do that and that others will have to do the same thing. The Government should lead by example, but it has not done that.

One of the major concerns of the grazing industry is the lack of management of the vast national park estate. It is so poorly managed that this Government would not know if it was being degraded by wind, rain or kangaroos. The Government has 4 per cent of Queensland in national parks yet only a handful of machines to make firebreaks and too few staff to do that. The Government does not know how to manage those lands. Then it comes into this House wanting to put all of these conditions onto leaseholders. It is all back to front.

National parks are acquired by the Goss Labor Government for image building and photograph opportunities. The funding commensurate with good management practices is not forthcoming. The Goss Government does not have a good reputation for being a good manager of its own land. It should look to itself first before trying to impose extra conditions on its lessees. It should set the example and lead by example.

The second concern—and one of the very major concerns—that I have relates to security of tenure. The underlying factor in this legislation before the House today is reduced security of tenure for all land-holders in Queensland. That is

both for leasehold and freehold. To develop land properly, a lessee needs security of tenure. There is nothing in the Bill that provides for genuine security of tenure. In fact, a fundamental weakness of this Bill is that there is not one clause—not even in its objects—that underscores security of tenure. It is definitely not in the objects of the Bill.

In his second-reading speech, the Minister suggested that we have passed the pioneering stages in terms of the types of leases we require. The reality is that this legislation will put land tenure matters back on the agendas of every industry organisation in this State. It is going to be another worry for the beleaguered industry organisations. The hallmark of the coalition Government's administration of the State's land laws was security of tenure and the Goss Labor Government, for its own ideological reasons, has changed that. There is no sound economic reason for the change. The only plausible reason is that it is the policy of the Labor Party and this Goss Labor Government to maintain control over as much Crown land as possible. It took many years of hard work by the previous coalition Government to administer stable security of tenure and to engender the necessary confidence for people to invest in leased land and to go on to freehold land. In one fell swoop this Goss Labor Government undermines security of tenure.

It must be pointed out to the Minister and this Goss Labor Government——

Mr Smith: You must have a different Bill to the one I have.

Mr HOBBS: I have the same Bill. We will debate that issue as we go through the clauses. We will point out those particular points. Following the drought there will need to be much pioneering and redevelopment. Fundamental to that is security of tenure.

As I said previously, one of the good points about this Bill is that it simplifies the number of lease types and provides for two only: perpetual leases and term leases. Under clause 468 grazing homestead perpetual leases are the new perpetual leases and pastoral holdings are the new term leases. It should be noted that both will be restricted to the specific purposes for which the leases are issued.

A term lease has limited uses: it is either for primary or agricultural purposes. A lessee with a term lease cannot embark on tourist ventures unless permission is gained from the Minister. If consent is given, an increased rental assessment will be made. How low can the Minister go? Farmers are forced to bring people into their homes to survive to try to make a dollar in the drought and the Minister is taking the bread from their tables. All that he has to do is read the legislation to see that that is what he is doing. He is putting a rental on the people who have those farms. There is no avenue left. Most of the farmers who take people in do not particularly want to go into the tourist industry; they are doing it through necessity. The Minister should read the Bill. He is going to charge them more rent just because they want to get a few people to live in their shearers' quarters to try to get a few dollars to help them pay the bills.

Mr Smith: That's a long bow.

Mr HOBBS: That is not a long bow. It is in the Bill and perhaps in his reply the Minister will expand on that and tell the House that he will not be interpreting the Bill in the exact way that it reads, that if a change of condition occurs, an extra rental category will be allocated to that particular lease. That means that a lessee cannot augment income by using his property as a host farm without obtaining approval from the Minister.

In passing, I mention the concerns of host farmers with respect to the use of farm produce for guests: eggs, milk, meat and vegetables. This is a matter which the Office of Rural Communities should be working on to try to resolve. I assure the Goss Labor Government that there is no difference between the eggs that are free-range eggs from the farm and the ones from the carton, or the fresh milk from the cow and that from the bottle or packet.

The length of term leases to be granted will be for 50 years or less, with a review after 15 years review. The worrying aspect for lessees is that there is no automatic right of renewal. What this part of the Bill is saying is that after 15 years, if in the opinion of the Minister conditions have not been adhered to, then, under the obligations to perform conditions, the lease may be forfeited. That is another blow to investor confidence and the undermining of security of tenure. Once more I ask the Minister: why does he not use the conditions to put more into educational programs? If there is a problem, why does he not do more for his own land to display to people what needs to be done?

This is a further reduction in the security of tenure, and another example of the hidden controls of this Goss Labor Government over land administration in Queensland. Fifteen years may seem a reasonably long time for the Goss Labor Government but, in terms of development, it is relatively short. This restriction impedes the ability of farmers and graziers to make long-term plans. Without security of tenure, it will be difficult for lessees to make long-term plans about such things as bank loans, improvements, upgrades and stocking rates.

For lessees with pastoral leases—and there are some 1 066 who, under this Bill, will be defined as having term leases—when they are renewed, they will be restricted to a maximum of one living area. It is a major flaw in the Bill, and it undermines security of tenure. What is the Minister going to do with those pastoral companies in the Channel Country? The Minister is saying that, when that lease expires, he is going to give them a maximum of one living area. All of those properties out in the Channel Country, or at least the majority of them, would be well above a living area. Is the Minister going to give them a normal long-term lease on one, which is equivalent to a pastoral lease, and take the rest for national parks? Is the Minister going to give them a short-term lease over the balance? What is the Minister doing for investment in Queensland?

Mr Smith interjected.

Mr HOBBS: I say to the Minister that, out in the Channel Country, people cannot build farms up. The places are big enough now. So the Minister either has something in mind——

Mr Smith interjected.

Mr HOBBS: The Minister is referring to a different area altogether. The Minister is referring to the pastoral regions of the State. If the Minister wants farm build-up, that build-up should occur on the smaller blocks that are further inland.

The question must be asked: why is this Goss Labor Government including such an anti-investment policy in this legislation? The undermining of security of tenure will send shock waves through the pastoral companies in Queensland. It will literally frighten away investors, and it comes hard on the heals of the Hinchinbrook fiasco and the environmental protection legislation. Undoubtedly, the Minister will argue that this policy provides security of tenure. However, industry and the financial markets do not support that view. There is nothing in this Bill that provides security of tenure for lessees. With respect to a term lease, there is no certainty that a lease will continue if it is above that of a maximum living area.

Under this Bill, National Parks has been given a new and easier way to obtain areas that are currently held by term leases. Again, this sends the wrong message to investors and it makes it very difficult to put land leases on a commercial basis. The difficulty arises for companies in the last 10 years of their lease. The questions are: will they be renewed? Will they be forced to surrender a part of it? Will it be viable in terms of capital outlay over a period? What is going to happen?

The Minister has now changed the terms of preferential pastoral leases. In the past, preferential pastoral leases were held by individuals and could not be held by companies. The Minister is now putting preferential pastoral leases into the league of pastoral leases by allowing companies to manage them. There are some 383 of those leases in Queensland. Quite frankly, it would have been far better for those particular properties to be downgraded into the section relating to individual owners, which is equivalent to a grazing homestead perpetual lease. If the Minister wanted to achieve farm build-up, that is a far better way to go. In my area, an Aboriginal company wants to buy a preferential pastoral lease. Of course, this aspect of the Bill allows that company the easy way in.

I turn now to the freeholding of land. Under this Bill, the freeholding of leases is difficult and convoluted. There are pre-Wolfe freeholding leases, post-Wolfe freeholding leases and current leases. I want to point out to the Minister what happens in relation to freeholding matters, and I refer to the David Lowrey case. The Minister would be very familiar with this particular matter. A few nights ago, I spoke about it in this place, and I want to speak about it again. Under clause 170 of this legislation, the Minister has the opportunity to fix up the David Lowrey case. However, the Minister is not doing it. He can do it. All he has to do is amend this legislation today to allow that freeholding application to be processed.

For the benefit members of the House who are not aware of the situation, I point out that David Lowrey obtained a lease. He then applied for freeholding. He was told that the conditions under which he would be granted freehold were that he had to put improvements on that particular piece of land. So he did that. He put an access road into the block and he put power on, which cost him $12,000. He then applied for freeholding and was told, "No, you have to go away and do some more improvements to the land." So he started to build his house on this particular block—it is a house block.

Mr Smith: The first improvements were external to the land.

Mr HOBBS: The access road and the power goes right onto the land. This young man is about to have a family, and he has spent $12,000. Eventually, he applied for freeholding. He was then told that the value of the land had increased by $12,000. So that department has made him pay for the access road and the power external to the block and then it has charged him again him for the freeholding. That is highway robbery!

On the *7.30 Report*, the Minister said that he felt that it was very unfair and that he would fix the legislation so that it would not happen again. Under the legislation that is before the House today, the Minister has not done this. I certainly hope that he does. I point out that the Ombudsman has been very active on this matter. He stated in a letter—

> "In summary, if you were under a positive obligation to carry out the improvements external to the land, which you in fact did, then I believe the effect of section 207 (D) when construed with the definition of 'prescribed state' could lead to an injustice."

David Lowrey has written to almost everybody, including the Premier. It seems that everybody except the Pope has been involved in this case. The Minister can be the Pope for a day and fix it. We have to make sure that something positive is done.

I have lots of information about this matter. One thing that I particularly wanted to point out is that, in the decision of the Land Court, the following was said in relation to "prescribed state"—

> " 'Improvements'— . . . or any erection, construction or appliance being a fixture for the working or management of a holding or, of any stock depastured thereon or for maintaining or increasing the natural capabilities of the land."

So this situation should not have occurred. David Lowrey was forced to pay $12,000 for improvements to the land, then the Minister raked another $12,000 off him. There would not be many more people who have found themselves in this position. The Minister should, from the date of that Land Court decision, have a look to see if anyone else has been caught by this injustice, as was pointed out by the Ombudsman, and then fix the problem. I am sure that Mr Lowrey and his young wife would certainly be very appreciative of that, and justice would be done.

The difficulties with freeholding are such that, under this Bill, the message to lessees with applications before the Lands Department for freeholding is to literally camp on the Minister's doorstep to make sure that their applications are processed before this legislation is proclaimed, that is, if they have the money to do so. Freeholding is very, very, expensive. I point out also that quarrying material is now, and has been for some time under this Government, excluded from the freehold grants that are made.

I draw the attention of the House to clause 250 of the Bill, which refers to the amounts owing to the State to be deducted. It would seem that this clause is designed to cover a situation in which a term lease has expired and the existing lessee is not continuing with the lease. If, in the opinion of the Minister, there has been damage caused to the land by the outgoing lessee and the State is taking it on itself to rectify that damage, such as detoxification, then the Government can deduct that amount from the payment for capital works and improvements paid by the incoming lessee. In other words, when a lessee sells, there will be a review of the conditions and if there is any problem with degradation, erosion or some other problem that can be dreamed up, then it will be the responsibility of the outgoing lessee to pay for it. That Big Brother approach will offend people. I have no problem with the expense incurred through detoxification and such things—

Mr Smith interjected.

Mr HOBBS: In some instances it may be, but the Minister has to qualify it. He just cannot have a clause in the Bill that can be used irresponsibly, and the possibility is that it could.

Mr Smith interjected.

Mr HOBBS: That is true, it could be. It is noted that if a lessee elects to pay the purchase price by a single payment, the lessee is entitled to the discount prescribed in the regulation.

Sitting suspended from 1 to 2.30 p.m.

Mr HOBBS: We will have to wait to see the mechanism applied for discounts in relation to freeholding, but already warning bells are ringing to the tune that it is going to be more expensive for freehold leases under this legislation. For leases that are pre-Wolfe, lessees who pay out the full purchase price get the full discount. However, for post-Wolfe leases, the lessee must first put up the cash. It must be said that the legislation is confusing, and with the new system it will be more so. In the Committee stage, we will be making further comments about this matter.

I turn now to the issue of land rentals. The former Goss Labor Minister for Land Management, Mr Eaton, said—

> "The Government is not getting an adequate return from leasehold properties."

This statement, added to the requirement that the review into land leasing policies must "generate a fair return to the State on its land assets" signalled that this Goss Labor Government was looking at the primary industries sector for increased revenue.

The House will recall that one of the initiatives of the first term of the Goss Labor Government was to massively increase grazing

rents. In particular, the rent on one grazing property, Stawellton, increased by 260 per cent between 1989 and 1992. Another property, El Dorado, increased by 237 per cent and another by 87 per cent.

Mr Campbell: What are they paying?

Mr HOBBS: In many cases, they are paying thousands of dollars. More often than not, they are paying more than their shire rates. In many instances, 500 per cent was not uncommon.

The Goss Labor Government implemented the rental increases in January 1991 despite the downturn in the rural economy and the drought conditions, which it failed to recognise. As the House will recall, the Goss Labor Government was forced to review one bout of increases—and I am referring to the Carter report—after the Land Appeal Court rejected four of the five rental assessments submitted to it as test cases.

The court upheld the revised cattle property assessments but reduced the standards underlying the revised sheep assessments by 20 per cent. Because of the conditions prevailing at the time, the Government should have responded positively and not forced the producers to go to court. It should have understood that they could not pay. The Government should have been able to understand and recognise the problem; but, no, it wanted more money.

Under this Goss Government, revenue from Crown land rentals has risen from $11.2m in 1989-90 to $20.9m in 1994-95, an increase of 86 per cent. I do not believe that there would be one industry—other than the Goss Labor Government—that could make such a wonderful profit. Sadly, it comes at the expense of the rural sector, which is being used as a milking cow to keep the Goss Government's never-ending flow of nebulous programs. When one looks at the puny allocation of some $20m to small rural shires, one sees that this figure pales into insignificance in terms of the rake-off that the Goss Government has made from just one item—that is, land rentals.

It gets worse. I will quote the Budget overview for 1994-95, in case I am accused of misinterpreting the Treasurer's figures. It stated—

> "Land revenues are estimated to increase by 9.4 per cent on 1993-94 estimated collections to $23.3 million, reflecting the processing of new leases and a reduction in lease arrears.

In the worst drought in living memory, revenues from land rents are estimated to increase by 9.4 per cent. The increase in land rentals is exorbitant. From 1989-90 to the estimated figure for 1994-95, the estimated increase is 108 per cent. The Government has taken the food off people's tables and is trying to get money from the bleached bones of primary producers who are working their guts out to try to stay alive and keep their families on the land. All the Government wants to do is put up charges. That is exactly what it is doing all of the time. The Government has no understanding and no compassion for the people on the land.

It must be said that the Goss Labor Government has instigated a two-year freeze on rents on pastoral leases to allow the rural sector time to recover from the drought. The freeze affected about 4 500 leaseholders. It must also be said that the 1.1 per cent lower concessional limit increased many rental assessments. Despite the freeze, the Goss Labor Government did very nicely out of land rentals this year.

This Goss Labor Government is about taking, and there is very little give, unless of course it is for social justice issues, departmental conferences or building up bureaucracies.

Mr Beattie: Are you opposed to social justice?

Mr HOBBS: I point out to the honourable member that we have to have a balance. The Government is not taking the balance into consideration. That is the point that I am making. In passing, it should be noted that freehold land sales in 1989-90 returned $67.7m, and in 1993-94 it was just $65m. In 1993, it was $43m.

I turn now to the Land Court. This legislation foreshadows the end of the Land Court. Whatever takes its place will be prescribed under regulations. Under this Government, the Land Court has virtually been a trial by ambush. The Land Court should have been a low-cost court where individual land-holders could have their disputes resolved without fear or favour. Under this Goss Government, it has been used to batter and bludgeon lessees into paying increased rentals or increased land-related charges.

Earlier, I referred to David Lowrey. If honourable members want to hear a bit more about him, I can give them some more. The Government is hurting that battler. He lives on a house block. He is not even a grazier or a farmer. Through the decisions of the Government and the Land Court, these poor people are being made to pay when they do not have to. The Government is making them pay double.

I will move on to tree management. There is an old saying that one cannot see the wood for the trees. However, in many cases Government members cannot see the trees for the wood—the wood is between their ears. I have no

problem with having a reasonable tree management program. We must look to the long-term sustainability of the land. We have to have balanced development. I accept that. In the Bill, there is page after page about tree management. The Government seems to think that having trees all of the time is right. That is not the case. On a lot of occasions, there will be better water penetration into the soil and a far better response if——

Mr Fenlon: Ha, ha, ha!

Mr HOBBS: The honourable member said, "Ha, ha, ha!" He must be from the city; he would not have a clue. There will be better water penetration into soil covered by grasses, which allow the water to penetrate. In a lot of cases, trees degrade the land. We have seen that. In many cases, once trees have established in an area, it is impossible for anything else to grow and the soil around them erodes.

I will point out a few of the respects in which the Government is going overboard with this Bill. The Bill sets out the requirements of the chief executive in relation to a tree clearing permit.

Mr Fenlon: You were out there with old Joh and the brigalow clearing with the bulldozers.

Mr HOBBS: No, I was not. Of course I was not. The honourable member should cut it out. The honourable member has wood between his ears. I rest my case. In relation to tree clearing permits—when I had a look through the Bill, I noticed that the chief executive must consider conservation values, native title, protection of scenic, visual or landscape values, public safety, fire management, bee keeping purposes, and the heritage or cultural values of the trees on the land proposed to be cleared. There are about two pages of things that he must consider. How far is the Government going? Why can it not use some practical commonsense? That is what seems to be lacking in all of the legislation coming before us these days.

Whilst it is recognised that tree management is certainly important, there is a concern that, as the natural resource management proposals cut across the policy contained in this Bill, it is thought that it would have been wise for there to be greater clarity of the strategies to be put in place under natural resource management. There seems to be a double whammy—the first contained in this Bill and the proposals under natural resource management. Within industry circles, there is not much happiness with the natural resource management proposals.

Many Government members may be unaware that there have been many meetings throughout Queensland in recent times in relation to NRM. Basically, that concept has been rejected because it has been put together by people who do not understand its real implications for rural industry. People have been bombarded with workshops and butchers paper exercises, and they have had enough. They have had to contend with drought and low commodity prices for long enough. People need to recover from those circumstances before anything else can occur.

Mrs Edmond: The other States have actually learnt about land care and are actually participating in those programs. It is only people like you that oppose them.

Mr HOBBS: I have no problem with land care and long-term sustainability in the development of land, but I object to the way in which the Government is going about it. The member should listen; she might hear something that may help her to understand.

Mr Beattie interjected.

Mr HOBBS: I acknowledge the wise man from Brisbane Central. Unfortunately, the member sitting behind him does not have a clue.

The Government must recognise, firstly, the meaning of economic sustainability to the people on the land. There should be a joint arrangement in relation to the environmentally sustainable development of land. Through primary industry groups, there is a feeling that the consultative processes have been hijacked by community groups that have no understanding of industry practices.

Mr Beattie: Why don't you try to educate some of them, if that is the case?

Mr HOBBS: We are. I think there has been a tremendous improvement in relation to land management matters. Landcare is a voluntary group that has moved at a grassroots level across the whole spectrum of the landscape of Queensland. There is now a better recognition and understanding out there. But people want to learn, they do not want to be pushed into action. In fact, much of the advice that has been given has been wrong.

Mr Beattie: What I am trying to say to you is: most of those groups have good intentions. It is a case of making sure that everyone understands.

Mr HOBBS: That is true. We would be better off having more round-table discussion and less legislation.

Mr Stephan: There are a lot of places in Australia where people have good intentions.

Mr HOBBS: There is no doubt about that.

This Bill provides much work for the bureaucracy in tree management, both for the lessee and the department. Given the mess that the Lands Department is in, it is to be wondered whether it will have the resources and the capabilities of handling this increased workload. I refer to a recent case in Cunnamulla, where the Minister opened a new Lands service centre. It has five staff.

Mr Smith: You're not going to run this one again?

Mr HOBBS: I am going to give it a run. The Minister should sit back and cop it. He opened that place——

Mr Smith interjected.

Mr HOBBS: I know. I saw the press release. The Minister was caught out again. The week after the Minister left, three of the five staff were on transfer. The district manager was on secondment for 18 months; one valuer was to go on transfer; and a rural lands protection officer was to go as well.

Mr Beattie: Why don't you go give them a hand, then?

Mr Littleproud: Take the interjection. It was a pretty poor one.

Mr HOBBS: I ask the member for Brisbane Central to run it again.

Mr Beattie: I said: why don't you go and give them a hand? You are full of advice.

Mr HOBBS: I gave the Minister some advice. The Minister should have made sure that people were available to take the place of those who went on transfer—not so much before they went but at least to have people available to act in those positions. I have no problem at all with those people being transferred, but one can guarantee that they will not be replaced, and that could go on for months and months and months. Already, we have seen that the DPI veterinary officer and the wool and sheep adviser in that area have not been replaced. The same will apply at that centre. How will the Government administer all the bureaucracy that it is putting in place?

It is well known throughout the grazing industry that the Goss Government is looking to dispose of the Rural Lands Protection Board. This Government has neutered it. It seems that the proposal for the board's replacement is to set up regional local government areas that would administer and finance the previous activities of the board. If this is the case, it will be a further cost burden on local authorities. If this is the case, it will be another example of those activities that the Government does not want to carry out being fobbed off to local government.

Previously, I drew the attention of the House to the fact that this Government is not serious about managing the national park estate and in particular ridding areas of noxious weeds. It is noted that under clause 200 of this Bill the Minister may bring the noxious plants on the land of a lessee under control and, what is more, charge the lessee for doing so.

Mr Littleproud: The comment coming from my electorate is that the Government are not looking after their own places like forests and national parks.

Mr HOBBS: That is quite true. The member for Western Downs has made a very valid point. Quite frankly, this Labor Government should be doing more to control noxious weeds on the land that it controls. The double standards of this Government are quite remarkable. It huffs and puffs about protecting mangroves and whales on beaches, but it is not interested in controlling noxious weeds that are degrading national park and roadways.

Mrs Edmond: All private land.

Mr HOBBS: This Government is degrading the land.

Recently, I received a letter from a Mr McLellan of Toowoomba, who had travelled through the Emerald area. He said that he was disgusted at the amount of parthenium that had been allowed to grow on the roadways of the State over which he drove. That is the Government's responsibility, but it is not worried about it. It is down here in the city. It loves it down here.

Mr Littleproud: Mother of millions.

Mr HOBBS: That is right.

Nor is there real assistance for the land-holder. There are insufficient staff numbers to carry out the work. When it comes to the lessee, the Government's pre-eminent position enables it to point its finger and say to a lessee, "Clean up your noxious weeds. If not, the Government will, and we will charge you for doing so." There are a number of land-holders who would dearly love to charge the Government for cleaning up noxious weeds on Government land, particularly national parks, but of course this would not be proper.

I refer to clause 121, leases on unallocated State land. This clause basically provides for the State to acquire land and distribute it for build-up purposes in an effort to make properties more viable. This is a very important and innovative move, particularly in terms of the south-west strategy. The Federal and State Governments

will put some $16m into this strategy over the next few years, and it is certainly welcomed. The basic build-up strategy derives from PIPES—the Primary Industries Productivity Enhancement Scheme—commenced under the National Party Government. There was a need recognised then for that scheme, and it has been further developed. I am very supportive of that scheme.

It is noted that in clause 123 the priority criterion is that the applicant must be an adjoining owner or lessee. I am of the view that this is a rather harsh priority. We believe that "adjoining" could be one or two places removed. Each case should be considered on its merits rather than stipulating such a hard-and-fast rule.

The essential element of this Bill is native title, which we debated last night. It is highly unlikely that this particular clause will be needed for quite some time. In this Bill, there is considerable reference to land titling. Due to time constraints, I will cover some of those issues quickly. Basically, this has not been a good issue for the Minister or the Government. A good system existed, but the Minister administered it very badly. There was no consultation on the new land titling system. The legislation was formulated in secret— much the same as this legislation—and the Minister came out and plonked it on the table. The Minister was told that it was wrong, just as we have highlighted problems with this Bill. There are some flaws in this legislation that the Minister needs to understand.

The land titling matter was not handled professionally. No-one in private business could run an operation in a similar manner and expect to enjoy the confidence of other people. The Minister has not been a good custodian of Queensland land issues and particularly land titles. There have been long delays. In many cases, people have gone broke because they could not obtain their titles. The delays have blown out from a three-day delay to 10 weeks or even 14 weeks. There are instances in which the Government must lift its game. I understand that headway is being made on the backlog which currently exists, which is welcomed.

There is also a problem in relation to the issue of duplicate certificates of title and the charge that the Government imposes for that. Firstly, there should not be a charge for a duplicate certificate of title. Secondly, if people demand some security over their title, they should have it. It should not be up to the Government of the day to tell the people what is good for them. I think that the notification of dealing that the Minister had was suspect. It is the view of many private practitioners that it was ultra vires. The Government has said that, no, it is not, and away it went. I hope that any lawyer who has used that particular notification of dealing on behalf of the Government is in fact compensated should any court case arise in the future. I notice that the settlement notice procedure that is listed in this legislation will resolve that problem, but I just wish that we had time at the very beginning, when this legislation first came into Parliament, to resolve these types of things rather than having the doubt and uncertainty that has gone on with this legislation for quite some time.

Another point I wish to raise in relation to land titles is fraud. Fraud was previously limited, and now it is unlimited. I think that the Minister has that on his head. There is more opportunity now for fraud than there has ever been in the past.

I quote the concluding remarks of the Honourable A. R. Fletcher, Minister for Public Lands in the Nicklin coalition Government, following the introduction of the 1962 Land Bill. He said—

> "The Bill, I think, takes a long step forward in the direction of a practical recognition of the needs of the land owner in this State, at the same time keeping in mind that Queensland is still growing and developing.
>
> On the experiences of the past I think we have built a structure that will serve the up to date needs of our land people], and at the same time preserve the rights and opportunities of future generations of land people] who will in due course, inherit our responsibilities and undoubted privileges here."

The coalition would like to be able to say that the 1994 Land Bill goes through this Parliament with the same sentiment and good will. Unfortunately, the underlying concerns of Government control and the failure to ensure security of tenure make the Land Bill 1994 a very poor cousin of the 1962 model. A coalition Government would ensure security of tenure and remove any semblance of the Big Brother controls that lurk in the myriad clauses and restore confidence in the land laws which will be undermined by this Bill.

Mr NUNN (Hervey Bay) (2.53 p.m.): I rise today to discuss the Land Bill 1994, but before I do, I want to take the previous speaker up on something that he said which did not have anything to do with the Bill at all. The previous speaker tried, in his sneering way, to demean and denigrate the memory of the workers of the past. He said, "They wore a singlet; now they wear a suit." Too right they wore a singlet, but they also had a suit. My father was a worker. He wore his singlet when it was appropriate; he wore

his suit when it was appropriate. He wore the singlet with as much dignity as he wore the suit. He wore them both with pride. He did not have to have any sneering, snivelling, lily-livered, sycophantic wretch like the honourable member for Warrego telling him what he could or could not wear or what he could aspire to for his offspring in later life.

Members opposite think that they are the owners of all that they survey. The right to live and the right to rule is not theirs.

Mr Littleproud: What a load of garbage.

Mr NUNN: If I were the honourable member, I would also keep quiet because I know a bit about him. Anyhow, it was interesting to note that the previous speaker's speech had one continuing theme, that is, his bleating, plaintive request that we do away with all control. He wants no control over the management of lands in Queensland. He abhors control. He was talking about having no control. He wants us to do what they did in the past. He wants us to be a symbol of land degradation for the rest of Australia. He knows as well as anybody what happened to the mulga lands around Charleville. He knows all about the way land was degraded and degraded in this country, and it is more shame to him that he does not admit the mistakes of the past. The member's grandfather was probably a pioneer and a hero. He would turn in his grave if he saw this fellow, and if he were here today, he would take the sharp, small blade of a pocket knife to him to make sure that the line did not go any further.

The honourable member seems to have some sort of paranoia about things I have said about the freeholding of land. Just because people now have to pay for the land, members opposite think it is an abomination. They think this is something that does not happen in the rest of the world.

Mr Campbell: They still think they have the Upper House.

Mr NUNN: They do indeed still think that they have the Upper House. Since the member for Warrego takes me to task about my statement about the immorality of the way land was freeholded under the previous Government, let us take a run back through it. He talks about what he sees as the demise of the Land Court. Let me tell honourable members how the National Party Government used or did not use or side-stepped the Land Court. First up, when they wanted to freehold a parcel of land, they did not have to go to the Land Court for a valuation because the Minister could give them the valuation—it was as simple as that. If a member had a good mate who required a pretty good valuation, then he got it. There were two ways they could pay for it. They could either pay it on terms which were interest free, or they could pay for it outright and then get a 50 per cent discount on it. This is how the National Party Government used the Land Court. All the mechanisms it used were designed to rort and rape and pillage the land system of this State.

Mr Littleproud: It was the law of the land.

Mr DEPUTY SPEAKER: Order! The member for Western Downs will come to order.

Mr NUNN: Maybe it was to keep the control of the land in the hands of a few. Of course it was the law of the land, and who made that law of the land? The National Party Government did. There was a crowd who freeholded land who were called the '89ers. They were the blokes who slipped it through quick smart in 1989. George Quaid was one of them. He did a good deal. He bought land up in the cape for 50c an acre.

Mr Hobbs interjected.

Mr NUNN: I do not know whether he got a ministerial valuation or not, but with the honourable member it is quite probable. I do know that he bought the land for 50c an acre. He paid $30,000 for 65 000 acres and then he shot through overseas and tried to flog it off over there for $25m.

Mr Hobbs interjected.

Mr NUNN: The difference between the $60,000-odd and the few million we are going to give him is not as great as the difference between what he paid for it and the $25m he thought he would get for it overseas. I would like to ask Mr Hobbs how he went. Did he get a ministerial valuation? He was one of the '89ers from the west. When we went out there and spoke to some of the member's friends, they said that Mr Hobbs had a good parcel of land on very, very advantageous terms.

Mr Hobbs: No more than anybody else.

Mr NUNN: These were not fellows on our side. These people thought Mr Hobbs received some treatment different from what they had been getting—and they were his mates. With mates like that, the member does not need any enemies.

The Land Act of 1962 is out of date, cumbersome and no longer provides the machinery to control land management in this State. I have used the hated word "control". It is a wonder the honourable member did not faint. The Land Bill 1994 will repeal the old Act and will focus firmly on security of tenure and land sustainability and it signals the departure of Queensland from the pioneering closer settlement era to the era of consolidation, the

building up of properties where it is appropriate and land sustainability.

I will deal first with security of tenure. The Bill maintains Queensland's leasehold system and the high level of security of tenure associated with it, while at the same time it streamlines the tenures and the associated processes that are required to bring about those tenures. Honourable members should know that in some States they have recently turned all or some of their leases into perpetual leases. Queensland's better grazing leases are already perpetual leases. It is worth noting that nobody wants the larger blocks in the western country and in the Channel Country freeholded. The AMP does not want to freehold its leaseholdings. It is doing quite nicely out of it, and why should it incur a debt? It is a mistake common amongst graziers that they incurred a debt freeholding land. In some cases, they borrowed money to do it. Then what happened? Interest rates got to them, and it became a problem. Many of them wish they had not done it.

Security of pastoral leases is maintained, with a number of restrictions on these long-term leases being lifted. These include the lifting of restrictions against corporations holding preferential pastoral holdings and the lifting of restrictions on stud holdings. The clause that deals with stud holdings is quite unambiguous. It sets out clearly and simply that they can use the land for farming or agricultural purposes. Lessees will still be able to apply for conversion of their leases and, where appropriate, freehold purchase will be allowed. An existing lessee who, under the 1962 Land Act, would be able to obtain a freeholding lease, will still be able to obtain a freeholding lease if the conversion to freehold is approved. This includes current holders of grazing homestead perpetual leases, non-competitive leases and special leases.

Members opposite talk about pre-Wolfe and post-Wolfe leases. I believe it is eminently fair that those pre-Wolfe leases should stay as they are—with the pre-Wolfe term of lease—and the purchase price stays the same. It does not matter that it came about under a system that was twisted. We are being fair to those people who got them under those terms and conditions, and they will stay that way. That even includes the price of the timber, which in most cases was nothing. We will let even that stay. Members opposite talk about unfair treatment. What a lot of hogwash! They are as stupid as a mud oyster.

Mr Hobbs: You don't even know what you're talking about.

Mr NUNN: It is very hard to get commonsense things through to the honourable member. Trying to talk to him about modern land management is just like talking family planning to a rabbit.

Lessees who obtain their leases in the future and apply for freehold further in the future will be required to obtain finance from other than the Department of Lands. In other words, we are not going to be the bank for them any more; they can obtain their money where everybody else gets theirs.

The Bill contains wider appeal provisions than those in the 1962 Land Act. How the honourable member can interpret this as being unfair or an impost upon those people is beyond me. But then I suppose that Mr Hobbs does not speak for the majority. Most of the appeals under that Act related to determinations or calculations of values. The Bill continues those appeals and adds a number more. For example, if a transfer of a lease is refused, a lessee can appeal against the decision. On top of that, the Bill also includes an internal review mechanism. So, initially, appeals can be looked at informally and inexpensively to see if a resolution can be found before proceeding to a court appeal. I do not know why Opposition members would be frightened of that.

A Government member: It's a good idea.

Mr NUNN: Of course it is a good idea. Those rabbits opposite do not appreciate anything that is done for them. They are ungrateful.

The Bill sets up a single process for applying for renewal of all leases and makes it clear that if a lease of the same purpose is appropriate then the current lessee has priority. What could be fairer than that? The Bill does need to focus on sustainability of resource use and development to ensure existing needs are met and the State's resources are conserved for the benefit of future generations. There are various provisions for allowances for concessional rents. The concession that I find most interesting, and which indicates that the Government is bending over backwards to be fair, is the property build-up concession.

Mr Hobbs: You wouldn't know what a concession was.

Mr NUNN: I make every concession to the honourable member. I take note of his nonsensical comments and his lack of brains and make allowances for him. An allowance is a concession. I know all about concessions.

Clause 188 allows the Minister to set a rental rate with the introduction of a rent concession, which can be allowed where an amalgamation of leases for property build-up would otherwise

have meant a higher rent than the lessee would have paid under separate leases. The Opposition spokesman made the point that it is essential to be able to do this where the holdings are too small. For example, take the difference between Cunnamulla and Charleville. Charleville is in a big mess; Cunnamulla looks all right. Around Wandoan, where the blocks were cut up too small in the soldier settlement scheme, one finds that land degradation and the ruination of those soldier settlers were two of the worst outcomes from that. So we do have to build up from smaller blocks.

Another aspect of the Bill is the introduction of an ability to tie a lease to another parent parcel of land. For instance, where the Government provides financial support to a person to purchase or obtain additional land under lease to build up a property, the lease cannot simply be sold off again after or during a good season and revert to a property that is too small. That is another rort that will go out the window.

While I am talking about rents, I will admit that they did increase. When we were in Charleville, a bloke was grizzling and moaning about our putting up the rent from $600 to $6,000. We thought, "What a terrible thing. We will have to look into this."

Mr Hobbs: You must have been lost if you were in Charleville.

Mr NUNN: We found our way back.

An Opposition member: What did you do, follow the railway line back?

Mr NUNN: Yes, the same as the honourable member does in his aeroplane. That is how the honourable member gets to town—by following the railway line.

We wanted to investigate the plight of that poor fellow, and we did just that. We investigated that rent increase from $600 to $6,000—a terrible business. What did we find? We found that he had sublet it on to another fellow, and he was getting $25,000 in rent! Those were the sorts of rorts that we had to stop when we came to Government.

Mr Hobbs: That's a total year's income—$25,000.

Mr NUNN: I am telling the honourable member that that was right. That fellow was letting it on to another bloke for $25,000.

There is also a clear intention to ensure that land sustainability is a factor in considering whether a tree-clearing permit application should be granted. I am sure that one of my colleagues will address that issue later.

The Bill maintains the current ability for the Minister to take action when a lessee is causing degradation—he could always do that; so Opposition members can stop whingeing about that—except that the provision has been altered from the current ability to require a lessee to de-stock to a provision that enables the Minister to require a lessee to take remedial action. The wider ability is tempered by an ability for the lessee to appeal against such a requirement being placed on a lease. There is nothing wrong with that. It places a dreaded control over people. If they do the wrong thing, they will get their wrists slapped.

As a new initiative, the Bill introduces, for leases introduced after the Act commences, a 10 to 15-year review requirement. Between 10 and 15 years after a lease is issued, the local department person and the lessee can sit down together, look at the conditions of the lease and update them. If there are conditions relating to the protection of the land that need to be included, in all likelihood the lessees will readily agree, and the lessee might even suggest them himself. If there is a condition relating to the protection of the land that the local department person believes should be placed on the lease, but with which the lessee does not agree, the new conditions could be placed on the lease. However, the lessee has an ability to appeal against the new conditions. I do not know what Opposition members are squealing about.

This new provision in the Bill recognises that our knowledge and understanding of how our actions affect the land resource is growing and changing over time. That is something that Opposition members seem to want to resist; at all costs they want to resist change, because they cannot be bothered updating their knowledge; they do not want to understand. Practices that were acceptable 15 years ago may no longer be acceptable today. This review of conditions recognises this and allows the State to ensure that the land sustainability principle of the Bill is being upheld. I support the Bill.

Mr STONEMAN (Burdekin) (3.10 p.m.): I guess that it is with some sadness that I note that even after the passage of a number of years some members opposite still have this bitterness within them in respect of any subject relating to what they see as land ownership and what they consider to be the largess of Governments in the past in dealing with anyone who has anything to do with the land. Of course, that is the ultimate socialistic view. I find that tragic and sad because it seems that that sort of thinking must have been infiltrated through to a Bill as important as this.

Mr Beattie: No, no.

Mr STONEMAN: Well, it is the type of attitude that prevails, that we hear in speeches such as the one we have just heard. I am not

about to attack the honourable member for his views; he is entitled to them. However, I do not believe that it is possible, reasonable, nor in fact productive, for those views to be extrapolated by way of a philosophy that in the end will reduce the capacity of the people who rent the leasehold land of this State to have a positive input into the national economy. For the honourable member to suggest that there was no control in the past is unbelievable and something that I should treat with disbelief. May I say, as somebody whose knowledge of leasehold land in Queensland goes back 30 years and whose family's knowledge goes back to the 1940s, the conditions of the leases on those blocks were always uppermost in one's mind. Those leases were firstly grazing homestead leases and they later became grazing homestead perpetual leases. That was a major step forward.

The evolution of the structure of tenures in this State is something that I believe will continue to move forward. I acknowledge that in a lot of cases this Bill does, in fact, streamline a process that has been a part of the evolution of the structure of land tenure in Queensland since it became a State. If at any stage we think that we have the perfect structure, we are kidding ourselves. Quite frankly, it is ludicrous to hear members in this House expound the bitter and twisted view that there were no controls in the past, that people got it for free, that the process was easy, and that Ministers could help out their mates with the stroke of a pen without any checks and balances within departments. That is an insult to those people who have nurtured and guided the development of this State and its vast land areas over generations. It is an insult to those departmental officers who have given body and soul to serve the various masters in the best interests of the State. I find it unbelievable that some members still view everything as a rort.

I take up the previous speaker on the throwaway line that he used about land being valued at 50c an acre. Depending on where one goes and how one looks at it, the value of land varies. Bare land in a favourable or potential real estate area may have a capital growth potential. But in most instances, in reality, leasehold land in this State has no capital growth capacity. From time to time people might think that it has. We see people coming from other States saying, "Land is cheap in Queensland; let's snap it up." However, at the end of the day they all come to heel. They all discover that the land is only worth what it will produce and the return that it will bring to the producer. That is what it is all about. That is the sad fact that some of the members opposite do not seem to understand. They seem to forget, when they use instances such as that ridiculous statement that had no figures to it back up that the person was renting the land from the Crown for $600 per year and releasing it, or agisting it—I am not too sure what the terms were—at $25,000 per year. That may have been the most inexpensive lease that that person could ever get. I point out that he had to build fences, sheds and dams. He had to arrange the water supply and the roads. He had to insure them and suffer the depreciation of them. He probably had arrange for the input of telephones and electricity—all of the utilities that in most instances are supplied——

Mr Johnson: The problem is further compounded when you get five years like we have just experienced.

Mr STONEMAN: That is exactly right. That is what that person was leasing. He was not leasing unimproved land. The State does not provide the structural improvements that allow a person to the derive an income. They are not provided by the State. They never have been and they never will be. They are provided by the blood, sweat and tears and, most of all, the investment of those people who put their money where their mouth is and try to eke out a living. They have to get living in times of drought and in times of low commodity prices. All of those factors go towards assessing whether or not the land is being leased. Today, most of my comments refer to land that is leased for primary production.

One of the sad aspects of this Bill is that in Chapter 1 Part 2 under "Objects" we find that there is no mention of the prime use of land in this State. Certainly a range of land lease options are available. In terms of the numbers of blocks, there are lots of permits to occupy up the coast, special leases and all of those other options that are used for other than primary industry. But the vast land mass in this State has traditionally been used, and will continue to be used, for the purpose of primary industry. The objects in this Bill make no suggestion of comment about primary industry. I find that quite remarkable. It treats land in a bland sense as if there is no requirement that one needs to understand the vagaries of production in relation to the land and how they apply to primary industry——

Mr Beattie: What about land degradation?

Mr STONEMAN: I will take that interjection—and the problems that come as a result of the use of the term "consistent sustainability". That is what we are all about. The honourable member talks about land degradation. I think there will be a few knives out before he gets a chop at the Ministry. The point is that sustainability is a very mixed process. At the moment, a tremendous amount of this State

would not run a bandicoot no matter how rich the land was, no matter how carefully managed and sustained the operation. When a drought occurs of the proportions that a lot of this State is now experiencing, it is impossible to run anything. A farm is overstocked with 10 head. There is nothing that the farmer can do about that.

It concerns me that within the Bill there is a capacity for the sort of thinking that we heard the previous speaker put forward in relation to the bringing out of controls that will be unrealistic in the overall picture. That is of great concern to me. Certainty needs to be a major component of any investment. Investors must have confidence and security. I know the honourable members opposite talk about security of tenure.

Clauses 211, 212 and 214 refer to the need for review of the conditions of the lease and the fact that the Minister can change the conditions of a lease without the agreement of the lessee. In other words, he can come in and ride over the top. There has always been the capacity for a Minister to impose conditions on a lease. I think that when a bank manager reads that and realises that clause 214 provides the capacity for remedial action that changes the conditions, that financier is going to say, "Look here. You have a problem. You could get into the last 10 years or so of your lease, have a major review and have the terms and conditions changed such that your capacity to meet those terms and conditions is dramatically reduced." As I understand it, that can be a rolling review and a rolling condition. I would be interested to hear from the Minister in his reply if that is not the case.

In the old days, the terms and conditions were imposed with some degree of certainty, and provided the lessee sustained those conditions at the time, then the lessee negotiated the new conditions into the next stage at which that person undertook to put in new dams, sink a bore or put up a mill. We need to have certainty of those fixed land-related costs, and the concern I have is that this Bill weakens certainty. There are many good things contained in this Bill. I understand the objective behind streamlining matters, but I am not sure that, at the end of the day, it is going to make much difference because the term "leases" is going to be defined in a whole series of subsections in the Act. The other point that I want to make is that, under this legislation, it will cost more to change to freehold or to rearrange the structure of those leases. I am saying that, overall, streamlining may not be beneficial.

Land use has associated with it enormous uncertainty as a result of droughts, income derived from the sale of goods and cost-related matters, such as access to markets, access to manpower and the capacity to sustain improvements. Over the last 30 years, in terms of sustaining improvements, most of the properties in the pastoral areas of this State have had very little spent on them simply because the income that they have generated has not been sufficient to allow people to put more money into those properties. As I have said, there has been a proliferation of Governments in Canberra, and particularly the current one, that seem to have no understanding of the reality and the need for a higher degree of depreciation in primary industries than would otherwise be the case in other industries where costs can be passed on. In primary industry, people cannot pass on their costs, and that is a great difficulty.

The problem that we have is the inherent attitude of Government members and the way in which they look upon all land matters. I have referred to the member for Hervey Bay. I will refer also to the speech that the member for Thuringowa made in this place in October in which he referred to a landowner on the Black River near Townsville. It is of particular concern to me that any member of this Parliament would use throwaway references, rumour and innuendo in this Chamber in an endeavour to score political points against a person. In this case, the member for Thuringowa brought into question the lease and rental entitlements in relation to some land that is owned by the Deputy Mayor of Thuringowa City, Councillor Roger Brabon.

In his speech, the member for Thuringowa said in part—

> "An issue of concern to me is that the Deputy Mayor of Thuringowa, Councillor Robert Brabon, receives a cash benefit from Boral's sand extraction."

Boral is the lessee of that land. The member for Thuringowa stated further—

> "Councillor Brabon owns land on both sides of Black River and Boral's plant is located on part of his land. Clearly, he is entitled to receive rental for the use of his land. However"—

and this is the concern that I raise—

> "the local rumour is that he is being paid a royalty based on the quantity of sand removed and that he has been receiving such a royalty for many years."

The member goes on to refer to the record of pecuniary interests of the Thuringowa City councillors.

I find it quite remarkable that anyone would seek to denigrate another person, whose family has given over 100 years of service to the community, because that person owns land. The

member has the nit-picking view that anyone who owns land is part of a rort or a structure of which the rest of the community cannot be a part. I generally have a high regard for member for the Thuringowa, but I am sad to say that, in reference to a submission that he made to EARC, he said—

> "I have never seen myself as representing the City of Thuringowa or its Council. My constituency is the people who live within the boundaries drawn by an independent authority."

All members represent people who live within local authorities as well as the councillors themselves who are part of the local authorities. We support them by way of legislation and the way in which that legislation impacts upon the State.

As a result of the member's speech, Councillor Brabon contacted me. He was greatly concerned because the member said by way of innuendo that he was part of a rort, which had brought him into considerable disrepute, to which the member for Hervey Bay referred.

I have before me a statutory declaration from the Deputy Mayor of Thuringowa City, which states—

> "I, Roger William Brabon of Glenrowan Station, Black River, in the State of Queensland, do solemnly and sincerely declare that I have never claimed ownership of Black River or collected royalties from the materials that have been won from the River for the last twenty-three (23) years by Boral Resources and others.
>
> I am paid a yearly rental by Boral for approximately two hectares of my land that they have used for the screening and stockpiling of sand. Also I am paid a royalty for bedding sand top dress (loam) and some fine sand that is mined from a block (Portion 277) of freehold land that I own over which I have an Extractive Industry Consent Permit."

That declaration is signed, and I table it.

I use this issue as a means of illustrating the thinking that seems to be inherent in the developmental processes in relation to land legislation by this Labor Government and past Labor Governments. For that reason, in the past blocks were cut up so small that they were not viable.

Mr Dollin: You had 30 years. Why didn't you fix it up?

Mr STONEMAN: I take that interjection. The National Party was in Government for 32 years, and let me say that it is a pity that it was not for 52 years or 62 years. In reply to that interjection, I say that it is generally agreed throughout the State that, during the last 10 years of the National Party Government, some of the greatest and most supportive changes were made to the Land Act in 50 years or 100 years. The National Party Government simply recognised the problems that were constraining landowners in their use of Crown land and their capacity to sustain a livelihood and to sustain the land.

That is what I am on about. I refer to the Government's attitude that people should not make a profit. The Opposition knows that unless people can make a profit, unless they can support their families off the leasehold land in this State—I refer particularly to people who are drawing an income from primary production—and unless they have the capacity to make improvements to their property, the land will automatically become degraded. People have to have larger holdings. As I have instanced in the case to which I referred, people have to be able to enlarge their holdings and to do it in a manner that is within their capacity to pay. However, the Government cannot continually tax those people by way of increased lease rates, increased rentals and an increasing number of conditions that may well emerge during the course of that lease structure. That is my main concern about this Bill.

This Bill consolidates the Wolfe report, and it is generally acknowledged that the Wolfe report was a disaster for the pastoral industry of this State. Because the Minister can change the conditions of the lease without engaging in a consultative process—there would be a consultative process but there does not have to be agreement—and because remedial notices can be applied, greater uncertainty is created.

I have other concerns about this legislation but, unfortunately, the limited time I have available to me does not allow me to refer to them. I say that, above all, I have a concern that matters such as those that have been raised by the member for Hervey Bay and the member for Thuringowa indicate that even after half a decade in power—and it is in its twilight of power now—this Government has no capacity to understand the vagaries of the land. The people out there are hard workers; they are not rorters, and they are not part of any system that has done other than good for this State and for this land.

Time expired.

Mr DOLLIN (Maryborough) (3.30 p.m.): It is with pleasure that I rise to take part in the debate on the Land Bill 1994. This Bill provides for the consolidation and reform of the law relating to the administration and management of non-freehold

land and deeds of grant in trust, the creation of freehold land, and other related purposes.

Since 1859, there have been ad hoc changes to the Land Act, with little thought and less public consultation, resulting in a legislative framework that is clumsy, costly and an administrative nightmare. In fact, it has been over 30 years since the Land Act of 1962 was fully overhauled. In all those years, the Opposition failed to tackle the task of reforming an outdated land administration system, in spite of what the previous speaker has just said. Perhaps this was not laziness on their part. Perhaps it was because many of them—some Ministers—were enjoying their peppercorn rentals that were being subsidised by taxpayers and decided to leave a good thing alone.

In 1989 when this Goss Labor Government came to power, the rentals were based on the net and gross rate system. It was a complicated system that was worked out on a per-beast rate, and which took into consideration the carrying capacity of the country and other factors. For example, the rent level for the Hughenden land agent district was—and honourable members should listen to this—$1.50 per head for cattle for 12 months. That meant that taxpayers grassed the cattle of members opposite for $1.50 a year per head.

Mr Stoneman: What a lot of rot!

Mr DOLLIN: Honourable members opposite had enough grass to feed their cows and bullocks for 12 months for a lousy $1.50—the price of a beer. And wait for it—sheep could be fed for 30c. That was under the old system. The honourable member opposite must admit that it was a rort. He cannot handle it; he is clearing out. Those figures were based on a hypothetical best property, so there would have been cheaper rentals around.

Honourable members of this House should be aware that, when they hear Opposition members complaining that this Government has increased rentals by hundreds per cent, it is hundreds per cent on just about nothing. It is 100 per cent on 30c per year to feed a sheep. So it is still nothing. That is what people need to understand. It has gone up hundreds of per cent, and so it should have. Members opposite were paying a peppercorn rental.

Honourable members opposite seem to think that, as lessees, they own the land. But they do not own the land. It is the same as my renting a house; I do not own it.

Mr Springborg: Do you build fences around the house?

Mr DOLLIN: My word I do. I am talking about the grass. Surely the honourable member did not want us to fence it as well and still give it to him for 30c? He probably did.

The situation became barefaced. I knew Bill Glasson pretty well. I remember his saying, "It is so damned ridiculous, it is an embarrassment." That is what he said to me. He was probably more straightforward than a lot of Ministers were in those days. Through Bill's efforts, the Nationals instigated an inquiry into land administration in 1988. It was conducted by a hand-picked committee that was chaired by H. C. Carter. The committee was hand-picked by the Nationals. They had them all pretty well on their side. That committee produced the Carter report, which recommended a 300 per cent rental increase for cattle and a 100 per cent rental increase for sheep, amongst other things at the time. The National Party's own people came up with that.

A Government member interjected.

Mr DOLLIN: I will get to that. The Nationals had intended to increase the rents from a common date of 1 January 1990. They never had the chance to apply these moderate increases, as they were turfed out of Government by us in 1989. The then Minister for Lands, Bill Eaton, called for a review of land policy and administration on 5 February 1990. This was chaired by Patricia Mary Wolfe. The Wolfe report was handed to the Minister on 7 September 1990. The Wolfe committee recommendations have been gradually implemented, where appropriate, through amendments to the Land Act of 1962, 1991, 1992, 1993 and the amendment proposed today.

This Bill finalises the implementation of that report by streamlining Queensland's tenure system and at the same time rewriting the Land Act in a clear, understandable statute that is even-handed and fair to both the lessees and taxpayers of this State, not just the lessees.

The Wolfe report was the result of wide community consultation. The member for Warrego took no notice of that report, which came out in 1990. Everything in this legislation was in that report. If Opposition members did not read it, they are slipping. In 1992, the Government released a White Paper on amendments to the land policy. This White Paper was widely circulated and discussed publicly. Comment on implementation issues associated with the policies established in the White Paper was requested and considered in preparing this legislation. The further refinement of the legislation was the subject of detailed consultation with the committee representatives from industry and community bodies.

The Wolfe report includes a huge number of major recommendations with respect to rentals, assessment requirements for freeholding and the introduction of a more consistent and commercial approach to Crown land dealings. This was long overdue. The recommendations also dealt with amendments to the Land Act, the Forestry Act, the Miners Homestead Leases Act, the Mining Titles Freeholding Act, the State Housing Act and the Valuation of Land Act. It amended the basis for rental assessment by introducing a standard method of calculating rentals on a percentage of the improved capital value of land as against the clumsy old system that honourable members opposite liked—the net gross rate system—which, as I explained earlier in my speech, applied a value per beast to each property based on an estimated carrying capacity in each land agent's district. It was extremely clumsy. They had to take into consideration how far from the market area they were, how many head to the acre they could carry and so on. That is how the 30c or less per head was arrived at.

At the time of the new lease rental system in July 1993, it was stated that the determination of rentals based on a percentage of unimproved capital value would provide a fair and reasonable method of addressing anomalies in the old net and gross rate system, particularly for grazing land.

There was no doubt that, in the first year of the new system, the percentage of the unimproved capital vindicated the Government's decision to stick with this method. There is no intention to change it, as it has proven to be equitable in all respects, and flexible enough to cater for issues such as the rental remissions within the south-west mulga build-up scheme—that is, to increase the size of a property.

I will explain that a little further. In and around Charleville, we have properties of about 40 000 acres, which have about 5 000 sheep run on them. Usually, those properties cannot handle that. In a good year, maybe they could handle that number, but they do not get too many good years. They never have and probably never will. So the sheep chew the inside out of the country and it is virtually blowing away.

Mr Elliott: Tell us who cut them up.

Mr DOLLIN: The honourable member had 30 years to fix it. We are fixing it. This build-up system will allow them to buy their neighbour out and have 80 000 acres. But the trouble is that, if they want to double their sheep stock, it will not make any difference. So that is why the Government needs to govern them, because if they double their stock up again the sheep will be back chewing the belly out of the country again, just like they have over the past years, because the living areas have not been big enough. Members opposite had 30 years in Government. Why did they not do something about it? We are doing something about it.

A living area is an area of land from which a person may consistently derive a reasonable income, while maintaining the land in good condition. Naturally, this area varies in different parts of the State and depends on such factors as location, soil types, climate, long-term sustainable productivity, distance from transport facilities and markets. If a property owner or lessee has less than a living area and additional land is available, the Minister may offer the land to the owner or lessee subject to various conditions. He can allow them to double up or treble up.

Mr Stephan interjected.

Mr DOLLIN: That is something that the Opposition should have done a long time ago. The restrictions against corporations holding perpetual leases for grazing or agriculture have been retained, but the holding of preferential pastoral holdings has been removed. This is a major section of the Bill which governs the sale and lease of State land. Land may be made available with or without competition. So if the Minister sees fit, that allows for the fellow to be able to buy out his neighbour without competition; he does not have to go to an auction, which is a big, decent concession.

Mr Johnson: Does it say that in the Bill, though?

Mr DOLLIN: What did the member say?

Mr Johnson: Where does it say that in the Bill?

Mr DOLLIN: People will have to pay for it.

Conditions for ballots and allocation without compensation are outlined in the Bill, including conditions for property build-up, as I have just described. An individual may not hold two or more perpetual or freeholding leases if the total land area is substantially more than two living areas, although some exceptions apply. Part 3 covers the conditions which apply to the granting and renewal of leases and their possible conversion to perpetual lease. Leases are issued for a purpose or purposes which may be altered. The Government has a right in that regard.

One of the major advantages of using UCV as a basis for all rentals is that rental levels will better reflect the economic ups and downs in market fluctuations. This in turn will enable the Government to be better tuned in to the problems of primary producers, enabling the

Government to adjust rents and charges according to climatic conditions and markets, which is fair.

Mr Johnson: Have you stopped to think how it's affecting transport operators, earthmoving contractors, fencing contractors—the whole lot? You're wiping them out, too, with these increases, you know.

Mr DOLLIN: What increases?

Mr Johnson: These rental increases.

Mr DOLLIN: Is the member talking about the 30c a year to feed a sheep? He reckons that is too expensive.

Mr Johnson: That's a load of rubbish. You know that.

Mr DOLLIN: That is dead right. The member knows it is true.

It has also resulted in more uniform conditions of lease and has most certainly simplified computerisation and accountancy. The common date for renewal of rental payments has resulted in a better service and savings to Queensland taxpayers. Lessees will be pleased to know that the Bill continues the provision introduced in 1991 which allows rents to be deferred for lessees suffering hardship, such as the current drought. For example, at present a lessee receiving drought relief under the RAS scheme is eligible for a deferral of rent payments under the Act, and remains so under this Bill. There we are—we look after those people all the time.

From the time when the State first had land laws, there have been provisions to require a lessee to obtain a tree-clearing permit before clearing trees or destroying trees. Ownership of the trees has always clearly been retained by the State. In the past, the fines for illegal tree clearing were trivial and rarely enforced. In 1991, this Government increased the maximum penalty for illegal tree clearing and increased operational activities relating to ensuring that permits were being obtained and that offenders were being prosecuted.

In 1992, the tree-clearing provisions were rewritten with exemptions from the need for a tree-clearing permit for routine rural management operations. The Bill ensures that environmental matters will be considered before a permit is issued. These are the activities that people are allowed to engage in under a permit, and I think that they just about allow one to do what one needs to do to run a property: the removal of a dangerous tree; obtaining fence and yard rails or posts for repairs—that is for free, people do not have to buy them—access for fence maintenance along existing fences or on inside of boundary fences to a width of 6 metres or 10 metres, depending on the region, which allows people to have a firebreak, a road and an area to drive around the property; clearing 50 metres around buildings—which everyone should do to avoid being burned out—water facilities and stockyards; controlled burning to reduce fuel or to regenerate pasture; clearing regrowth, except mulga, which has occurred as a result of recent clearing since 1990; to lop trees for fodder; and to maintain gardens or orchards.

The definition of a tree now includes noxious weeds. I hear no squeals from members opposite. I thought that I would have heard some! This does not, however, mean that people are going to generally need a permit to clear noxious weeds. There is only one circumstance in which a permit will be required for clearing a noxious weed—clause 257 (e)—and this is in critical areas where the clearing is by mechanical means. Critical areas include steep slopes and areas adjacent to watercourses where use of mechanical means to clear may cause land degradation such as erosion. The results of clearing noxious weeds in these areas by mechanical means will be more injurious to the environment than the noxious weed.

There are noxious weeds all over Queensland. I believe that they presently cover 70 per cent of our State. We can blame that on the lack of drive and commonsense of members opposite. The former Ministers were graziers; they had noxious weeds on their properties, and they would not declare them noxious because they did not want to have to clear them. We have had rubber vine, rat-tail grass and all the rest of it. Members opposite have been cultivating those things for 30 years. It is now up to this Government to clean it up, and that is a fact.

This Bill makes amendments without decreasing the integrity of the Queensland leasehold system and without decreasing the security of tenure that lessees, particularly lessees of pastoral and grazing land, presently enjoy. I would like to make a few things clear. I believe that the great majority of people on the land are good, honest people, but we had a few rogues running around for quite a while. They were not the blokes out there working; they were mostly the George Street farmers who are down here or flying around in aeroplanes. There was a little clientele that was looked after by the pollies. If one knew a pollie and one had some timber on one's property, one would get it freehold for a song and the timber for nothing. Members opposite can tell me nothing about it. I tramped the country from one end to the other. I paid $120,000 to graziers who freeholded their land for $4,000. That was the norm; that was the way it went.

Mr Hobbs interjected.

Mr DOLLIN: The member believes that people ought to be milk fed from daylight till dark. He thinks that robbery is okay.

I support the Bill. We are lucky to have a Minister who can tidy up the mess that members opposite let hang around for 30 years.

Mr STEPHAN (Gympie) (3.47 p.m.): We just heard a diatribe from the member for Maryborough. It is evident that he does not know the difference between a blade of grass and a blade of straw. He claimed that noxious weeds are covering 70 per cent of the State. If that is an accurate statement, what has the Government done about it? It has been in the driving seat for the last five years. It has not helped by withdrawing support for the Rural Lands Protection Board. This Government has gone out of its way to deprive the board of sufficient money to enable it to carry out its essential tasks.

The member claimed that noxious weeds are out of control. Allegedly, that problem started appearing back in the 1950s or the 1960s—just after Labor was thrown out of Government in 1957.

Mr Hobbs interjected.

Mr STEPHAN: That is right. The National/Liberal Government tried to do something about the problem, and it certainly was succeeding for quite some time.

Mr Johnson: $600,000 for the eradication of the parthenium problem.

Mr STEPHAN: That will buy some basic equipment, but not much else.

The member for Maryborough referred to tree clearing. Tree clearing can do a great deal for the preservation of the environment. If the wrong sorts of trees are planted around watercourses, the flow of the water cuts in around the roots of the trees and eats away the soil. If the trees were not there, there would be far less erosion.

Mr Purcell: Ha, ha!

Mr STEPHAN: There is another fellow who cannot see the wood for the trees. He would not have a clue what the real world is like. He will support this Bill, but he does not know what he is voting for. It is a pity that we must listen to such idiots.

We must remember that this is predominantly a primary-producing State. The difficult circumstances prevailing at present are making it all the more difficult for this country and this State to prosper. It also requires that relativity be taken into account. Rentals, for example, should in fact be relative to the return that is coming from the land. Many of these properties that we have been relying on have experienced practically no return at all for up to six years. Those circumstances are beginning to tell, and they are certainly not doing much for those who are trying to make a living in those areas, nor for the rest of Queensland.

This Bill certainly has a lot of good points in it, and it is one that we can support, but it also has some points in it that we cannot support, and I will now deal with a few of these. One of these points that I wish to raise is security of tenure. This legislation gives very little guarantee as far as the tenure of the land is concerned.

Mr Johnson: It used to be sacred, but it's not any more.

Mr STEPHAN: That is right. Security of tenure was considered almost sacred, but not now, as one of the clauses provides, when one has to justify one's existence after five years. The legislation also states that the existing terms are not going to be automatically renewed. In fact, as to living areas—a maximum of one living area will be allocated. What does "a living area" mean? It can mean different things at different seasons. It also means a great deal when one considers the ability of those on the properties who want to develop that particular land. Take, for example, a producer who goes out of his way to develop his land to ensure that it is producing to its utmost at the end of a five-year period, when it possibly could be returning an amount that would be eligible for two living areas. Is the Minister going to cut the land in half and say suddenly that half of that land is going to be taken away, simply because of the ability of the owner or the lessee who was there at that time? This is the type of thing that we can do without.

Mr Beattie: Where does it say that in the Bill?

Mr STEPHAN: Clause 473. I am sure that if the member reads his Bill, he will be able to find it. Someone will be able to read it to Mr Beattie if he does not have it. This is the type of concern that is being raised. For example, clause 146 states—

> "An individual is not eligible to hold 2 or more leases to which this Division applies . . . "

There again the Minister is going out of his way to say, "Do not try to improve, do not try to do anything to the property, just drift along and after that we will see what happens."

Then we come to a few radical changes. Under the heading "Conditions must be reviewed", clause 211. (1) states—

> "The Minister must consider whether to carry out a review of the conditions of a lease once every 15 years after the issue of a lease."

Does this give the Minister the authority to come along and say what in his opinion—and his opinion can vary if he has any knowledge of the land itself—would then be reasonable conditions that would apply? Clause 212. (1) states—

> "After reviewing a lease, the Minister may decide, with or without the lessee's agreement, to change the condition . . ."

There again, with just the stroke of a pen we have the situation where the Minister can decide. Under these sorts of conditions, in a good season there may be an opportunity for productivity to be improved a little, but it certainly does not apply right throughout long periods.

I move now to the matter of land protection. This relates to whether a licensee is using a lease or a licence beyond its capability for sustainable production. Again, we will see different returns. What is the Minister going to consider as sustainable production in a period such as we are having now compared with periods when we get consistent rainfall? And what about the variation that the price structure brings and the fact that drought, etc., can do so much to the confidence of the rural producer and the confidence of the whole of the State?

Mr Beattie: What about soil degradation?

Mr STEPHAN: A lot of this comes down to seasonal conditions and the producer being able and allowed to manage his land in the way that he would like. Whether it be due to heavy winds such as we have been experiencing recently, or whether it be heavy rain, unfortunately we are going to get a lot of erosion. Under those conditions, producers cannot grow wheat or other crops. The member for Brisbane Central is right, we certainly want to try to ensure that there is no soil degradation. However, this problem is occurring right across Australia. The problem occurs not just inland, but along the coast and everywhere else. A lot of work has been done in connection with non-tilling, and that has been able to maintain the land at a certain level to make sure that it is going to be in a good enough state to be able to be used by the next generation. Again I point out that in times of stress, with the weather conditions we have been experiencing, the weather has a fairly marked impact on the ability of the individual and the population generally to be able to make sure that we leave the land in a fit and proper state for future generations.

Another area I would really like to touch on is the matter of miners' homesteads.

Mr Smith: Oh, not again!

Mr STEPHAN: Unfortunately, the Minister just does not seem to be able to understand or does not want to understand the problems that are associated with miners' homesteads and the problems that the Minister is causing because of his attempt to ensure that they are all freeholded.

Mr Smith: You're one of the main causes of this. Everyone else is cooperating. Most of the problems are in your constituency.

Mr STEPHAN: I am cooperating. The Minister cannot tell me that he is going down the track that everybody wants him to go. He should come and listen to what my constituents are saying to me. I am passing on some of these comments, but the Minister does not want to listen. I can tell the Minister again that the problem is the inconsistency in the legislation. At times in the legislation the Minister is insisting that freeholding is out of question, that the Government does not want to have anything to do with freeholding, and yet with these miners' homesteads the Minister turns around and says, "You shall freehold", irrespective of the circumstances at the moment and irrespective of the fact that these miners' homestead leases have been fully paid-up leases. Some of them have been fully paid-up leases for a long time, yet now the Minister is turning around and saying, "Unless you freehold them, they will then revert to another lease that will then attract an annual rental." That is immoral. It is wrong for any Government to come along and say to the holder of a lease paid up to the Crown, "If you do not freehold, we are going to charge you again." That would be just like someone leasing a car, paying out the lease and then somebody else coming along and saying, "You will buy that car at the new car price when it was taken off the floor."

This Government is causing concern, particularly amongst the older generation. In some instances, the Government has gone out of its way to try to notify leaseholders of its decision and the steps that it intends to take. However, some members of the older generation, particularly older women, have had their husbands doing their book work and handling their business dealings for the past 50-odd years or however long they have been married. Now they are being handed a document, a letter or a statement about the Government's decision. They say to me, "But my husband said it is a fully paid-up lease. Now the Government is saying that we have to pay for it again." What the Government thinks it is achieving is not going down very well at all.

I have several questions about the number of leaseholders who have not yet paid or made application for freeholding. Mr Hobbs asked a question about this. I want to pursue this issue of the number of leaseholders who have not yet paid—whether it be in relation to miners' homestead leases, miners' homestead perpetual

leases, residential or business leases, or whatever. If I am upsetting the Minister by constantly demanding answers, I make no apology for that.

Gympie is an old goldmining centre. It was settled under lease arrangements whereby people bought their right to prospect. Then they were allocated a block of land on which to erect their tents or whatever else 140-odd years ago. The monster has grown since then. The way that the Government is trying to overcome the problems is not going down very well. It is not the right way to do things. I will pursue this matter further at the Committee stage, and we will see what answers we can get. As I said, this Bill contains some reasonable provisions, but unfortunately many of them are right off the track.

Mr BREDHAUER (Cook) (4.04 p.m.): I think I have heard it all today. The honourable member for Gympie said that we could improve erosion problems along watercourses by clearing some of the trees. If we have Tweedledee and Tweedledum on our side of the House, the Opposition must have Tweedledum and Tweedledumer. The information that we have received from members such as the member for Warrego and the member for——

Mr Hobbs: You must be so thick you don't even understand what's happening, because the member for Gympie is quite correct. Thick as a brick!

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! The Chair finds the term used by the member for Warrego unparliamentary and asks him to withdraw the statement.

Mr HOBBS: I withdraw.

Mr BREDHAUER: The contributions by the member for Warrego, the member for Gympie and others show just how out of touch they are. I thought it was a bit amusing that, at the outset of his speech, the member for Warrego said that the thing that was missing from this whole Bill—even though he acknowledged that it is an important reform, and he acknowledged that it was the first major reform of the Land Act in 30 years—was a reference to our major industries, particularly agriculture.

The honourable member quoted from the then Minister's second-reading speech in 1962, which mentioned something about agriculture. He lamented the fact that this Minister's second-reading speech did not mention agriculture. The honourable member claims that nowhere does the Bill mention agriculture. I must tell the member for Warrego that his problem is that, in terms of his philosophy and thinking, he is 30 years out of date. The part of the Bill that deals with agriculture is on page 27—"Object of this Act". Clause 4, which refers to sustainability, states—

> "Sustainable resource use and development to ensure existing needs are met and the State's resources are conserved for the benefit of future generations."

I will admit that it does not say "farmer", "cow" or "sheep". But it is about the agricultural industries in this State—about ensuring that we have sustainable use of our land so that the people who are involved in agriculture and in use of the land today can continue to have security of knowledge that the sustainable use of the resource will be there for them tomorrow and for their kids in the next generation and for the kids in the generations after that. Just because it does not say "farmer" does not mean that there is no reference to our important industries in this Bill or in the second-reading speech. It is just that the honourable member and most of the other members of the Opposition are anachronistic when it comes to their understanding of the important principles of land management.

The member for Warrego also spoke about a lack of consultation. The process of developing this Bill has actually been around for quite a few years. I will admit that it has taken some time to bring the final Bill to fruition. I do not apologise for that, although I acknowledge it. It is a major reform. Queensland's land policies and land management policies are critical for Queensland industry. As a person who represents a large electorate in this State, as does the member for Warrego, one begins to realise what a complex area land policy and land management is. But the beginnings of this review go back to 1990, when we set up a review of land policy and administration in Queensland. At that time, copies of the terms of reference for the review were distributed to industry groups and associations and, upon request, to individuals.

In March 1990, a committee was appointed to conduct the review and to report and make recommendations to the Minister. That is actually where the foundations of this new piece of legislation started. The member claimed that we did not consult with anybody. In those days, when we were first talking about the principles of the review and the fundamental policies that should be incorporated in the review of the Land Act, public meetings were held in Cairns, Coen, Cooktown, Townsville, Mount Isa, Blackall, Longreach, Roma, Charleville—in the heart of the honourable member's electorate— Emerald, Charters Towers, Gympie and Rockhampton. Meetings were held all over the State.

The Wolfe report was released in September 1990. Whilst we have already

implemented some of the recommendations of the Wolfe report, particularly those in relation to the basis for rents—and I will come to that in a minute—the balance of the recommendations have formed the fundamentals of this new Bill.

In December 1992, we distributed a White Paper on the rewriting of the Act. That paper outlined the policies and requested input on the operation of those policies. Over 1 000 copies of that paper were distributed. Do honourable members know how many responses we got? We got about 25 responses. I want to talk about consultation in a minute. People have had an opportunity to respond, but not many of them have.

Mr DEPUTY SPEAKER: Order! The member for Greenslopes! I refer him to Standing Order 24. He will return to his seat.

Mr BREDHAUER: We have also been working it through with the consultative group, which comprises representatives from the major rural industry groups, such as the Queensland Farmers Federation, the Cattlemen's Union, the UGA, the Landcare Council, the Conservation Council and others. I want to make a point about the consultation process. Something has been coming to my attention for a little while in relation to the fact that Ministers of the Government are consulting and working through industry groups and peak bodies—even employee groups, such as unions—to consult on policy initiatives that we want to address. On a number of occasions in my electorate, concern has been expressed to me. On one particular occasion, concern was expressed to me by representatives of the Cattlemen's Union that information is not flowing sufficiently from the consultation processes from the hierarchy of the Cattlemen's Union to the rank and file in that particular industry—the people who are involved in grazing.

I for one know that—particularly in the difficult times that we have had on the land in the past three or four years—when you are up to your tail in crocodiles, it is a bit hard to remember that you went in to drain the swamp. Those people have had a difficult enough time trying to manage their properties through the drought without being able to devote a lot of time to consultation on strategies such as this. It is important both for the industry groups and for the Government to strive to do a better job of getting information out to the rank and file of the various industries, employer groups and employee groups so that they are familiar with the types of policies that we are trying to implement. However, it cannot be said that we did not have a consultation process in relation to this Bill, because there has been quite extensive consultation over a long period. It has taken nearly five years to pull this Bill together. The problem is that some people forget. Last week, when the Bill came into the Parliament, some people forgot that some time ago they were part of the process that helped to pull this Bill together.

The other point I wanted to raise about the consultative group is that I know that an approach has been made by the Minister through his director-general to the Aboriginal Coordinating Council and the Island Coordinating Council for representation on that consultative committee. I can appreciate the concerns of both the ACC and the ICC in not wanting to be seen as spokespersons for the entire Aboriginal or Torres Strait Islander community, or not wanting their representation on the consultative committee to replace consultation in a broader sense with Aboriginal and Torres Strait Islander people over land management issues, but when we recognise that now Aboriginal and Torres Strait Islanders have considerable interests in land and that that interest in land is likely to increase as a result of the Aboriginal Land Act, the Torres Strait Land Act and the Native Title (Queensland) Act, I think that it is important that do have an Aboriginal and Torres Strait Islander perspective on that consultative committee. I hope that the department and those two agencies can work that issue through, possibly incorporating other organisations such as the land councils or whoever is deemed to be appropriate. I think it is important that at that level of the Land Use Consultative Committee there is some Aboriginal and Torres Strait Islander representation.

I refer to the suggestion that has been coming from the other side of the House that in some way this Bill attacks security of tenure. It does no such thing. There are two important points that honourable members have to remember. In the case of people who have existing leases, those leases are going to be respected. The other point that they have to remember, and I think I pinpointed why honourable members opposite raised their concerns for security of tenure when the member for Gympie said something about the review, is that the intention of the Bill with regard to new leases—and I stress with new leases; it does not affect existing leases— issued after the Act commences is that there is a 10 years to 15 years review requirement. Between 10 years to 15 years after a lease is issued the department's local person and the lessee can sit down together and look at the conditions of the lease and update them. That does not put the lease under threat. It says that 10 years or 15 years after the lease is issued, the officer sits down with the lessee to see whether the conditions

have changed and whether it is appropriate to amend the conditions of the lease so that the circumstances or the environment in which that lease is operating can be taken into account—if you like, modernised—and updated. It does not mean that the lease is under threat. It means that over a period of 10 years to 15 years the environment in which that lessees is operating can change, and we would be foolish to think otherwise. It is a prudent land management practice that we should sit down and try to update the conditions of the lease.

Mr Stephan: Every 15 years.

Mr BREDHAUER: What is unreasonable about that?

Mr Stephan: That's what it says.

Mr BREDHAUER: It does not say that the lease is affected. All it says is that the conditions of the lease are being reviewed. I have to say that there are a lot of people in my electorate who wish there had been some process of review of the conditions of their lease or some sort of monitoring of the implementation of the conditions of the lease undertaken in the 32 years that members opposite were in Government. They issued leases and put conditions on them and, in some cases, seldom checked for compliance with those lease conditions. Honourable members should talk to the people on the properties that neighbour the Quaid property Starcke. Members opposite complained about poor management of Government lands in national parks. They should have gone to Starcke and seen the problems that were being caused for the neighbouring properties, first of all because of poor management practices—Quaid did not buy it as a cattle property; he brought it as a rort from members opposite—and secondly because the management practices just were not there and lease conditions were not being implemented.

I turn briefly to some of the legislation that is outdated and is in the process of being repealed. One of those that is of particular interest to me is the Sale to Local Authorities Land Act of 1888. I cannot begin tell the House what a drama this ancient Act has been causing me over the past 12 months or so, because the Cook Shire Council has a particular parcel of land called portion 69 on the waterfront that they acquired back in dim dark ages under the Sale to Local Authorities Land Act 1888. It was a deed of grant for a particular public purpose, that public purpose being wharfage. Over a long period, the regional director of the department in Cairns, Ian Anders, many of his staff and I have been trying to help the Cook Shire Council redress some of the problems they have been left as a legacy of the inappropriate administration—if I can call it that—of that particular parcel of land. I am not saying that there is culpability on anyone's part in regard to portion 69. I think the council has dealt with it in good faith, but we were left with the problem in which we had to work out some alternative form of tenure.

Some people in Cooktown do not think that the form of tenure should be changed because they believe that in an aesthetic sense the current tenure affords some protection for the land. I quite understand that. However, people have invested money in that land in good faith on the basis of leases under that old Act. They have been seeking some form of improved security of tenure so that their investments are not jeopardised. Essentially, all that I was to trying to do was help to find a path through the maze. I do not particularly like the criticisms that have been levelled at me that I was pushing a barrow for particular lessees or for the Cook Shire or for any particular councillor in the Cook Shire, because that is not true. I was trying to help resolve a problem.

This Bill would continue the conditional deeds with the current restrictions, that is, for wharfage purposes; however, the Bill enables local governments to apply to exchange those conditional deeds for a standard tenure under the Bill, for example, a deed of grant in trust, a lease or a reserve or a combination, depending on the manner in which the land is to be used in the future. At that time, if they apply to convert, it may be appropriate to reconsider the public purpose for which the land was set aside. A new purpose may be appropriate for future needs of the local community. Any conditional deeds not swapped in five years from the commencement of the Bill become deeds of grant in trust. The public purpose for which they were initially set aside will continue as the purpose of the deed of grant in trust. Any leases over the land will continue unaltered to their expiry.

A deed of grant in trust is very similar to a conditional deed. It cannot be sold. The Minister's permission is required to lease or mortgage and any occupancies must be consistent for the purpose for which it is set aside. An advantage that deeds of grant in trust have over conditional deeds is that the leasing arrangements are more flexible. Local government can only issue a lease over a conditional deed for a maximum term of 14 years. That is where the people who were investing money had problems. The maximum term lease for a deed of grant in trust is 30 years. The change is part of a streamlining of tenures that the Bill implements, providing consistency for similar types of tenure and hence a greater ease of understanding of tenures in the State. It also

allows an old and no longer relevant statute to be repealed. The Local Government Association was consulted and agreed that the old Act should be repealed, there being no need for it in the future.

The other legislation that is being repealed today to which I will refer briefly is the Miners' Homestead Leases Act. That is something that the member for Gympie spoke about. I do not know about what is happening in Gympie. The Minister seems to have a clear understanding of the role of the member for Gympie and what is happening there. In places in my electorate such as Rossville, where there are many MHPLs in that old tin mining area, the people who hold those leases have welcomed with open arms and grasped the opportunity to freehold those leases at 1983 valuations. That is when the Bill was introduced.

The fact is that the people in my electorate are constantly at me to try to speed up the process of freeholding those leases. Irrespective of what is happening in Gympie, I can give an assurance to the people in my electorate who have been most anxious for that to occur. They have been badgering me to try to speed up the process. I give them the assurance that, having made their applications for freeholding under the terms and conditions which we have offered and providing all the other matters can be sorted out, such as access—and access is one of the limiting factors when it comes to the freeholding of those leases—in due course their MHPLs will be converted to freehold.

I am also confident that, in relation to Rossville, access considerations can be sorted out. Actually, I was in Rossville about three weeks ago, and they spoke to me again about this. I have been in contact with representatives of the Lands Department since that time and, once again, I give them the assurance that the matter is continuing to progress. The progress may seem slow at times, but the matter is continuing to progress. As I say, providing all the conditions can be sorted out, which I am confident they will be, then the freeholding will occur.

I want to mention rents because the member for Gympie suggested that the current rental system is unfair. He suggests that rentals should be related to returns—those were his words. It is all very well during drought times for the member for Gympie to suggest that rentals should be related to returns, because he is thinking that the rents will go down. However, I wonder how many people would argue that rentals should be related to returns in the good seasons? I also wonder how many other people would like to have their rentals related to their return? For people in the business world who are wanting to rent factories to produce something, it would be very nice if they could get their rents reduced in line with their rate of production at a time when demand was slow and the returns were down. I mean, it just does not work like that.

If people are experiencing drought—and I acknowledge that these are difficult times not only for graziers but also for other people involved with agriculture throughout the State—this Government has a means by which it has undertaken to assist those people. Rent relief might be a part of that assistance, but it is not simply a matter of having policies saying that rent should be related to return. UCV is the most transparent way of basing rents, and it is my view that the majority of people support that as a clear enunciation of how their rents are going to be determined. I support the Bill.

Mr JOHNSON (Gregory) (4.23 p.m.): I do not intend to speak for very long on this piece of legislation because the Opposition spokesman, the member for Warrego, has covered the issue very well. I begin by pointing out that this piece of legislation has laid on the table of this House for eight days. That is an absolute disgrace! This piece of legislation is probably one of the most important pieces of legislation that have come before this House in the past five years that I have been a member, and probably ever will come before it. It virtually rewrites the Land Act.

I know that a lot of the provisions in this piece of legislation have come about because of change, but many of those provisions do not cover the everyday issues, which is what we are about here—addressing the needs of everybody, not just the people in rural Queensland but everybody throughout the State. A moment ago, the member for Cook made mention of miners' homestead leases. I will refer to them shortly.

As I see it, the name of the game is security of tenure. The Government is saying that, under this Bill, people have security of tenure. I will elaborate a little on what the member for Burdekin said a moment ago. I think that I might have interjected when the member was making his speech and reminded him of the situation regarding seasonal conditions. Members talk about rent increases, and I refer to the hike in rents since the Wolfe report. Those rent increases are going to be compounded further by the ongoing drought, which will have a flow-on effect across rural communities. Government members do not seem to understand that what the man on the land and throughout rural Australia is trying to do is to provide for everybody in the community.

Mr Beattie: What about the women? There are women on the land too, you know.

Mr JOHNSON: I will take that interjection. The wives of rural producers are a very important part of the rural scene. I can say that because I understand fully the role that the lady plays in rural Australia today, and her role is becoming increasingly more important.

I return to the subject of rural leases. The member for Burdekin made reference to profits. If the profits are not forthcoming, how in the name of God can people pay the exorbitant rental rises that this Government is proposing?

Mr Smith: One per cent.

Mr JOHNSON: One per cent? What about the Wolfe report? No doubt the Minister has studied the Wolfe report.

Mr Dollin: You haven't.

Mr JOHNSON: I have. I think that already this afternoon my colleague the member for Warrego has told members——

Mr Beattie interjected.

Mr JOHNSON: It will hit them, all right. Crown rentals have increased from $11.2m in 1989-90 to $20.9m in 1994-95, which is an increase of 86 per cent. The Minister calls that an increase of 1 per cent.

Mr Hobbs interjected.

Mr JOHNSON: As my colleague the member for Warrego said, we are working on Treasury figures.

Mr Smith: Not true.

Mr JOHNSON: I assure the Minister that those figures are accurate, and they are true. The whole issue is that Government members cannot face the truth.

Mr Hobbs: They are listening to Keith De Lacy.

Mr JOHNSON: That is unfortunate. I want to refer to a particular aspect of this piece of legislation, which is contained in clause 473 on page 206.

Mr Beattie: Yes—for 16 minutes.

Mr JOHNSON: I have 16 minutes, but I want to make reference to that clause, which refers to an existing covenant in a pastoral lease, under Part 6, Division 2 of the repealed Act. That clause refers to a maximum pastoral lease of one living area on the conditions that could be imposed on a term lease under this legislation. I will say to the Minister now that, if he is going to impose such restrictions on some of these people in the western parts of the State, if they are trying to build up their aggregations with two or three leases to give them a living area they will never make it.

The member for Maryborough made mention in his contribution to the mulga lands. There is probably nobody in this Parliament who is more experienced with mulga lands than me. I have lived in them all my life and I have seen first-hand the degradation of that country. The member made mention of that land being cut up in the early days. I remind the member that it was under Labor Governments that those areas were cut up too small.

Mr Dollin: You had 30 years to fix it. Why didn't you?

Mr Beattie: Thirty-two years.

Mr Dollin: Yes, 32 years. Why didn't you fix it?

Mr JOHNSON: I will take that interjection. A lot of those people had been locked into that situation for so long that they had not been able to get out. They were travelling all right, but it was the member's Government in Canberra that pulled the rug on the floor price of wool. In the last five years, the problem has been compounded further by drought, yet the member says that when we were in Government we did not do anything about it. We tried to help those people, and we did help them. As it stands now, those people must be able to build up, and I believe that the policy of the Opposition would help those people and it would further enhance their chances to once again make those aggregations viable and profitable. That is what it is all about—quality of life. As a result of many of the provisions contained within this legislation, those people will not enjoy a good quality of life.

One aspect that I raised with the Minister's advisers is the restrictions on ownership of preferential pastoral holdings. I think that this is a very important part of this piece of legislation. In fact, the Minister has changed the term to "pastoral leases". What this change does—and it is something about which I have a suspicion—is invite corporations or big companies to be able to purchase PPHs, or pastoral leases as we will now know them. I believe that this will further decrease the chance of many people in these areas who did live on PPHs, or pastoral leases, to be able to rebuild their aggregations and once again make their operations viable. As the member for Maryborough said, in the mulga lands they are especially vulnerable. There has been a lot of land degradation in that area over a period, with the drought compounding the problem. At this point, we have reservations about that aspect of the legislation.

Ownership restrictions will apply to term leases on GHPLs, as is maintained in the current Act, and up to two living areas only. This is also something that concerns me. Who will ascertain what the living area is? For example, take one of those central-western Queensland properties that currently, in a normal season, might run 5 000 or 6 000 sheep. The neighbour could be bought out and the property built up to, say, a 10 000 or 12 000 sheep aggregation. We are fast approaching the day when a 10 000-sheep aggregation is no longer a living entity. I believe we have to make sure that those restrictions do not cripple people when they are trying to build their aggregations into a viable, living operation. We have to help to take away the hardship and give people on the land an aggregation that they can leave to their sons or daughters to carry on the tradition of the past 200 years, and do it well.

I admit that there have been a lot of problems with the present Act due to the fact that some of these areas are too small. However, at the same time, we have to bite the bullet and make sure that we smooth the process of enabling people to take advantage of the situation by building up their properties. I hope that this new Act will enable that to happen.

I will turn momentarily to miners' homestead leases. I have mentioned this issue to the Minister. I believe that this legislation will be proclaimed to take effect from 1 January 1995. I wish to talk about the gemfields west of Emerald in the eastern end of my electorate and also about the opal fields south of Winton and those adjacent to Yaraka. This piece of legislation is applicable to people who have an MHPL, or a miners' homestead lease. For too long now, especially in the gemfields, too many people have not known what the future holds for them in relation to their leases.

Clause 523 will repeal the Miners' Homestead Leases Act, the Mining Acts Amendment Act 1920, the Mining Acts Amendment Act 1939 and also the Mining Titles Freeholding Act of 1980. There is a lot of hardship being faced by people on the gemfields. I trust that this legislation will rectify the problem. I have spoken to the Minister about this problem in the past. I have spoken at length with his officers in Emerald and Rockhampton about to trying to alleviate the hardship caused to people because they are unsure about the security of their leases. I trust that the Minister will recognise the needs of these people and that this piece of legislation will address them.

As to noxious weeds—I believe that this is probably the one aspect of this legislation that the current Budget will not help to address, because there is not enough money in the Budget to address the problem. As to the control of noxious weeds and plants—I believe that this is not only the responsibility of the man on the land but also the responsibility of every man, woman and child in this State. We are always talking about the environment. I see the Minister for Environment and Heritage is in the Chamber at the moment. We address that issue here. The same can be said about national parks.

It does not matter how good one's piece of country is, if one's property is downstream from a national park, one will be fighting a losing battle if noxious weeds and plants— woody weeds—are not removed from national parks. This is a great problem for all and sundry. I urge the Government and the Minister to make sure that particular attention is paid to this problem in the future.

We also see, by the introduction of this piece of legislation, the elimination of the charter of the Land Court. This is sad in a lot of ways, because the Land Court has been an instrumentality that has been able to be accessed by people with problems. I trust that the requisitions that will replace the Land Court will be able to be accessed by all and sundry. I spoke earlier about the rural sector. The legislation affects the rural sector, the mining sector and people with land in towns, the big cities and on the coast. I believe that the Land Court did have a role to play. I wish to pay tribute to the members of the Land Court and the role that it has played in the past. It was a great instrumentality. It is something that we will be sad to see go.

In conclusion, I point out to the Minister that this Bill contains 527 clauses and 6 Schedules. I believe that the time for the general public to peruse this piece of legislation has not been sufficient, which is unfortunate. If there are anomalies, I believe the Minister will recognise that there is a problem and we will see the necessary amendments to make sure that this piece of legislation is workable and acceptable to all Queenslanders.

Mr CAMPBELL (Bundaberg) (4.37 p.m.): Members of the National Party do not want to forget that they had a land tenure system that was based on self-interest, greed and financial advantage for themselves and their mates. The difference is that we will now have a land tenure system that will provide equality, fairness and justice. It is important to remember that the National Party system discriminated against ordinary home owners.

Back in 1986, there was a revision of the Miners' Homestead Leases Act. It is important to remember what the National Party did in those days. I do not want the people of Queensland to

forget the way in which members opposite treated themselves and their mates in their own self-interest, because that is what happened. In those days, there were three ways that people could acquire land—under the Land Act, under the Miners' Homestead Perpetual Leases Act and also and the State Housing (Freeholding of Land) Act.

I will remind honourable members of what happened. Under the Land Act, rural land worth $12,000 could be freeholded for one cash payment of $3,739. Land with that unimproved value could be freeholded for $3,739. A perpetual town lease for a block of land in a town could be freeholded for $5,707. However, under the State Housing (Freeholding of Land) Act that $12,000 block of land cost $12,000.

However, if freehold land was wanted, it was even worse. Although it could be paid off over 30 years or 60 years at no interest, when Housing Commission land was freeholded, $19,608 was payable. There was no justice in having those types of discriminatory freeholding practices and those types of payments made for land that was owned by the Government.

But it gets worse. Back on 31 December 1980, members opposite decided to really help their mates. To provide a financial windfall, they froze the values under the Land Act for freeholding purposes. At that time, Sir Robert Sparkes had land that had previously been valued in 1971. He was then able to have that value of that land frozen forever more. Under the State Housing (Freeholding of Land) Act there has to be a revaluation, and under the Miners' Homestead Leases Act the land would have had to be revalued at the time of freeholding. That is what the then Government did for its mates. I do not want people to forget that. I want people to remember that that is the type of system that operated under the former Government. The type of system that we are proposing will provide equality, fairness and justice. I support the Bill.

Mr ELLIOTT (Cunningham) (4.40 p.m.): I rise to make a few short comments in relation to the Bill. I know that we are all in a hurry, and I do not wish to go over old ground and replough where other people have been.

However, there are a couple of things that I want to say. I think it is very important for the Government to lead by example, which it is not doing in relation to the national park estate of Queensland. Unfortunately, more and more Crown land is being taken over and more and more other land is being purchased from people and placed in the national park estate. That would be fine if the Government provided an adequate budget to enable that land to be properly maintained. This legislation is asking people to adhere to a whole range of criteria. I will not rattle them all off, because that would take hours. We all know what is in the Bill. I have looked through this Bill very carefully, because this is an issue of great interest to me. I find it quite amazing that the Government requires private individuals who hold Crown land under some type of lease arrangement to uphold all those criteria, yet it does not seem to worry much about adequately maintaining the national park estate.

Recently, we have experienced some unfortunate circumstances, including fires and drought. If the national parks authority had the funding to employ contractors to provide firebreaks and undertake controlled burning, many problems could have been avoided. I do not need to outline those problems; all members have read the newspapers and seen the reports on television. They are aware of the problems created by a lack of maintenance in national parks and on other Crown land. The Government must acknowledge its obligation to look after Crown land and in particular the national park estate.

At page 205, Part 4—Term leases, the legislation states—

> "An existing covenant in a pastoral lease, under Part 6, Division 2 of the repealed Act, for a new lease at the expiry of the existing lease is taken to be a covenant to offer a new term lease for pastoral purposes, of a maximum of a living area, on the conditions that could be imposed on a term lease under this Act."

That is fine if we are talking about regions subject to reasonable weather conditions. However, let us consider the plight of those operating properties in the Channel Country or the gulf region—the area in which the Stanbroke Pastoral Company has large numbers of properties. Honourable members who have listened to me over the 20 years I have been here would realise that there is no greater advocate for the owner/operator than me. We want people to live and work on their properties. However, it must be accepted that some regions are not suited to that arrangement, and individuals cannot hack the pace. There are odd families—and, of course, our own president is a member of one of them—that have the wherewithal to hack it with the large pastoral companies. By and large, most people do not have the ability to handle the extremes of climate—drought on the one hand and huge floods in the gulf and the Channel Country on the other.

If an operator has only one property located on the Saxby or another river in the gulf and that property goes right under water, 20 000 cattle may be swept into the gulf. Unfortunately, that

has occurred in the past. I have seen it happen. I have flown over those areas when those sorts of events are taking place.

Mr McElligott: 20 000 cattle?

Mr ELLIOTT: That is right—20 000 cattle were swept out to the gulf from one particular company's properties. What would that do to an individual? That person would be finished, gone. However, large companies have eight or 10 properties with those sorts of numbers of cattle on them. Those companies can breed back up and sustain the loss.

It is a nonsense to have a carte blanche approach which decrees only one living area. An individual operating in that type of country cannot survive with only one living area. We must think about horses for courses. Where it is appropriate, I support this measure. However, we must realise that there is a lot of country out there that is suited to company holdings, and we cannot afford to cut them up. The end result will be land degradation. The situation in the Kimberleys was an unmitigated disaster. We all saw the documentary on it. We should not force people to flog the country because they are being pushed into a corner. If that occurs, the land will suffer. I support the Bill.

Hon G. N. SMITH (Townsville—Minister for Lands) (4.47 p.m.), in reply: I thank all members who have spoken to the Bill. In particular, I thank the members of my committee, Mr Nunn, Mr Dollin and Mr Bredhauer. They made a very valuable contribution and demonstrated their understanding of the Bill and the fact that they have kept up with what has been occurring.

There are a few things I would like to say by way of introduction to my general reply. Firstly, I congratulate the officers of the Lands Department who have been involved in the production of this Bill. It is, as the member for Gregory said, a very significant Bill. That fact was lost on some members. It is a very large Bill. It is a very important Bill. The timeliness of this Bill is also important. Not only is it a rewrite—and there have been rewrites of the Land Act before—but also this is the first time that this degree of consolidation has been achieved. More importantly, the Bill is in clear English; it is a readable document that can be used as a bible for those involved in land matters.

I found it disappointing that there were some suggestions of political intrigue or political intrusion. With possibly one exception, the officers who prepared this Bill were employed by the Lands Department during the time of the previous Government. If that Government had asked the department to do this work, the same officers would have produced the same Bill.

Mr Hobbs: I am not talking about that at all.

Mr SMITH: I would like to clear that up. I was quite disappointed with some of the responses——

Mr Hobbs: It's Labor philosophy.

Mr SMITH: I will take up that comment. There is no political philosophy behind this Bill. There is a philosophy of good administration and of transparency. That is the only philosophy that appears in this Bill. If the member for Warrego is seeing anything else, he and some of the other Opposition members are seeing demons. There are no demons in this legislation. I was quite saddened by the debate at times when those types of allegations were floating around. That was an unrealistic attitude, and I am disappointed that it prevailed.

This Bill has been developed over a very long period. As the member for Cook said, the opportunity for input goes back to the time of the White Paper. The input by the Land Use Consultative Committee has been ongoing. Concern was expressed about ministerial determinations. In fact, generally speaking it is not a question of me as Minister making that determination; it is made by an officer of the department who has a ministerial delegation, and that has always been the way.

There were suggestions from both sides about rents and rorts. I do not want to go into that very much; I might touch on it later. Again, generally speaking, there was not very much basis of fact. I would like to say, too, something that is very clear to me but is something which I think needs to be cleared up. The proclamation of this Act will not occur on the one day. We will proclaim, as I have said we would, those sections of the Act which are necessary to tidy up the matters relating to the mining homestead leases. I have said that over many months—in fact, over the last 18 months, almost the last two years. A lot of the other aspects of the Bill probably will not come into place until the middle of next year, it is going to take quite some time to prepare regulations and go through the education process of our own officers in the use of new forms that will be required. So it is not going to happen overnight.

I meant to mention before the level of consultation that has occurred. There were some matters which came in quite recently which we would have liked to have included in the Bill, but we did not include them. I will tell honourable members why we did not include them. It was because we did not have the opportunity of undertaking the level of consultation with the industry that we would have liked and, indeed, with our own land use consultative committee.

Mr FitzGerald: And you expected us to do that in eight days. You expected us to go through the Bill in eight days.

Mr SMITH: The material has been available to industry groups for years. There are no secrets in this Bill. The issues have been well flagged over the last 12 months. Quite significant sections of it have appeared in the press, so the honourable member should not run the line that the Opposition did not really know what was going to happen. The consultation has been wide and adequate. I am more than satisfied that there has been open and accountable discussion. The member should not give me that line.

I turn now to Government members. As I mentioned before, the members of the committee have kept pace with the development of this Bill in a very conscientious way. They have met regularly with people involved in the development of the Bill. Their contributions today reflected their understanding of what is required and how it is being developed. I think that it helps very much to have a few people on the committee who can undertake that task to provide the necessary checks and balances and the reminders and the feedback. I would just like to take this opportunity of thanking them very much for their contribution. I am not going to cover the matters they raised because I think that by and large these matters have been canvassed, but they certainly did develop some of the aspects of the Bill, I think and I hope, to the greater understanding of members opposite.

I turn now to the contribution by the Opposition, starting off with the Opposition spokesman. I will try to touch on as many points as I can and then I will pick up some of the points made by other speakers. The Opposition spokesman started off by saying that the principles in the Bill did not mention the importance of the land and the people. The answer of course is that principles are put in to ensure that the economic and social benefits of the land continue, and there are references on page 27 of the Bill if the member wants to look.

The member also said that there was limited consultation. I have touched on that already. There was the Wolfe report, which I know the member has criticised heavily, and the White Paper. They are all precursors to the Bill. There was certainly a very wide exposure.

The member alleged that there was an anti-freeholding bias in the Government. I think that was the only way I could interpret it. What I say in response is that the responsibility of Government is to manage land strategically for the community. The Government has not changed the cost or criteria from the 1991 amendments after the freeze was lifted, and I think the member mentioned that one himself.

Both Mr Hobbs and Mr Stephan raised the matter of miners' homestead leases. I do have some additional information, but I understand about 95 per cent of leaseholders have applied for freehold of their miners' homesteads and they still have about a month to apply. As long as they get their application in by the end of this year, that will be okay. The change has been advertised for about three years in brochures and personal letters to the lessees. We have done just about everything we could possibly do. Without being unduly critical of the member for Gympie, he did take a position of opposition to the concept. In other areas such as Mount Isa, Charters Towers and all over the place, people understood clearly what the options were. I think there was a doubt put in the minds of the people in the Gympie area and that has resulted in a belated response. I think they are coming in now, but it is a bit unfortunate. I cannot do much more than I have done. If some people have been misled by Mr Stephan, that indeed is unfortunate.

Mr STEPHAN: I rise to a point of order. I take exception to the comment made by the Minister that I was misleading anybody in the MHPLs. It is coming from them to me, not from me to them.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! The member will resume his seat. The honourable member for Gympie takes exception to the Minister's remark. I ask the Minister to withdraw.

Mr SMITH: I will withdraw. I will return to Mr Hobbs. There are two occasions when conditions can be imposed on the lease as proposed under the new legislation, that is, in the 10 or 15 year review time, and when a lessee is causing serious or permanent damage to the land. Both are aimed squarely at protecting land sustainability. I want to stress they are both matters of last resort and would occur only if all other means, particularly consultation, fail. Again, I think that is drawing a fairly long bow. Importantly, both are appealable both internally and then to the court, or whatever might replace the court. The current Act allows the Minister to require a lessee to de-stock if overstocking is likely to cause permanent injury to the land, anyway. That goes right back in the 1910 Act. I just do not see very much of a problem there.

Security of tenure attracted attention. I have said several times recently—I think I said it in my second-reading speech and I have certainly said it publicly by way of media statement—there is nothing in the Bill that decreases security. Existing pastoral leases maintain the 1962 Act's

covenant for a new lease in renewal. At clause 159 the member will notice in the first dot point for consideration is the interest of the lessee. That, again, is a bit of a red herring.

For special leases, security is increased. In contrast to the 1962 Act, the Bill ensures that, if a lease is to be allocated for the same purpose, the previous lessee may be given priority. That is the case now and it will continue to be the case.

Living areas certainly are mentioned, but this does not necessarily mean that only a living area will be returned. Again, I think a fairly wide interpretation of that has been taken. The member mentioned a matter which related to the secondary use of pastoral properties and which might bring about a change in purpose of the lease. The Bill allows for additional purposes. If it is a grazing agricultural lease, there would be no change of category for a minor tourism addition. This is a matter of commonsense, and the law has to be applied with commonsense. I have been given the example of Planet Downs, which is apparently undertaking that type of activity. It is on a category 1 grazing agricultural lease, even though it has that tourist attraction. Again, I hope that disposes of that situation. There could be a change, of course, if in fact the primary purpose of grazing or agriculture disappeared entirely in favour of a tourist activity. I think commonsense would dictate that, under those circumstances, one could expect a change in category. Provided the primary purpose is in place, the answer is, "No."

The Lowrey situation does not relate directly to the Bill, but the Opposition spokesman gave it a bit of a run, so I will try to respond. In that particular case, the lease was subject to a condition that no further access to the leased land would be provided by the State or the local government. That was stated when the lease was taken out. It was a condition in the sale notification, and all intending purchasers would have been well aware of that. Provision of constructed access to a property boundary is the responsibility of local government; although, with new subdivisions, this is usually met by the subdivider and passed on to the purchaser. The value of the land is enhanced and the cost of external infrastructure is reflected in the sale price if the land is again sold at a later date. Mr Lowrey opted to undertake the responsibility of local government. It was his choice, and if he has an argument, it must be with the council.

The member had a crack at the Land Court. I was quite surprised, because his colleague Mr Johnson pointed out his very broad support for the Land Court. It seemed to me that the Opposition spokesman is taking on the Land Court and saying that it did not give the man a fair go. One of the things to which I take exception—as, I am sure, would the members of the Land Court—is the comment that Land Court members are puppets. They do not see themselves as being puppets of anyone. They make their own determinations, and we abide by the decisions of the Land Court.

When I first saw that case, I thought that the man appeared to be hard done by, and I thought that a solution may have been available. It was not. When I went into it, I found that about $10,000 of the increase in valuation occurred just through the value of the land, totally unrelated to the formation of the road or the supply of electricity. From memory, I believe that because the electricity supply and the road access were there, that accounted for about $5,000. I know that there is still a principle involved, but it certainly did not involve a great bulk of the increase. I indicated that I thought something could have been done at one stage. It has been adequately demonstrated to me that, with the principles involved, that is not possible.

The member mentioned clause 250 and said that it related to a review of conditions. That is not the case. The intention is that if a former lessee owes rent to the State or has caused damage to the land that needs to be rectified, any moneys that are due to the lessee from sale of improvements will be applied to the extent necessary to meet the debt or to rectify the damage. The important thing is that it does not apply on the transfer of a lease. So, if a person is selling to someone else, there is no requirement for payment.

When the lease has expired, or has otherwise ended, and the land is being made available again to some new applicant or person the condition would apply.

I did say that I would say a little more about rent. The Opposition spokesman knows very well—but I will run it past the House—that we have retained the concessional percentage for drought and hardship. We have also deferred rents in some cases since 1991. So the member cannot say that we have not been generous.

Going back to my opening remarks and the general tenor of remarks from members on the other side of the House—I have found during my period in this particular portfolio that I have got on very well with industry leaders. They understand what it is all about, and they are realistic. I do not know why some people are doing what the member is doing, that is, building up this division—a them-and-us attitude. It is not that. We are one State.

Mr FitzGerald: Did you listen to the honourable member for Bundaberg?

Mr SMITH: One must ask, "Who started all this?"

Mr Hobbs: We are listening to our electorates.

Mr SMITH: I believe those members are listening selectively.

The Opposition spokesman referred to the Land Court, as did Mr Johnson. This Bill allows for the court to continue under the current form for two years. By then, new legislation will continue the areas covered by the Land Court, but possibly in a different form and certainly not by regulation. This will be determined when the review of the land planning environmental jurisdiction is completed. There is no certainty about what is going to happen there. The obvious model is the New South Wales court, which seems to be working well, but final decisions have not been taken.

On the subject of tree management—the Bill does not stop tree clearing. I do not want to go over this, because I have said previously in discussions on land amendment Bills that it is a matter of local consultation and a matter of the development of policies for local areas, recognising that there is wide disparity throughout the State on what is reasonable and what is unreasonable. Essentially, the local guidelines for both broad-scale clearing and maintenance are what will determine what actually can occur.

The Opposition spokesman claimed that the priority criteria are too harsh. Priority to an adjoining lessee or owner is only one aspect when land can be made available in priority. That is made quite clear in clause 123. It does not apply to making additional areas available for property build-up, because they need not be adjoining. I hope that covers the point. I believe that is what the honourable member was talking about, but I am not absolutely sure.

As to rents—and I did say I would go into this in a little more detail—under the previous Government, rents were reassessed every 10 years. As a result, many rental standards were not reviewed for many years. The 1989 rentals did not take into account the review undertaken by the member of the Land Court, Mr Carter. His review did increase rural rents, but they did not really come into force until 1991.

The review of rents in terms of the Wolfe rates took effect in 1993. People talked of massive sums of $20m and that sort of thing. I do not have the exact figures, but rural rents were about $5m or $6m. I am sure that was well canvassed during the debate on the Estimates. The rest of the money for lease rentals comes from industrial, commercial and tourist rents—certainly not from the grazing sector.

This is not related to the Bill, but I will address it because the member raised it twice, and it is incorrect. He spoke about the reduction of staff in the Cunnamulla land centre. The simple fact is that some people transferred out or were promoted. They are being either replaced——

Mr Hobbs: When?

Mr SMITH: I think one or two are in position already, and the other person is on the way. A relieving manager is coming in to replace the manager who was on the important task of the very significant south-west review. He is still there to provide guidance if people need it. The member cannot tell me that the office has been de-staffed, because it has not.

The Opposition spokesman also mentioned replacing the Rural Lands Protection Board and claimed that regional local government areas would be established in its place. That is not the case. It has been suggested that land protection authorities consisting of a grouping of local governments based on water catchments be established to more effectively undertake the responsibility of managing stock routes and declared pests. The member spoke about that as well. This can occur under the current legislation. It is not an extension of existing responsibilities. Again, it is being discussed, but there are no firm decisions at this time.

The member raised some matters that really got away from the Land Bill in its purest sense. Those matters dealt with some consequential amendments to the Land Title Act and the Building Units and Group Titles Act. Turning first to the matters that affect the Land Title Act—honourable members should be aware that delegates at the recent National Conference of Registrars in Hobart supported the Queensland Land Title Act, as did the National President of the Australian Bankers Association, the National President of the Australian Institute of Surveyors and the National President of the Real Property Committee of the Australian Law Society. If the member is still bagging that, he is well behind——

Mr Hobbs: We support the system; it's the way you run it.

Mr SMITH: No, no—he is well behind the drum beat. Sure, some tidying up was required. Most of that will occur. If it has not already occurred, it is in place. The Law Society is entirely content with the measures that have been taken. I do not believe——

Mr Hobbs: When did you talk to them last?

Mr SMITH: Recently—in fact, very recently. I can assure the honourable member of that. We have made some concessions; there is no doubt about that. The end result is a good outcome. As the member has correctly said—and in recent times I have not had any questions in Parliament about the Titles Office—the backlog has come down dramatically and it is looking very good.

The point that I have to constantly reinforce about the Land Title Act is that, in almost all instances of fraud that have arisen, the person had possession of the duplicate certificate of title. It is recognised that no system of title registration will absolutely prevent fraud. That is why this State guarantees the present ownership of land under the Land Title Act. It is interesting that countries that use the Torrens titling system and do not have a duplicate certificate of title have not experienced an increase in fraud. I found that out on my recent visit to Canada where the system has been in place for about 10 years. I feel more confident now than ever about that matter.

Nevertheless, I am a realist and I understand that some people do have an emotional attachment to a duplicate certificate of title and we have made the decision that people who have the right to unencumbered title will be able to have a duplicate certificate, and we will make that available without cost. The fact is that 80 per cent of all property is held under some form of mortgage. The banks and financial institutions do not want the duplicate titles. Indeed, both sides will be satisfied. However, it must be remembered that the person who takes out the duplicate has a responsibility, because once that duplicate is issued no action can take place in respect of the property unless that duplicate is produced. If a person takes out a duplicate, that person should make very certain that he or she knows where it is.

In respect to compensation, the Land Title Act allows a person who has suffered loss from fraud or the action of the Registrar of Titles to seek compensation from the State. That indefeasibility of title exists in all States under the Torrens titling system. I mentioned before that the backlog has come down significantly, so I will not go into that any further.

Mr Stoneman referred to the review period of 10 years to 15 years. Again I say the same to him as I said to the Opposition spokesman. He made a comment about primary production. There is nothing in the Bill to say that the land cannot be used for primary production. We are talking about long-term sustainability.

As to Mr Stephan's contribution—out of the initial 24 800 miners' homesteads leases, as at the end of October this year only 1 241 had not applied for freehold. So that is not a bad effort. Unfortunately, most of them are in his electorate. I will not go into that because it has been covered many times before.

Mr Johnson mentioned covenant for renewal. I think I covered that fairly adequately in my response to the Opposition spokesman. He raised the issue of a maximum of two living areas under GHPLs. That is the provision under the 1962 Act as it stands. Living areas are determined in consultation with industry and are well accepted by industry. They are published in the Wolfe report and industry has agreed with the determinations that have been laid down.

In relation to uncertainty for miner's homesteads—unfortunately, with the best will in the world, it is very, very difficult to achieve the result that Mr Johnson would like. Certainly, I have put money into it. Officers have put a lot of time into it. We will make progress, but I am not going say that it will be rapid progress, because it relates to the random development of that site. It think that Mr Johnson understands that the Government will to do everything possible to bring about an orderly regime in the emerald fields, but it is not easily done. We will all have to be patient and apply our best efforts to bring about an acceptable result.

Motion agreed to.

Committee

Hon. G. N. Smith (Townsville—Minister for Lands) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr HOBBS (5.18 p.m.): I think the Minister might have misunderstood my point in relation to the objects of the Bill. I think he said that we did not mention the beneficiaries of land or the land users. The objects of the Bill are sustainability, evaluation, development, community purpose, protection, consultation and administration. There is no mention at all of the primary use of the land and the social and economic benefits derived from the land. An important arm—a part of the team—is missing. If the Minister wants the land to benefit the community and if there is to be long-term sustainability, he cannot have it without cooperation with the people who love the land and look after it—his partners. The Minister has forgotten his partners. I know it cannot be changed now, but I think future legislation needs to recognise the work and the love that goes into the land that is not shown in this particular legislation.

Mr SMITH: I would have thought that sustainability—the first dot point—covers that issue. It refers to resource use and development to ensure existing needs are met. Existing needs have to be met by the production from that land. So I would have thought that the very first dot point would have implied the matter that the member raised. It is not a point of law, and I think he acknowledged that. I hear what the member is saying but I think that it is a concern about something that is already covered by the Bill.

Clause 4, as read, agreed to.

Clauses 5 to 169, as read, agreed to.

Clause 170—

Mr HOBBS (5.20 p.m.): This is the David Lowrey case—or part of it. I suppose we will cover a couple of other aspects later in relation to unimproved value and prescribed rate. There has to be something that can be done in relation to the David Lowrey case. The Minister mentioned a while ago that he thought that the $12,000 that David Lowrey was charged, which he thinks is extra and we all believe to be extra at this stage, may not be quite as high as that. The Minister mentioned that it could have been $5,000. That is still wrong. I think the Minister recognises that and I think that, in that respect, he is a fair man.

There are ways to fix it. In some cases the department may say to the Minister, "It cannot be done", but I think that sometimes things have to be done, and a lot more work has to be put into it. I just do not believe that the Minister cannot fix it. Government can fix most of these things if it has the will and the determination to do so.

I do not doubt that a full investigation of this problem perhaps came a little bit late in relation to the drafting of the legislation, but I really believe that something needs to be contained in the very next Bill that is introduced into this Parliament in relation to such matters to rectify it. Quite frankly, what should be done is that people such as David Lowrey should be reimbursed in some manner or form. There will not be many cases like the David Lowrey case. Also, prior to the David Lowrey case, many cases similar to that were not determined in the same way.

When I referred to the Land Court, I was not seeking to denigrate it, or whatever, and I am sorry if I gave that impression. However, I believe that the courts, whatever jurisdiction they may be, are making decisions based on the Government's direction and philosophy of the day. If the Minister wants to change around a few words in the legislation, I am sure that the Land Court will understand the reasoning behind that change that the Minister wants to make and would therefore rule accordingly.

I believe that this is a very, very important clause and we need some indication from the Minister that he really will fix things for David Lowrey and for the rest of Queensland.

Mr SMITH: As I have indicated to the member already, there are particular difficulties with the issue. I think that the member is missing a very important point with the David Lowrey case, that is, that there are different ways of determining the freehold price. For instance, if the man had bought that property on the basis of an auction purchase lease so that the freehold price was predetermined, that is one aspect of the matter. However, if people buy property as a special lease and are told that it is possible to freehold that lease after a certain level of development has occurred, what happens is that people pay the market price. If the value of their land goes up or down during that period, then they freehold at the new value. That is different from a property that people buy at an auction purchase freehold, and it is $20,000 now, with $2,000 over 10 years. It was not that situation. Certainly, there was not a clearly stated price, which was going to remain forever. That is the long and the short of it.

There is one other aspect about the matter, which I think is not unique but is critical in considering the David Lowrey case, and that is the wisdom of the department acceding to the request of putting that sort of land on the market when there is not a dedicated road, when there is not an electricity supply and when water mains have not been laid. In other words, officers of the department probably went out on a limb to provide that land under pressure from Mr Lowrey and others. I am not sure about that; I do not know the case in that much detail. However, one could understand that if that occurred, the council cannot be expected to put in a road quickly because someone has put up a house on an isolated property. It is a difficult problem, and nobody is denying that. I am told that the Land Court, in its decision on that particular case, made a determination consistent with the decisions that it had made in respect of similar cases.

Mr HOBBS: I return to the same clause in relation to David Lowrey. I will quote from a piece of paper that was issued at the time David Lowrey acquired the land. It states—

> "In the case where a higher rate of rental than the upset rental is realised at auction and in the event of an application being approved during the first five years for sale in fee simple of the land under section 207 of the Land Act, the selling price will

include (a) the unimproved value of the land and (b) a sum comprising the difference between the upset annual rental and the higher rate of rental realised at auction calculated over the balance of the said five years."

I think that there has certainly been some confusion. I believe that David Lowrey would probably be eligible for the determination of a set freehold price, to which the Minister referred. We really need a better indication from the Minister. I know that he is saying it is difficult, but can the Minister fix it so that people such as Mr Lowrey and others will not be caught in the same trap?

Mr SMITH: That is really an impossible question because I cannot predetermine the exact circumstances of a future case. The only light that I can shed on this matter for the member is that, before the 1991 amendments, the purchase price was determined by the Minister. Of course, that put no bounds on purchase prices, and it could have been abused. Really, I think the short answer to the member's question is that to avoid a similar situation occurring, the department should, and certainly will, be very careful to ensure that properties are not offered where the owner would be required to make that sort of contribution if that is going to affect the ultimate purchase price.

Question—That clause 170, as read, stand part of the Bill—put; and the Committee divided—

AYES, 44—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, Comben, D'Arcy, Davies, Dollin, Elder, Fenlon, Foley, Gibbs, Hamill, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Palaszczuk, Pearce, Purcell, Robertson, Robson, Rose, Smith, Spence, Sullivan T. B., Szczerbanik, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Nuttall

NOES, 28—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Littleproud, Malone, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Stephan, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

The TEMPORARY CHAIRMAN (Ms Power): Order! I remind honourable members that from now on divisions will be of two minutes' duration.

Clauses 171 to 181, as read, agreed to.

Clause 182—

Mr HOBBS (5.36 p.m.): This proposed new section relates to land rentals, which is something that the Government has not handled very well throughout Queensland. It has been an absolute disaster. People have been paying a lot of money. Proposed new section 182 deals with land rental categories. We are consistently finding that people's categories are being upgraded and that it is difficult in a lot of cases to have those categories reinstated to what they should be.

Obviously, I know that it is not the deliberate plan of the department to do this. However, is there a way that we can streamline the system so that people who find themselves in the wrong categories can be put back to where they should be, with the funding fixed?

Mr SMITH: Yes. For a start, there is an internal departmental process. Certainly, there have been instances in which people have been put in not necessarily the wrong category but a debatable one. This can be fixed up at a departmental level. It is certainly appealable. Ultimately, it has the capacity to go to the Land Court. A few have gone to the Land Court—and there are a few outstanding—but the number is not great, because most of them have been resolved.

Clause 182, as read, agreed to.

Clauses 183 to 210, as read, agreed to.

Clause 211—

Mr HOBBS (5.38 p.m.): This clause relates to the conditions that will be placed on leases throughout Queensland. I certainly object to the controls that are proposed. I have no problem at all with the need to put better farming practices and perhaps long-term sustainability initiatives in place. However, having reviews within a maximum of 15 years and a minimum of 10 years is putting undue pressure on leaseholders.

In relation to proposed new sections 211, 212 and 214, I do not consider it to be right that a land-holder, because of a change of category through de-stocking or a change in capacity, should have to change his management practices. In many cases, it might not be the particular person's fault at all; it may be due to a seasonal condition, such as the long drought at present. Of course the land is taking a caning at present, but I have no doubt that when it rains again things will improve. Again, I ask the Minister to state exactly what the likely circumstances would be before land protection would be instigated or a review conducted. In what particular instances would a leaseholder be likely to lose his lease under these provisions?

Mr SMITH: His behaviour would have to be absolutely outrageous for him to lose that lease. I thought that I covered the point fairly fully in my summing-up when I said that that type of action

would be as a last resort. If, in fact, it became known that someone was not performing in respect of the conditions of his lease, we would expect that there would be discussion and consultation about that and that there would be resolution.

The ability to revoke a lease would be an action of absolutely the last resort, but it is certainly there to be used if it had to be. One would expect that, if the person were reasonable—and I would think that very few people would be unreasonable—the matter would be resolved by discussion. I believe I covered pretty much the same thing in my general summing up.

Clause 211, as read, agreed to.

Clauses 212 to 256, as read, agreed to.

Clause 257—

Mr HOBBS (5.40 p.m.): Proposed new section 257 relates to tree clearing permits, and to the instances when they are not required. It states—

> "A tree clearing permit is not needed by—
>
> (a) a trustee of an existing dead of grant in trust for Aboriginal or Islander inhabitants to clear trees on the deed of grant in trust."

I ask the Minister: what is the difference between Aboriginal people and white people who have similar types of land?

Mr SMITH: It is a vexed question. But just as Aboriginal people have certain rights with respect to the hunting of native species which are not available for hunting by non-indigenous people, this is one aspect where they have a right that is not available to the general community. I do not see it as being a right that would be exercised to the detriment of the land, but it is certainly there.

Mr LITTLEPROUD: I wish to make a comment. One of the basic premises that the coalition works upon is that all people in Australia—and all people in Queensland—should be treated equally. It is unfortunate that this aspect should be in any sort of legislation let alone this Bill, because it will perpetuate differences that we have in the community that most of us in society are trying to overcome. It is unfortunate that something that people will be able to poke their fingers at and say, "There is a difference", will be enshrined in legislation.

Mr SMITH: The fact is that these lands are largely used for traditional purposes. By and large, they will be transferred to Aboriginal and Islander land under Aboriginal and Islander native title claims or under the other Act that is available. It is certainly considered that the owners should have the power to deal with trees in accordance with traditional attitudes, in the same way that with freehold land—be it right or be it wrong, and many people might argue that it is wrong—the owner of freehold title at this point in time is entitled to deal as he wishes with the land. The holders of native title are in the same position.

Clause 257, as read, agreed to.

Clauses 258 to 261, as read, agreed to.

Clause 262—

Mr HOBBS (5.44 p.m.): This clause relates to all the issues that a chief executive officer must consider before a tree-clearing permit is issued. There are almost two pages of conditions. They include conservation value, heritage values, native title, protection of scenic, visual and landscape values, public safety and fire management, bee-keeping purposes, heritage or cultural value of the trees, and it goes on and on and on. Does the Minister really consider that all those conditions are necessary? Can he give an assurance that tree-clearing permits will be granted on their merits and not using these types of unusual conditions that will restrict people from obtaining permits when they genuinely need them?

Mr SMITH: This really comes back to what I said before about local guidelines and the development of guidelines to suit local conditions. In the development of those guidelines, I would think that all the matters that are set out here ought to be considered in respect to that development, but it may well be that the guidelines for any particular area might or might not use all or part of the total number of guidelines that are provided. As I have said before, often in this type of debate it is a matter of common sense. When people drive their cars, they just jump in and turn the key and away they go. But if people had to document that procedure, it would sound like they were trying to get a 747 off the ground. The member has to enter into the spirit of how these conditions are meant to be applied.

Clause 262, as read, agreed to.

Clauses 263 to 433, as read, agreed to.

Clause 434—

Mr HOBBS (5.46 p.m.): This clause applies to the David Lowrey case. It outlines the definition of "unimproved value". It also has a definition of "unimproved state". This is an area in which some improvement can be made that may resolve cases such as the David Lowrey case. Would the Minister consider making some improvement to this clause so that those sorts of cases will not recur?

Mr SMITH: I am not certain that I caught the full text of what the member was asking.

Mr Hobbs: Clause 434, the unimproved value, to see if you can change that. That is one of the problems that he had—the meaning of "unimproved value" and "unimproved state".

Mr SMITH: What is the member's point?

Mr Hobbs: My point is that the definition of "unimproved value" in this particular instance was what caught David Lowrey out.

Mr SMITH: I will take advice on that. I am told that the reason that is in there is that sometimes the Crown undertakes developments before the property is offered. That seems to be the reason for that particular clause.

Clause 434, as read, agreed to.

Clauses 435 to 468, as read, agreed to.

Clause 469—

Mr HOBBS (5.49 p.m.): This clause relates to freeholding of perpetual leases. It states—

> "If a lessee elects to pay the purchase price by a single payment, the lessee is entitled to the discount prescribed under the regulations."

My understanding of the post-Wolfe situation is that a discount is applicable only on the initial amount owing. If a person elects to pay the freeholding lease out over a period, there is no chance of obtaining a discount. Can a person obtain a discount under this legislation?

Mr SMITH: It is unchanged. It will be set out in the new regulations, but certainly that will be possible.

Mr Hobbs: So there is no discount after you have started to pay it off?

Mr SMITH: A person can obtain a discount if he or she pays the thing off up-front, which is the way it is now, but there would be no discounts from that point onwards.

Clause 469, as read, agreed to.

Clauses 470 to 472, as read, agreed to.

Clause 473—

Mr HOBBS (5.50 p.m.): This is the clause in relation to the pastoral leases. I do not believe that the Minister really explained this very well in his summing-up. Clause 473 states—

> "An existing covenant in a pastoral lease, under Part 6, Division 2 of the repealed Act, for a new lease at the expiry of the existing lease is taken to be a covenant to offer a new term lease for pastoral purposes, of a maximum of a living area . . . "

What exactly is meant by "a living area" in relation to these pastoral leases? I am referring to companies such as Stanbroke and AA Pastoral Company, etc., which have a lot of land, particularly in the channel country throughout south-west Queensland.

Mr SMITH: I can only repeat what I said before, that "a living area" is a term that is well understood within the industry. It certainly does not mean a living area for a large company. I assume it means a living area for a family. As I said, I understand that that concept is well understood.

Mr Elliott: How many cattle or sheep are you talking about?

Mr SMITH: I cannot add to that. "A living area" has been a term around in land regulation forever and if it is not defined already, I am certainly not in a position to define it further right now. I believe it is just an historical value that is well understood.

Clause 473, as read, agreed to.

Clauses 474 to 498, as read, agreed to.

Clause 499—

Mr STEPHAN (5.52 p.m.): I will take up the cudgels again with the Minister. I will ask the Minister again the number of MHLs that are not yet the subject of an application for freeholding. Did the Minister say 1 000 earlier?

Mr SMITH: I have it buried in my notes somewhere. It is just over 1 200.

Mr STEPHAN: There are 1 200 MHLs. They are fully paid-up leases. The valuation has been set by the Government or by the Crown over a long period and they are fully paid-up leases. At the end of this particular period, what is the Minister going to say to them—that because they have not made an application they will now have to pay for that land again? Is this what the Minister is saying?

Mr SMITH: I am absolutely astounded at that question because it has been raised in this place so many times. I really feel that the member is asking that question purely for some local media event. The fact is that if people have not made that application by the end of the year, those leases will revert to a special lease and they will pay a special lease rental on them. If they subsequently decide to freehold them at some future time, then the conversion price to freehold would be the ruling price determined by valuation at the time.

Mr STEPHAN: This certainly confirms what the Minister has been saying, and that is what I am saying is wrong. Whether it is a piece of land or anything else that has been paid for, it is a fully paid-up lease, it is a fully paid-up instrument

that people have. The Minister is now saying, "You shall pay again." This is what I am saying is wrong. If it cannot sink in that the Minister is asking people to pay twice, then I feel sorry for him. Unfortunately, I am the fellow who takes the kicks from my constituents. Unfortunately, I am the fellow they are blaming, not the Minister. I cannot wear the attitude held by the Minister.

Mr SMITH: I would just like to correct one aspect. There are in fact 1 241 miners' homesteads. About half in fact would be homestead leases. When they come under the Bill, miners' homestead leases only have a nominal prescribed purchase price.

Question—That clause 499, as read, stand part of the Bill—put; and the Committee divided —

AYES, 40—Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, Davies, Dollin, Elder, Fenlon, Foley, Gibbs, Hamill, Hollis, Mackenroth, McElligott, McGrady, Milliner, Palaszczuk, Pearce, Purcell, Robertson, Robson, Rose, Smith, Spence, Sullivan T. B., Szczerbanik, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Nuttall

NOES, 23—Beanland, Borbidge, Connor, Davidson, Elliott, FitzGerald, Goss J. N., Grice, Healy, Hobbs, Horan, Littleproud, Malone, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Veivers, Watson *Tellers:* Laming, Stephan

Resolved in the **affirmative**.

Clauses 500 to 527 as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Schedule 3—

Mr SMITH (6.01 p.m.): I move the following amendment—

"At page 228, after line 3—

insert—

'BUILDING UNITS AND GROUP TITLES ACT 1994

'Amendments

'1. Section 222 (3) (a), 'the commencement'—

omit, insert—

'24 October 1994'.

'2. Section 222 (3) (c), 'the commencement'—

omit, insert—

'24 October 1994'."

Amendment agreed to.

Schedule 3, as amended, agreed to.

Schedule 4—

Mr SMITH (6.01 p.m.): I move the following amendment—

"At page 234, line 22 and page 235, lines 1 and 2—

omit, insert—

' "transferee" means—

(a) a purchaser for valuable consideration of an interest in a lot that is capable of registration by an instrument of transfer; or

(b) a person who is entitled to an interest in a lot under an instrument of transfer or an instrument of mortgage.'.

At page 236, line 13—

omit—

'settlement of'.

At page 237, after line 26—

insert—

' '(1A) However, the Registrar must notify the person who lodged the instrument of the Registrar's intention to withdraw the instrument at least 14 days before withdrawing it.'."

Amendments agreed to.

Schedule 4, as amended, agreed to.

Schedules 5 and 6, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

Sitting suspended from 6.03 to 7.30 p.m.

ELECTORAL AMENDMENT BILL

Second Reading

Debate resumed from 16 November (see p. 10411).

Mr BEANLAND (Indooroopilly) (7.30 p.m.): This legislation witnesses the Labor Party's "pollie tax", that is, public funding for State elections. It gives taxpayers' funds to candidates who receive more than 4 per cent of the total number of eligible votes polled for all candidates in an election. The public of Queensland will now pay independent candidates and political parties to run their candidates at the rate of $1.03531 per vote—approximately $1.04.

Government members interjected.

Mr BEANLAND: I assure the interjectors that, if they are patient, I will answer their questions fully and concisely so that they have

no doubt about the matter, particularly as they are going to support our point of view. The rate will be approximately $1.04 per vote, indexed to the consumer price index for Brisbane published for the March quarter in each year, to be effective from 1 July each year. This new arrangement for public disclosure and its consequences of public funding corresponds to that of the Commonwealth legislation. Based on the 1992 State election results, independent candidates and political parties would receive almost $1.75m by courtesy of Queensland taxpayers. I note that the projected cost for the next State election in 1995 is approximately $2.1m. This system of public disclosure and public funding operates not only federally but also in New South Wales.

Let me deal firstly with the principle of the matter. Individuals should have the right to keep their political beliefs, and therefore the details of the party which they support, to themselves. That is why we have secret ballots, a fundamental requirement in a democracy. In addition, individuals who decide to donate to a political party should be able to do so with their right to privacy being protected. A fear exists in the community that Government knowledge of a donation to a Government party will lead to preference being given to those donors. On the other hand, a similar fear exists that public knowledge and, importantly, Government knowledge of those who donate to opposition parties can lead to donors being victimised not only by the Government but also by the union movement. We have witnessed that dramatically since the last Federal election, with Labor's Prime Minister Keating threatening a range of companies and businesspeople.

Government members interjected.

Mr BEANLAND: I would have thought that Government members would have liked to hear this, because it relates to their party and what has been occurring with this new-found public disclosure and public funding. For supporting the Liberal Party, a range of companies and businesspeople are being brutally attacked and denied work. A leading firm of chartered accountants was denied work because of the work it did on a Liberal Party policy during the last Federal election. What is more, a number of company accountants have indicated their fear of the Labor Party's bully tactics and blatant discrimination against their companies. This legislation mirrors the Federal legislation and will lead to a similar position existing in Queensland if Labor were to miraculously win the next State election.

Under this legislation, the privacy of the individual is thrown to the wolves. Another aspect of an individual's liberties fought for over many centuries is being given away supposedly for the good of the community, because this legislation will stop candidates and political parties from doing favours in return for election donations. But will it? How will it clean up corruption? All members are against corruption and candidates and parties taking favourable action following receipt of donations in election campaigns. Any member with any integrity coming into this place must be against corruption. Will we see continuous amendments to the legislation, as has happened with the Commonwealth Act, to close loopholes not foreseen? Other pieces of legislation that have been introduced to Parliament on the premise that they would solve all the problems have had to be refined continually as loopholes have to be closed. If government or the community desire to have public disclosure, there must be a system of public funding, because one goes hand in hand with the other.

As I have pointed out, only donations to candidates of less than $200, to political parties of less than $1,500 and from a third party of less than $1,000 will be exempt from disclosure. That means that, if people want to retain their privacy, and many will for legitimate reasons—I emphasise "legitimate reasons"— they will make donations of less than those amounts to the respective candidate or organisation. The vast majority of private citizens and companies that make donations to political parties do so with no sense of expecting something in return. That might come as a surprise to members opposite, but I believe that the vast majority of citizens and members who come into this place are honest and do not take action because of receipt of a donation. The fact is that we cannot legislate for integrity and honesty in the political system; it must come from those who participate, including donors and politicians. To ensure that reasonable funding still flows to candidates and political parties for election purposes and to discourage the seeking of loopholes in the legislation, it is important that political parties and candidates be subject to public funding. Otherwise, we will find a growing range of people looking for loopholes in legislation.

I turn to the way in which the Australian worker is used and abused as election fodder in the system by the union movement and, in particular, union bosses. The Minister would be aware that this legislation, which mirrors the Federal legislation, contains exemptions for the trade union movement. Disclosure laws should relate to all equally. There should be a level playing field. But we do not find that with this legislation—far from it! Shame on the Government for allowing this legislation to come forward which favours the trade union movement

and with the Australian Labor Party being the major beneficiary of funding and assistance from the trade union movement, which is given special treatment by the Labor Government yet again.

Mr FitzGerald: Mates rates.

Mr BEANLAND: As the member for Lockyer appropriately interjects, "Mates rates." The legislation provides that donations and gifts from members of an unincorporated association, other than a registered industrial organisation—that is a trade union movement—must be declared publicly. The trade union movement is exempt. Disclosure of donations and gifts from the trade union movement is therefore exempt under the legislation. It is clear that two sets of rules have been established: one for an unincorporated association, provided it is not a registered industrial organisation, and one for a registered industrial organisation—a trade union. Those double standards exist currently in the Federal legislation. A difference exists between an unincorporated association which is not a trade union and the trade union movement.

Why should the union movement be treated differently from anyone else? The answer simply is: because the union bosses control the Labor Party. Here in Queensland, we see the role played daily by the Australian Workers Union—control of both the Premier and the Treasurer. We have seen plentiful examples of that in this place. I have very vivid memories of the Treasurer and the local government borrowing arrangements. What a fiasco that was! There was egg all over the face of the Treasurer. The Premier is continually bowing to the whim of the AWU—his political masters. We all know about the situation at Oyster Point at Cardwell, the proposed Port Hinchinbrook development. Because that is an AWU site, the Premier is so adamant that the development must go ahead. Union bosses will be excluded from scrutiny of public disclosure. What a farce and hypocrisy it makes of the whole legislation!

I foreshadow an amendment at the Committee stage to delete the words "other than a registered organisation" where they appear in this legislation, which so unfairly assists the Labor Party and allows the union movement to hide behind a cloak of secrecy. That must be clearly understood. I am sure that members opposite appreciate that— despite the noises I hear coming from those members. One has only to read the legislation to realise that that is the position.

If one is going to tell a lie, one should not stop at a small one; make it so large that people will be forced to believe that lie. The people of Queensland have been the victims of a few greater frauds than the current spate of good government legislation that has been put before the House in this session. This Bill is yet another fraud on Fitzgerald, and it proves once again what hollow rhetoric this Goss Labor Government is capable of.

The ALP are prisoners of their union mates, and this legislation again proves it. Ludwig and the AWU certainly own the soul, a good part of the staff, the stacked members for preselections and the direction of the Goss Labor Government. Mr Fitzgerald recognised—

> "The impossibility of improper favour being shown or being seen to have been shown by the Government to donors must be also eliminated."

Similarly, and more specifically, Mr Ian Temby, QC, the commissioner for ICAC in New South Wales, identified—

> ". . . a public right to know what influences might be being brought to bear upon public officials."

That certainly relates to the AWU and the trade union movement generally in relation to the Government.

The question that Queenslanders must ask themselves is: how free from influence is the Goss Labor Government? Whom does it favour? How much openness and accountability do Government members show? The Goss Labor Government is far from free. In fact, as I said, Goss' own faction is totally encumbered. The political souls and fortunes of this Government are mortgaged to their political trade union mates. In the beginning there is the preselection, and for the preselection there are the AWU stacks. The stacks and the party members, organised, crunched and delivered by the trade union organisers, deliver the candidate from the valley of darkness and into the union factional fold.

At election time, the campaign is coordinated by the appropriate trade union and appropriate faction. If it happens to be the AWU, then affiliation moneys—the sly donations in the form of paid union labour, organisation of resources, photocopying—are all put on the slate. That relates not only to the AWU but all the trade unions.

On the convention floor also, the AWU membership and corresponding votes and the various AWU stacks and lackeys deliver policy support. If a new member wishes to improve— to grow into a Minister—he or she must turn to his or her factional trade union masters. It is very important to keep in mind that the influence is simply not in money terms. Influence can come in

a whole host of ways, particularly in relation to people support for doorknocking and letterbox dropping from the union movement. I know how various unions are allocated to various State electorates to go out and campaign and work in those particular electorates.

Mr FitzGerald: There's a bus up our way sometimes.

Mr BEANLAND: The member for Lockyer indicates that they send a bus to Lockyer at times to assist up there. That is the sort of influence that I am talking about. It is simply not a moneyed influence. To think purely in money terms—and we are talking about corruption in relation to this matter—is totally false.

If one looks further, one sees that on the floor of the ALP convention, some 60 per cent of the influence on the Labor Party is not from members but from the union movement. For those unions, the Government legislates and allows preference clauses for its own union members, forcing people to join unions. Once they are in, part of that money goes direct to the ALP coffers as affiliation fees. Part of it goes to paying organisers, who spend either part or all of their time lobbying, working and campaigning for the ALP.

Mr Santoro: You're doing well.

Mr BEANLAND: I know I am doing well, because I got all this information from ALP documents. I went through all those union documents, so it is all factual. Part of that funding and campaign lobbying, etc., pays for offices and office facilities which, when needed, are turned into ALP campaign centres.

Mr Santoro: They just don't like the truth.

Mr BEANLAND: No, they simply do not like the truth. Unions are not democracies; they are carefully controlled organisations, controlled by a few individuals. This Government is controlled by those individuals.

Time does not permit me to go through all the grants and subsidies granted by ALP Governments to union mates which are channelled straight back into ALP Governments for re-election campaigns. Unions receive special treatment in Queensland; for example, there is no land tax. That is a few dollars more to the ALP coffers.

The AWU owns the Goss Labor Government. It has owned it from its political birth, and it will euthanise them when it chooses. It will promote them, and it will demote them. I still hear people asking, "Are these people free from influence?" Is a patient on a life-support system which feeds, nourishes and performs all bodily functions for that patient free from its influence? Never! Of course not. What we have here is more double speak in relation to openness and accountability, which are key catchphrases of this Government.

Looking further at this whole legislation—it is doubtful whether legislation of this type would have prevented the havoc, destruction and corruption that this Government's mates wreaked in other Labor States when they were in office recently. The people of Western Australia will be paying for many years to come for the deals struck for mates by the Burke Government—deals based on favour rather than merit. That runs into millions and millions of dollars, and those people did exactly as this Government does now—they hid behind a veil of respectability and propriety while practising exactly the opposite. That is blatantly clear.

Not only do we believe that the unions and the Labor Party should be accountable—like everyone else under this legislation—but even if that is done, there are other ways for union bosses to influence Government decision making, as Mr Temby and Mr Fitzgerald so rightly pointed out, particularly when union membership is either compulsorily acquired or preference is given to union members in many industries. In addition, we believe that unions should establish political objects funds, which were contained in legislation in the late 1980s and which the Cooke inquiry, in its May 1990 report, highlighted was not done by the unions and that, further, the law regarding political objects funds by the union movement was not adhered to in any respect. These are the sorts of amendments that one would have expected from a genuine Labor Party, a genuine Government bringing in this sort of public funding and public disclosure. If it is genuine and believes in that, this is the sort of action that it would be taking, because political objects funds would set out that unions could not expend funds on objects that would constitute political objects, unless they maintained a political objects fund, which should be separate and distinct from other funds of the union. A member would not be required to make a contribution to the union for political objects unless a separate rate of contribution was determined by the union and the member notifies the secretary in writing that he or she so desires to contribute to the political objects funds.

In addition, membership must not include contributions to the political objects fund, and a member must not include a contribution to that political objects funds, nor can a member be disadvantaged by reason of his or her refusal to subscribe to such a fund. If this Labor Government was genuine about ensuring that this legislation was fair and equitable—two words that are totally missing from this legislation, I

might add—in the interests of democracy, then the union movement would not only be included but political objects funds would be part of this legislation. I emphasise that. It will be all very well for the Minister to rise and talk about corruption and brown paper bags, but the point is that this legislation is designed to supposedly overcome corruption. I have pointed out that it is so blatantly unfair and inequitable.

In conclusion, I refer to prisoners. This legislation amends a section of the Act to allow prisoners the entitlement to be enrolled for an electoral district if the person did not live in the electoral district for the last month merely because the person was in prison. Secondly, under the Commonwealth Act which relates to enrolments, a person must not be convicted and under sentence for an offence punishable under the law of the Commonwealth or State by imprisonment for five years or longer.

Regardless of the maximum term for an offence, this issue is again one of principle—whether people who are in prison for an offence should retain their political right to vote or lose that right as part of their punishment. The Opposition believes that if a person is convicted for breaching the rules of society and goes to prison, then part of that punishment should be to lose their franchise, that is, lose their political rights. To vote while in prison sends all the wrong messages to those who breach the law.

Today, with the tabling of the Police Department's annual report, the wrong messages are being sent to the community—encouraging people to break the law. Everyone is aware that this Labor Government is soft on criminals. There are just so many examples of it. This legislation will add to that softness. It will send the wrong messages to those elements in our society who are going to break the law. In many instances, they are not even going to lose the vote. Is it any wonder the number of criminals and offences are skyrocketing in this State? Prisoners gaining the right to vote is another example of people breaking the laws and receiving a pat on the back from this Government. As a matter of principle, it is wrong, and it shows how inept this Government is.

I turn briefly to SETONS, the self-enforcing ticketable offence notice system. The legislation allows for the introduction of the SETONS system to collect the fines of those who fail to vote, which no doubt will make it easier for the Electoral Commission to fine these people. No doubt it will speed up those processes somewhat and lead to some saving in the work and effort required.

For the benefit of those who agree that public disclosure is an essential aspect of fighting corruption, I should point out that those who want to corrupt the system will continue to find ways of doing it. As I have already pointed out, it occurs now with this Government and it will continue to occur with the sanction of this legislation by the special preferences, opportunities and arrangements given to the trade union movement. I foreshadow that when we get to the Committee stage I will in fact be moving an amendment to delete that aspect of the legislation which refers to the trade union movement.

Mr BEATTIE (Brisbane Central) (7.54 p.m.): It is with a great deal of pleasure that I rise tonight to support this legislation. For more than a decade I have gone on the public record, and so has the Labor Party, in support of the provisions contained in this Bill. Indeed, when EARC held public hearings into the issue of public disclosure and public funding, I made a private submission as a member of Parliament and appeared before EARC at a public hearing. I did that because, as I said, the Labor Party has for a long time had a strong commitment to public disclosure and associated with that, of course, public funding.

I will refer to the Fitzgerald report, but first of all I want to say that the reason why I am so committed to public funding and public disclosure is that during my time as the Labor Party Secretary between 1981 and 1988, I experienced some of the difficulties that party secretaries experience with unscrupulous business people who seek to use money or, in National Party terms, the brown paper bag as a means of currying political favour.

To this day, I remember very clearly an incident in 1985 in the lead-up to the then Brisbane City Council elections when, as the party secretary and campaign director, I was approached by a representative of a shopping centre developer who was involved in a particular project at Sunny Park who wanted a fence removed. He said very subtly and delicately—it was a bit like a bulldozer coming over the hill—that if I could arrange through the Lord Mayor and, no doubt, the local alderman—now the honourable member for Archerfield—to have the Brisbane City Council see its way clear to remove that fence, the developer could accordingly see his way clear to giving the Labor Party a significant donation towards its council campaign. Needless to say, his feet did not touch the carpet on the way out the door. I made it absolutely clear that not only was that not the way we did business but also that I certainly would not be talking to anybody on his behalf

and that we never accepted donations with strings attached.

That incident brought home to me clearly the problem confronting political parties when sleaze-bags want to use money to obtain political favour. The only way that that can be stopped is through full public disclosure supported by public funding. I will return to that a little later. That is the only way to have a system without corruption.

While I am on the subject of that incident involving Sunny Park, I remind honourable members of a certain gentleman called Herscu who subsequently went to gaol for bribery involving a gentleman called Russell Hinze. I am not casting any aspersions in this regard, but I found it very interesting that the subsequent Liberal administration in City Hall in fact approved the removal of the fence. I am not saying that there was any corruption involving the Liberal Party at City Hall, but I find it a little strange. We said "No"; we held the line. The fence had to be maintained to prevent people crossing an eight-lane road; it was put there in the interests of public safety. We could see the need for public safety but obviously other people, including the Liberals at City Hall, could not. Of course, eventually one of the people involved in that Sunny Park development built a bridge and, as the classics say, we have all lived happily ever after. This debate reminded me of that particularly unpleasant incident in which I had to escort that gentleman from my room with a degree of physical exertion and a very clear message that we do not do business in that way.

While on one side of town the Labor party was saying, "We don't do that," on the other side of town the National Party was saying, "We do do that." Members of the National Party were accepting a great deal of money in brown paper bags. I come to the reason why this legislation is so important, and the Fitzgerald report. I will refresh members' memories. On page 86 of the Fitzgerald report, Commissioner Tony Fitzgerald stated—

> "Practices which were adopted with respect to donations included a propensity to accept large sums in cash, not infrequently from those who had benefited, or hoped to benefit, from dealings with the Government.
>
> Bjelke-Petersen justified what occurred by his own logic, which seemed to lead to a conclusion that any other course from that adopted would have meant fewer donations or the exclusion of those who donated from consideration in Government transactions. There seemed to be two elements in the reasoning.
>
> On the one hand, those most likely to make donations to National Party funds were those who were, independently of such donations, most likely to be successful in their dealings with the Government; for example, because their tenders would be the lowest and their proposals would be the best. This curious proposition appears to be a specific version of a wider theory that wise, decent and capable people are generally likely to be National Party supporters."

What arrogance! Commissioner Fitzgerald continues—

> "Secondly, public disclosure of what occurred would be unhelpful. It would cause the community to suspect, incorrectly, a connection between donations to the National Party and successful dealings with his Government, and would embarrass donors who wished their generosity to be kept confidential.
>
> Persons or organisations who made donations to the National Party of Australia (Queensland) may have neither sought nor received preferential treatment and no conclusions of impropriety have been drawn. 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."

That is what was wrong with the old situation, and that is what this Government inherited. Let me look at this matter in some more detail. I do not want to go on about this matter at great length, but I want to refresh people's memories. I will refer further to the Fitzgerald report at page 86. Under the heading "The Asian businessman", this is what Fitzgerald reported and this is why we need this legislation—

> "In September 1986, Bjelke-Petersen was introduced to an Asian businessman by another prominent member of the National Party. Prior to that time, the businessman was a stranger to Bjelke-Petersen. They discussed investment in Queensland, and spoke for about 10 minutes of the businessman's interest in cocoa plantations and his desire to invest in hotels in Queensland.
>
> At that meeting, the businessman handed Bjelke-Petersen a bag containing $100,000 in cash and said, according to Bjelke-Petersen"—

and this is his evidence at the inquiry—

> " ' . . . we want to help the party. We're interested in the way you operate'."

It goes on—

> "Bjelke-Petersen did not disclose the donation to the National Party, and it was deposited into the account of Kaldeal on 29 September, 1986."

That was the first amount paid to Kaldeal. Of course, Kaldeal was the secret National Party fund operated by Ted Lyons. Fitzgerald stated further—

> "Bjelke-Petersen later met the businessman again and directed his secretary to telephone the Land Administration Commission on the subject of North Queensland land which was suitable for cocoa growing."

Fitzgerald further stated—

> ". . . the businessman had made a donation of $15,000 to the National Party on 3 March 1986."

This is in addition to the $100,000 that I have already talked about. This is another $15,000. Fitzgerald stated further—

> "At about the same time as he met Bjelke-Petersen, he made another donation of $100,000 to the National Party on 22 September 1986."

That is another $100,000! Fitzgerald stated further—

> "Subsequently on 30 June 1987, he donated a further $50,000 to the National Party."

Good heavens! All cash! These are the brown paper bags. The report goes on. Under another heading "The Unknown Donor(s)" Fitzgerald states—

> "In October 1986, two anonymous cash donations were left at Bjelke-Petersen's office."

Two anonymous donations! The report states further—

> "One was for $60,000 and the other was for $50,000."

Anonymous donations! It is little wonder that this legislation requires that certain moneys should be returned and that there should be disclosure in this House of donations. Under this legislation, if an anonymous donation is greater than $1,500, it must be sent to the Consolidated Fund. The report states further—

> "Both Bjelke-Petersen and Lyons handled or at least knew of the money but both denied any knowledge of its source or the circumstances surrounding the donations."

So they did not know where $110,000 came from. What an extraordinary set of circumstances! The report states further—

> "No record of the donations were made by Bjelke-Petersen or his staff and no receipt was issued."

No receipt was issued. I refer again to Kaldeal, which received—and this occurred during the 1986 election, which I remember well—

> ". . . a total of $824,000 prior to the 1986 State Election."

That is what the second string fund-raiser for the National Party received. One could imagine what the party itself received.

As members would understand, that is a compelling reason why this legislation is necessary. It is little wonder that in subclause (m) on page 145, Fitzgerald recommended that EARC, as a matter of priority, prepare a report on the considerations relevant to the registration of political donations. Further at page 371, at 11 (c), he stated that there should be established a public register of donors to all political parties, or of such donations in excess of a minimum amount. Of course, it is quite clear why this legislation is needed desperately.

I have to say that, when I was the State Secretary of the Labor Party, I was interviewed by investigators associated with the Fitzgerald inquiry. On behalf of the party, I provided all its donation lists. I provided to the Fitzgerald inquiry every piece of information relevant to Labor Party donations over a long period, including——

Mr Littleproud interjected.

Mr BEATTIE: I take that interjection. The member should not be half smart. That included all donations from trade unions. Every donation that went to the Labor Party was provided to the Fitzgerald inquiry. Every single cent donated was provided to the Fitzgerald inquiry. Did we get one inquiry? Did we get one adverse mention in the Fitzgerald report? Not one! The Labor Party was open and accountable. We gave receipts. There was nothing secret about what we did, and there were no brown paper bags. We had nothing to hide. I am happy that the member made that interjection because it helped me reinforce the fact that the Labor Party, in fact, gave to the inquiry every piece of information relating to donations, including those from trade unions. The Labor Party gave all that material to the Fitzgerald inquiry, and it was given a clean bill of health. We did not have a problem. What did Fitzgerald find? He found secret donations to the National Party in brown paper bags, and that is why this legislation is needed desperately.

Let me deal with a couple of comments that have been made during this debate. The Opposition spokesman referred to the Liberal Party's position. In fact, on page 111 of EARC's report to this House titled "Investigation of Public Registration of Political Donations, Public Funding of Election Campaigns and Related Issues" in July 1992, it states—

> "The reality of disclosure laws would be a substantial reduction in monies raised by political parties by way of donations.
>
> The disclosure requirements would impact unevenly across the political parties depending on the nature of their donor base."

I have to say that, these days, business supports the Labor Party, so I do not quite know what effect that has on the Liberal Party submission. The report states further—

> "Accordingly the Liberal Party takes the view that if disclosure of the sources of donations is introduced then public funding of election campaigns and maintenance must be introduced."

In other words, the Liberal Party is on the public record as supporting in those circumstances the public funding provisions of this legislation, which are set out very clearly, along with the formula, in clause 294. In other words, the Liberal Party is supportive of public funding. I am pleased that it is supportive, because that is the only way that we will remove the sort of sleaze-bag donors to whom I referred, who want to get that small favour in exchange for a donation.

If political parties—and I am talking about political parties of all persuasions—are adequately funded under the public funding requirements then they are not going to be subject to the same degree of pressure if they were desperate for funding from any particular sector. It does not matter whether that is the business or any other sector. Public funding frees up political parties to a significant degree of independence that would not otherwise exist. I am pleased to note the Liberal Party's position. It is correct. Public disclosure will reduce the amount of donations.

I was party secretary when public funding was introduced at a Federal level, and I can say that it is true that donations to the campaign for the subsequent Federal election dropped off significantly. There is absolutely no doubt about that. There is no doubt that the same reduction will occur in Queensland. However, there will be compensation, and that compensation will be public funding. As members would be aware from the legislation, the public funding will eventually end up with the political parties, not the individual candidates. Again, I think that is an appropriate way in which to operate.

The honourable member for Indooroopilly referred to the right to privacy in Queensland. He said that private businesses or private donors should have the right to privacy. Let me be blunt about this: that right to privacy in Queensland has meant the right to corruption. In Queensland, that is what it has meant—a right to corruption.

Mr T. B. Sullivan: Under the Nationals.

Mr BEATTIE: I take that interjection. Under the Nationals that is what it meant: in Queensland, the right to privacy and the right to remain secret or to remain confidential has simply meant a right to corruption. The Labor Party does not support that position.

The honourable member for Indooroopilly referred to the fact that under this provision, once the names of donors were disclosed in this House or disclosed publicly there would be victimisation. What a lot of nonsense! We all know that most of the major corporations hedge their bets. They hedged their bets when Bob Gibbs was a party official. They would give some to the Labor Party, some to the Libs and some to the Nats. That is the way they operate.

On the subject of victimisation—I can recall a certain individual who wanted to donate an amount of money to the Labor Party but was so scared of reprisals by the Bjelke-Petersen Government that he went through about four intermediaries before he got to talk to me about it. In the end, he gave the ALP a donation of $1,000. Given all of the cloak and dagger stuff, I thought that he wanted to donate $100,000. I thought that we were in for a real donation. The truth was that this bloke was so terrified about victimisation by the National Party that he did not want his identity known. We made our rules very clear, and he was issued with the appropriate receipt. We indicated that we were not hiding anything. That was the way in which we did business.

I will refer to the amendments proposed by the honourable member for Indooroopilly, which are another example of the old bogy of bashing the trade union movement. Anybody who is aware of how the Industrial Relations Commission operates will know that unions have to prepare a return, and under law their audited accounts have to be submitted to the IRC. In those returns, all donations are disclosed, which does not happen in quite a number of corporations. So there is no great secrecy available under this provision. The honourable member simply attacked the trade union movement in an attempt to hide from the fact that this is good legislation, it is appropriate legislation

and, frankly, it is long overdue. Those of us in this House—and I certainly know that this includes all members of the Government—who are interested in having honest elections know that unless we have public disclosure and public funding that will simply not happen.

I conclude by saying that we have heard a lot of bleating over time from the conservatives—although, I must say, in recent times it has been muted bleating—about the public funding requirement or the amounts that will be forthcoming in public funding. At one stage, Mr Borbidge even said that he may reverse the law. If he were to do that, he would be returning to corruption, the old brown paper bags——

A Government member: Never got out of it.

Mr BEATTIE: Indeed, they never got out of it. The only thing they got out of was Government. If the Leader of the Opposition ever reaches the stage at which we are unfortunate enough to have him changing the law, that would be going back to the bad, dark old days. I do not believe that Queenslanders will cop that.

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (8.14 p.m.): There are two major parts to the Bill that we are debating tonight. The first part deals with what could basically be described as machinery matters, most of which finetune the administrative provision of the Act that we are amending and about which very little argument can be picked.

My colleague the honourable member for Indooroopilly and the shadow Minister for Justice has already outlined the coalition's views in relation to the administrative amendments. In the main, with the exception of those provisions relating to the voting eligibility of prisoners, the Opposition supports these amendments. In particular, I am supportive of the amendment proposed in clause 18 which will now—and officially—allow polling booth workers to stand beyond six metres of the place where voting actually takes place, rather than six metres from the entrance of the building or property where voting takes place.

As the Explanatory Notes state, this amendment is of particular relevance to those situations where, for example, the Electoral Commission has designated an entire school as the polling booth because the actual rooms within that school complex have not been allocated for use as polling booths by the school at the time of the designation. In those situations, polling booth canvassers—for example, political party workers—have been required to stand outside the perimeter of the school as such. That interpretation did not give effect to the original intention of the legislation which was for canvassing to be permitted at the prescribed distance from the door of the actual room where the polling occurs.

Other amendments relating to non-voters, electoral visitor voters, the national distribution of preferences on election night, the names of political parties seeking registration and the amendment which seeks to avoid the potential for confusion created by certain types of names under which a candidate may be nominated are, in my view, worthy of support.

Mrs Woodgate: We know all of this.

Mr SANTORO: I note the interjections of the honourable member opposite, who said, "We know all of this." I am sure that members opposite were wishing that I would not move on to the other major provisions, which I will do now.

The other major provisions within the Bill, which I find philosophically repugnant and objectionable, are of great concern to the shadow Minister for Justice, the vast majority of Queenslanders and me. I refer to those provisions relating to public disclosure of donations and public funding of election campaigns. My philosophical objections are best summarised in the submission of the Liberal Party to the investigation by the Electoral and Administrative Review Commission into the public registration of political donations and public funding of election campaigns and related issues. That submission stated—

> "It has always been the belief of the Liberal Party that one of the absolute rights of any individual is to be able to keep his political beliefs and the details of the Party which he supports, entirely to himself. This is a fundamental right, and the whole thrust of electoral legislation in all democracies has been to preserve the secrecy of a ballot. If at the same time, an individual wishes to donate to any political party or parties which have his support, we believe that he should be able to do so with his privacy protected."

The Liberal Party submission went on to state—

> "Just as there is a fear in some sections of the community that government knowledge of a donation made to the party which forms the government will generate a preference for the donor, there is equally a fear that public knowledge and more importantly government knowledge of the identity of a donor to an opposition party can lead to the victimisation of that donor by the government and by certain unions.
>
> Disclosure provisions which violate the right of individual privacy and which give

> public exposure to the person or political leaning of individuals are opposed by the Liberal Party."

To prove that we in the Liberal Party are totally justified in holding these views, we need not look further than to the recent experience of the last Federal election. I was going to quote extensively about it. However, my colleague the member for Indooroopilly did justice to the point that I am going to make, so I will abbreviate it.

In the last Federal election, organisations such as the HIA which did not support Keating and his re-election effort have been to a very large degree shut out from access to Government and have in fact been bagged by Keating and his Ministers from pillar to post. I instance also the experience of the accountancy firm which provided advice to the Liberal Party in relation to Fightback. They have all suffered retribution at the hands of the Federal Labor Government. And the list could go on.

There is no doubt about it, members of the Labor Party are haters of anyone who does not support them. They are real haters. If they identify non-supporters, non-believers— people who are not true believers—then retribution is the only modus operandi that they know. Thus for reasons philosophical and for reasons which are practical, I think that public disclosure stinks.

However, there is another and most fundamental reason why we on this side of the House object to the public disclosure provisions contained in this amendment Bill— and that is because the principle of public disclosure is selectively applied. Mr Deputy Speaker, do you know who is selectively excluded? The mates of this Government and the Labor Party—in other words, the union movement!

The amendment Bill is strewn with the qualification "other than a registered industrial organisation". Honourable members can read into this definition "the trade union movement and its affiliated unions". And the reason for this exclusion is obvious. The union movement provides the Labor Party and Labor Party Governments with millions of dollars in cash each year to fund the administrations and election campaigns. As the honourable member for Indooroopilly said, many more millions of dollars are provided in kind—union organisers, office space, equipment and so on—by the union movement to the Labor Party.

What is more, the Labor Party wants to hide these sources of funds because in the main they are obtained from levies and membership fees, the bulk of which are not freely given to the union movement by union members. These funds are acquired by the union movement from the brutal application of union preference clauses and the practice of closed shops and union intimidation, all of which are backed up by enabling Labor Party legislation, served up by the Labor Party in Parliaments such as this one as a payback to the union movement for services rendered. It is called "de facto compulsory unionism" and it is all about coercing money out of the workers, who are then given no say as to which political party it goes to. It is undemocratic, un-Australian and it stinks!

This particularly nasty blight on the industrial relations and political scene of Queensland and Australia has been addressed by a successive number of major inquiries, including the report of the committee of inquiry into the Industrial Conciliation and Arbitration Act 1961-1987 of Queensland, commonly referred to as the Hanger report, the Fitzgerald inquiry and, of course, the inquiry and reports of the commissioner into the activities of particular Queensland unions, or, as it is affectionately known to those opposite, the Cooke inquiry.

I refer firstly to the Hanger inquiry report and to its recommendations. In his report Mr Ian Hanger, QC, recommended that the then section 57A of the Industrial Relations Act be retained by the State Government—then a National Party Government. Section 57A of the then Act provided that—

> "A union could not expend moneys on objects which constitute political objects unless it maintained a political objects fund which was separate and distinct from other funds of the union. A member was not required to make any contribution to the union for political objects unless a separate rate of contribution was determined by the union and the member had notified the Secretary in writing that he or she desired to contribute to the political objects fund. Subscription for membership could not include a contribution to the political objects fund and a member was not to be placed at any disadvantage by reason of his refusal to subscribe to a political objects fund."

When the Labor Party came to power, section 57A of the Industrial Relations Act was repealed to abolish the political objects fund.

Mr Gibbs: Hear, hear!

Mr SANTORO: I take the interjection from the Honourable the Minister. I hope that the Hansard staff have picked it up and recorded it.

With the application of the recently strengthened preference clause provisions in Queensland, it is obvious what this means—more union members, more subscription fees and more money which, in the absence of political objects funds provisions within the Act,

goes to the Labor Party without any democratic reference to the membership of unions.

I heard the honourable member for Brisbane Central quote Fitzgerald. What Fitzgerald in his now-famous report found on page 138, if the honourable member for Brisbane Central cares to listen, was that—

> "The requirement for disclosure should extend far beyond those who because of their political positions ought to disclose financial, political and any other relevant interests. Arguably, there should be disclosure of all"—

I repeat "all"—

> "donors, and the amounts they give. Alternatively all donations above a minimum sum could be disclosed."

It should be noted that Tony Fitzgerald did not, unlike this amending Bill, exclude the union movement from the requirement of disclosure. So much for following the recommendations of the author of the reform blueprint!

Mr Beattie: Read the next paragraph.

Mr SANTORO: The honourable member for Brisbane Central should find the paragraph. I will give him 20 seconds of my time to read into *Hansard* the paragraph which does not exist. The member should find it, and I will give him some time in a minute. Where is it? The member is a fraud. It does not exist. Where is it? I note that the member is leaving the Chamber, as he should.

Let us turn to the Cooke inquiry. The Cooke inquiry again makes very interesting reading and clearly shows the power and influence which unions have over the Labor Party, in particular the good mates of the Honourable the Minister, the AWU. In fact, within his report that dealt with the Australian Workers Union of Employees, Commissioner Cooke tabulated payments other than affiliation fees made from the political objects fund during the period covered by his term of reference for the years 1987 to 1990. The list of AWU donations clearly indicates that selected ALP backbenchers received financial support in exchange for blind loyalty to Wayne Goss and the AWU. The report also shows that between 1987 and 1990, an analysis of the AWU's political objects fund—which existed at that time because the National Party Government allowed it to exist—revealed that $113,300 was donated to ALP candidates. I table these tables for the information of honourable members.

In sworn evidence to the Cooke inquiry, the AWU secretary, Mr Bill Ludwig, estimated that $500,000 had been given to the ALP to fund State and Federal elections in the last two years prior to the inquiry. What these lists clearly demonstrate is the power of the AWU over members of the State parliamentary Labor Party, and this is the main reason why the disclosure provisions with this amending Bill are not being applied to the union movement. It is because the ALP and its union friends wish to hide the true extent of influence that a union such as the AWU and other unions exert on the Labor Party in Government.

Again, I wish to quote directly from the Liberal Party's submission to EARC for an outline of our position in relation to the issue of political objects funds and donations by the union movement to the ALP. In that submission, the Liberal Party stated—

> "In dealing with this submission, the Liberal Party takes a view that should public disclosure be required"—

and this is what the honourable member for Brisbane Central quoted selectively, but I am putting it into context—

> "then the health of the political system in Queensland demands simultaneous reform in two other significant areas. They are:
>
> the establishment of a system of public funding; and
>
> that the trade union movement (State and Federal) be required to be more open, honest and answerable to its membership with respect to political donations or expenditure made by or on behalf of the union.
>
> In particular, we believe that no Australian worker should be forced to make a political donation to any party and furthermore that each of those workers should have the opportunity of determining:
>
> (1) whether he wants any of his monies or the union's monies to be expended for political purposes
>
> (2) if he desires that the union expend money for political purposes then the member should be able to direct the union as to the destination of those funds."

The provision of this amending Bill as it applies to disclosure by unions totally emasculates the principles of accountability, voluntary unionism and fair dinkum democracy.

Of course, as mentioned earlier, the taxpayer contributions to the labour movement generally and the Labor Party specifically can be measured well beyond the confines of union membership fees and levies imposed on members. These take several forms and for various reasons, including tax office

confidentiality and the lack of financial reporting requirements for trade unions even approaching those imposed on companies, cannot be accurately costed. Examples include: the granting to the individual—who is often compelled to join a union under closed-shop or "no ticket, no start" regimes—of a tax deduction for union subscriptions, part of which is then remitted to the ALP as affiliation fees. Best guess estimates two years ago assessed the amount of union affiliation fees paid to the ALP at more than $5m annually; and tax exemptions granted to union income under section 23 (f) of the Income Tax Assessment Act, which exempts from tax both trade unions, whether registered or not, and employer and employee associations registered under a law relating to the settlement of industrial disputes. I mentioned employer organisations. Although the exemption does apply to registered employer organisations, they do not control the vast sums handled by trade unions and also do not serve as a conduit for funds to a political party.

These arrangements mean that trade unions can earn tax-free money in the form of commissions on superannuation contributions, capital gains, trading income or any other form of receipt which would represent taxable income in the hands of any other Australian and certainly in the hands of the Liberal or National Parties. The ALP can make money available to trade unions on which they can earn interest and then donate that income, together with repayment of the original capital, to the ALP without paying any income tax. Further, as my honourable colleague the member for Indooroopilly said, the union movement serves as a highly significant support network for the ALP, with a constant interchange of personnel who are trained and promoted as election candidates and a cadre of Labor activists, all on the union payroll.

As Sir John Carrick asked several years ago—

> "How can anyone measure the immense financial and physical advantage accruing to the Labor Party from its huge industrial wing? What dimension of unique advantage is conferred upon the ALP throughout the year and during the election campaign by the campaigning efforts of thousands of trade union officials and shop stewards, by the outpouring of trade union journals and leaflets, by ready access to factory, shop and office floor and by the use of party-owned radio?"

Mr Barton interjected.

Mr DEPUTY SPEAKER (Mr Briskey): Order! The honourable member for Waterford will interject from his own seat.

Mr SANTORO: We come to what EARC, that other fiercely independent arbiter, had to recommend in its report on disclosure and public funding of election campaigns.

Dr Watson interjected.

Mr DEPUTY SPEAKER: Order! I give a similar warning to the honourable member for Moggill.

Mr SANTORO: On page 160 of its report, the commission recommended—

> ". . . that all donations received by political parties and candidates should be disclosed regardless of the intended purpose of such donations."

On page 163, it recommended that—

> "(a) Political parties should be required to disclose their total income received other than by way of political donations, provided it is in excess of the threshold of $1,000, from the following sources:"

The report lists the sources, the last item being, "Any other income."

So there we have it. Inquiry after inquiry, one recommendation after another just totally ignored by the Goss Labor Government and its union mates. When it comes to political disclosure, it is one law for the unions—the mates of the ALP—and one law for everyone else. That is undemocratic, it is un-Australian, and it stinks.

I now wish to refer to what the honourable member for Brisbane Central said. First of all, no National Party Minister was ever charged with corruption, even though members opposite like to claim that that is the case. Secondly, Mr Beattie had to give all of the documents in relation to union disclosure because it was a royal commission. It had the powers.

Mr Wells: It was misappropriation.

Mr SANTORO: They were demanded and they had to be delivered. Just like the books of the ALP, the Liberal Party and the National Party, they were demanded and they were delivered. Just like the books of the ALP, the books of the Liberal Party and the National Party got a clean bill of health. Government members do not like it, do they? But that is the reality. I say to people—"brown paper bags!"

The Harbour Town legislation will be debated later tonight. It represents a massive ministerial rezoning.

Mr T. B. Sullivan: It is not.

Mr SANTORO: It is not? It is a massive ministerial rezoning.

Mr DEPUTY SPEAKER: Order! The honourable member will stick to this Bill before the House.

Mr SANTORO: What brown paper bags have been involved in that little deal? We are not bashing the unions, all that we want is for the unions to be as democratic and as accountable as all the other units involved in the political process.

Mr Beattie: They are.

Mr SANTORO: They are not. I take that interjection from the honourable member for Brisbane Central. If any member of the public goes before the registrar and seeks to obtain the financial books of the unions, they are not available. For the union books to be accountable and available, they need to be treated by the legislation in precisely the same manner as the books of political parties.

Let us talk about honest elections. Let us talk about the liquor trade unions. Let us talk about the WA Inc elections by the Labor Party. Labor Party Governments in other States have been demonstrated not to be able to conduct honest elections. In fact, there are more ex-Labor Party Premiers and Ministers in gaol as a result of corruption and brown paper bag situations than there have been any Liberal or National Party Ministers.

This legislation is undemocratic; it is selective; it looks after the mates of the ALP Government opposite; it is repugnant; it is despicable. When we return to Government, we are not going to bash the unions; we will put them on an equal footing with other organisations involved in the political process.

Mr Johnson: They're bleeding the workers.

Mr SANTORO: That is right; they are bleeding their own workers and they are robbing their moneys and giving them no choice as to which political party they support. We will look after them upon return to Government.

Time expired.

Mr BUDD (Redlands) (8.34 p.m.): I will be very brief. I would just like to get the truth incorporated into *Hansard*, not the half-truths of the member for Clayfield. I will read the full paragraph from page 138 of the Fitzgerald report. That paragraph states—

> "The requirement for disclosure should extend far beyond those who because of their public positions, ought to disclose financial, political and any other relevant interest. Arguably, there should be disclosure of all donors, and the amounts they give. Alternatively all donations above a minimum sum could be disclosed."

I would suggest that the honourable member for Clayfield—using the term very loosely— should read sections 305 and 309 of the Bill, which state that all donations must be included, including those from trade unions.

Mr T. B. Sullivan interjected.

Mr DEPUTY SPEAKER: Order! The member for Chermside will cease interjecting.

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (8.35 p.m.), in reply: What honourable members have seen tonight is the Liberal Party with its hands out saying, "No, thank you." It is going to take the money when it becomes available. It is going to take the money and it is going to use it for its political campaigns. It is going to use it to spread the lies and the half-truths in which it specialises. But until then it will say, "Oh, no, we do not want it." It will put up this farcical pretence, this hypocritical cant which it has been going on with for the best part of the last hour.

The honourable member for Indooroopilly and the honourable member for Clayfield have come here with an irrelevant and totally gratuitous union-bashing speech. The fact that it was totally irrelevant, the fact that it was totally gratuitous, has been demonstrated very amply by the honourable member who just spoke. I do not need to address the point any further except to say that unions are registered industrial organisations. As such, this disclosure is already incumbent upon them.

The union bashing we have got is irrelevant. It is irrelevant, it is gratuitous, it is insulting and absurd. What we have here are people who are posturing as the ghost of Sir Robert Menzies. Do Government members think that the mellifluous voice of Sir Robert Menzies would be echoed in the horse sounds we have just heard echoing out of the member for Clayfield?

Government members: No!

Mr WELLS: Do Government members think that the little man from Indooroopilly with the shonky arguments and the low aspirations, the desire to bring back the bad old days, the nostalgia for the fraud, the influence and the deceit of the pre-Fitzgerald era, is the voice of Sir Robert Menzies?

Government members: No!

Mr WELLS: The only thing that he has in common with Sir Robert Menzies is that he is prepared to bash the unions—but he has no

style; he has no class. Sir Robert Menzies would be ashamed to hear——

Mrs Woodgate: He would turn in his grave.

Mr WELLS: He would turn in his grave to hear those little men over there echoing the kind of arguments that he put forward. He would not stand up here with the cant and the hypocrisy and the deceit that these people have put forward when they stand there with their hands out saying, "We do not want this money. We do not want this pollie tax", as they call it, "as long as you give it to us as soon as we have voted against it." They want the luxury of opposing it and the privilege of enjoying it. They want the image of being opposed to it.

Mr T. B. Sullivan: It's like a scab in a union; they want to get the benefits with no contribution.

Mr WELLS: I take the honourable member's interjection. They are just as the honourable member said. They want the image of having opposed this, but at the same time they want to have the money. They want to take the money and run. They want the money and the ballot box. They do not want to take the logical course dictated by their own arguments.

Mr Littleproud interjected.

Mr DEPUTY SPEAKER: Order! The honourable member for Western Downs will cease interjecting.

Mr WELLS: I noticed we did not get any reflection of what the Leader of the Opposition said. When this announcement first came out, the honourable Leader of the Opposition said, "Yes, we will register. We will take the money, but when we are elected we will give it back." We did not hear that from the spokespersons from the Opposition tonight. We did not hear any more of that. They were not going to say that in Parliament. I would invite them to say that if and when they ever get re-elected they are going to give back all the money that they previously took—the money that they said should not have been given to them in the first place.

Mrs Woodgate: They're not going to get much anyway, because they're not going to get any votes.

Mr WELLS: I take the interjection of the honourable member for Kurwongbah. I suppose it is small enough sacrifice for the National Party to make that undertaking, but it is a sacrifice that their organisation is not prepared to make, because the National Party organisation knew that the election of a Borbidge Government would have the consequence that they would have to pay back a whole lot of money. They were not actually behind that proposition. So whom do we see in the House supporting it today? We see some new faces, some people who have not been vocal on the subject before and some people who very carefully avoided reference to the subject in hand, the subject of what they were going to do with the money that they said they did not want but they were going to take but were not going to give back once they got hold of it. That is the sort of cant, hypocrisy, deceit and fraud that we are getting from the Opposition today.

When they talk in their union bashing way, it is important to remember that the organisations that they are bashing are the organisations which, for well over 100 years, have looked after the working men and women of this State and their families. They are talking about organisations which are much more publicly accountable than the National Party in the dim, dark days which their pre-Fitzgerald nostalgia wishes to recollect ever was.

Members opposite said, "Isn't it dreadful that there will not be any tax on trade union workers who go into the streets and knock on doors for the Labor Party?" They say that about the activities of the working men and women of Queensland who are prepared to knock on doors and say to other citizens, "This is what we think of the political situation." Members opposite desire to suppress the very essence of democracy. They actually said that they thought there was something improper about trade unionists telling other workers in Queensland whom they thought they should vote for. What outrageous garbage! What anti-democratic and disgraceful sentiment we are getting from the Liberal Party and the National Party!

The trade union movement of Queensland is not only an industrial organisation which is already open and covered by the accountability provisions of various statutes but also an organisation which, as the member for Redlands said, is specifically covered under this Bill. Members opposite are putting up a furphy. They are trying to change the agenda. They did not like the previous agenda, which was whether they would take the money. They did not want to run on that agenda. They did not want to have to say in this place that they would take the money; they wanted a red herring that they could run on. This agenda is irrelevant to the Bill. In the course of that agenda, they are attacking an organisation which, more than any other organisation in this country, has looked after the ordinary men and women of this State and their families. They are not the ghosts of Sir Robert Menzies; they are not a faint echo of him; they are not even a doppelganger of him—they are the ghosts of Bjelke-Petersen. They are the ghosts of that dark era. We see a group of spectres walking

across the stage hankering with their nostalgic desire to bring back the days of influence, the days of deceit, the days of fraud, the days when corruption was rife and corruption was what ran this State.

Too much water has run under the bridge since then. These provisions will pass through this Parliament and provide openness and disclosure. Everybody will know who is donating large sums to political parties. The brown-paper bag merchants on the other side of the Chamber are the people who in those dim, dark days contributed to bringing this State to the lowest reputation of that of any State in this nation. Every Opposition member who votes against these provisions is voting against the disclosure that was required by the Fitzgerald report and the disclosure that even their colleagues in New South Wales are not ashamed to put into a statute. This group of irrelevant trade union bashers, these people who are not prepared to face the argument head on, who would rather attack the chief benefactors of the people of this State than address the issues of the Bill, do not even have the courage or the conviction of their colleagues in New South Wales. This is not the party of Sir Robert Menzies. When the little man from Indooroopilly speaks, we must remember that he was once the Leader of the Liberal Party in Queensland. However, he is not the once proud leader of a once proud party; he was evicted by Porky Everingham and replaced by the member for Caloundra. We are talking about someone who once enjoyed the adulation of the teeming masses of the half dozen or so Liberals in this Chamber and who now gets his greatest joy in life out of being Joan Sheldon's poodle. Members opposite are engaged in such cant, such hypocrisy, such deceit and such fraud that they do not even deserve the name of a political party.

Motion agreed to.

Committee

Hon. D. M. Wells (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) in charge of the Bill.

Clauses 1 to 4, as read, agreed to.

Clause 5—

Mr BEANLAND (8.47 p.m.)**:** Firstly, I thank the Minister for a briefing on the legislation from his departmental officers. I add that I am in a more charitable mood than the Minister, who has been in a black mood all week. This clause relates to the entitlement to enrolment of prisoners, which I mentioned earlier. The Opposition opposes this clause because it does not deny a person the entitlement to be enrolled for an electoral district if the person did not live in the electoral district for the last month merely because the person was imprisoned. I am not proposing that the person should be on the roll in another electoral district. As a matter of principle, the Opposition believes that it is wrong that people who are imprisoned get a pat on the back. One area of punishment has been—and we believe should be—that prisoners lose the democratic right to cast a vote.

The Labor Party has continually given people who commit offences pats on the back, which has led to an increasing crime wave. Unfortunately, in this State the Government is soft on criminals and gives them the feather duster treatment. My statement is supported by figures in the annual report of the Police Department, which was tabled today. We believe that convicted criminals should pay the penalty of losing their political rights, as occurred previously. The Federal legislation allows prisoners the right to vote if the maximum penalty for the conviction is not longer than five years' imprisonment. In this case, however, I do not believe that should be allowable. I believe that it sends all the wrong messages to offenders within the community at a time when this Minister, day after day, rises in this Chamber, appears on the television, in the media, in the newspapers, telling us that the Government is not soft on prisoners and those people who are convicted of criminal offences.

Just imagine someone who commits an offence—a number of break and enters or a rape—serving only three years. Recently, on the Gold Coast, a young person was convicted of rape. He received three years' imprisonment, but was out after 18 months. Those who commit a series of break and enters time after time end up with only small penalties, and they could cast a ballot.

The police are not catching many of those offenders. According to the annual report of the Police Service, the clear-up rate for those offences was about 8 per cent. The point is that this is sending all the wrong messages to the criminals in our community. It is little wonder that those in the community—

Mr Littleproud: Would that be the Rex Jackson clause?

Mr BEANLAND: It could be the Rex Jackson clause or the Brian Burke clause—

Mr Borbidge: The David Parker clause.

Mr BEANLAND: Or the David Parker clause, as the Leader of the Opposition says.

That is another example of this Government being soft on the criminal elements in our society

when it should be getting tough and cracking down on them. Voting is a political privilege. What sort of message does this send out? It sends out all the wrong messages and pulls the rug out completely from under any Government. I find it totally preposterous that the Attorney should come into the Chamber and put forward this amendment when he and his colleague the Minister for Police are trying to make out that they are being tough on criminals and cracking down on the criminal element. As a matter of principle, the Opposition is strenuously opposed to this clause and will certainly be voting against it.

Mr WELLS: I would like to ask the honourable member a question. If, in the dark days when his party was in Government, there was a street march ban or a SEQEB demonstration, and a whole lot of people were arrested just before an election and put in gaol by a Government like the Government that the honourable member previously supported, does he think that those people should lose their right to vote?

Mr BEANLAND: I would be very happy to answer that. As I recollect it, the maximum penalty in that case was six months.

Mr WELLS: No, the honourable member is——

Mr BEANLAND: Mr Chairman, with respect, I have the floor. The Attorney asked me the question. Now he wants two bob each way on this exercise. The maximum penalty for those people was six months. My recollection is that they went to gaol for very short periods—six or seven days, or even less than that—and they all kept the right to vote. I bow to one or two of my colleagues who have been around a little longer than I have, but I cannot recollect any of those people being in gaol and losing—and we could ask the president of the Labor Party about that—their vote.

Mr WELLS: I thank the honourable member for failing to answer the question, but I think that his answer is really "Yes". One can imagine a Government that would be even worse than that of the Bjelke-Petersen Government. Imagine a Government that would deliberately round up a large number of people prior to an election—just as the Bjelke-Petersen Government deliberately rounded up a large number of people for the purposes of an election. It rounded up a large number of people who did nothing more than walk down a street. It rounded up a large number of people who did nothing more than simply exercise rights to which they have a statutory sinecure now that the peaceful assemblies legislation has been passed. It rounded up people who were simply standing up for a fundamental democratic principle and put them in paddy wagons and took them to gaol.

Tying to the franchise the question of somebody's conviction or otherwise for what might be a technical breach of the law of that kind is a very dangerous thing to do. I believe that we need a provision that allows the vote in such circumstances, just in case those people on the other side of the Chamber ever get into office again. If that sad day ever comes, they will find that there is a State structure which it will be rather difficult for them to dismantle; but they will set about doing it. They will set about trying to re-create the shonky institutions of the Bjelke-Petersen era, and I would not like them to have the power to send to the Gulags and, therefore, outside the franchise anybody who committed a breach of one of their politically inspired laws.

To bring this back to the more mundane—all this particular provision does is remove an anomaly in the Act which brings Queensland into line with arrangements under the Commonwealth Electoral Act of 1918. This is really just the removal of an anomaly in an Act that otherwise is able to reflect the Commonwealth legislation.

Mr BEANLAND: After listening to the Minister, who is the first law officer of this State, I find it quite incredible that he talks about rounding people up out of restaurants. What sort of statement is that from the first law officer? That statement that we have just heard from the Minister in relation to this matter was quite obnoxious and preposterous. If it was such a great matter of principle—this Government has had five years in which to rectify it.

It is interesting that this Government intends to amend this legislation on the very day that it and its colleagues are embarrassed by the Police Service's annual report, which has just been brought down and which mentions the skyrocketing crime rate. It is quite incredible that this is the case.

As a matter of principle, after listening to the Minister claiming that I did not answer the question, I am more strongly than ever opposed to this amendment. I answered the question very fully and forthrightly. The Minister then carried on with a lot of nonsense. This amendment speaks for itself. There is a matter of principle involved here, and the Opposition is certainly opposed to this clause.

Mr WELLS: The honourable member knows very well that many of the people who are in gaol for short periods are there on remand. Some of them are not guilty. If the member wants to set aside the presumption of innocence to the extent of removing people's franchise——

An Opposition member: They're on remand.

Mr WELLS: I am talking about people who have not yet faced trial—people whom the honourable member wants to disenfranchise, as well as the others. The point is that the honourable member is simply removing the capacity of this Act to reflect the Commonwealth Act, which it does elsewhere. If the member wants to call a division on this clause, let him do it and stop wasting the Committee's time.

Question—That clause 5, as read, stand part of the Bill—put; and the Committee divided—

AYES, 45—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, D'Arcy, Davies, Dollin, Elder, Fenlon, Foley, Gibbs, Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Nunn, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Nuttall

NOES, 24—Beanland, Borbidge, Connor, Davidson, Elliott, FitzGerald, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Lingard, Littleproud, Malone, Mitchell, Perrett, Quinn, Rowell, Santoro, Simpson, Veivers, Watson *Tellers:* Laming, Stephan

Resolved in the **affirmative**.

Clauses 6 to 16, as read, agreed to.

Clause 17—

Mr WELLS (9.03 p.m.): I move the following amendments—

"At page 18, line 5, 'section 125 (3)'—

omit, insert—

'section 125 (2)'.

At page 19, line 7, 'section 125 (4)'—

omit, insert—

'section 125 (3)'."

Amendments agreed to.

Clause 17, as amended, agreed to.

Clauses 18 to 20, as read, agreed to.

Clause 21—

Mr BEANLAND (9.04 p.m.): Clause 21 is the Schedule. On page 31, the Bill states—

"'Notice of intention to claim election funding

'294B.(1) By 31 December in a year, the agent of a political party must notify the Electoral Commission if it intends to make a claim under section 295[20] for an election if an election is held in the next year.'"

I raise this point, because I am aware of the time of the year and I presume that within a short time the Government will seek royal assent to the Bill. The Electoral Commissioner will then contact the various political parties. I am not thinking just of the major parties, because a lot of minor parties would also be included in this provision. I seek some indication and guarantee from the Minister that they will be followed up by the Electoral Commissioner. I raise this matter because of the short period involved. If it were the middle of the year, there would be plenty of time in which people could become aware of this legislation. The Electoral Commissioner will need to contact those registered parties because we will have less than one month between when the Bill receives royal assent and the end of December. I seek some guarantee that that will be the case for all of those political parties.

The major point that I raise is the amendments that I foreshadowed earlier. I trust that the Minister has a copy of these amendments; they were certainly circulated around the Chamber. I move the following amendments—

"At page 23, lines 15 to 18, definition "registered industrial organisation"—

omit.

At page 36, lines 6 and 7, ', other than a registered industrial organisation'—

omit.

At page 38, line 18, ', other than a registered industrial organisation'—

omit.

At page 40, lines 8 and 9, ', other than a registered industrial organisation'—

omit.

At page 45, lines 13 and 14, ', other than a registered industrial organisation'—

omit.

At page 46, lines 7 and 8, ', other than a registered industrial organisation'—

omit.

At page 46, lines 27 and 28, ', other than a registered industrial organisation'—

omit."

Those amendments relate to the point that I was making earlier in relation to the trade union movement. They place the trade union movement in the same position as other organisations in the community—other unincorporated bodies within the community—and place it on a level playing field in order to bring about equality so that the trade union movement is not removed from this legislation

but rather is very much part and parcel of it. In that way, gifts of any type—donations, assistance—that are classed as expenditure, or donations to political parties or candidates, will qualify for public disclosure, the same as anyone else's donation, gifts or expenditure will qualify for public disclosure. I think that it is important that the trade union movement be treated as an equal, as one, in the name of fairness and equity—something that we are not seeing in this legislation. I commend these amendments to the Chamber.

If the Government members feel that they cannot support these amendments then clearly they are treating unfairly other groups and are giving a certain leg-up, a certain benefit—a very clear benefit—to the Australian Labor Party, which flows from this, and a very clear benefit to the union movement in this State.

Mr SANTORO: I rise to support my colleague the honourable member for Indooroopilly. At the end of my contribution, the honourable member for Redlands rose and gibbered on about something. I am not quite sure precisely what point he was trying to make.

Government members interjected.

Mr SANTORO: I take those interjections from honourable members opposite. I did listen to the member, but I did not quite understand what he was trying to say, for the very simple reason that he was trying to say that, under the provisions of this Bill, unions are treated like any other organisation. As the honourable member for Indooroopilly has just stated clearly, the reason why these amendments have been proposed is to achieve precisely what the honourable member was trying to convince the Chamber was being achieved by some obscure provision within this Bill.

If a provision exists within this legislation which makes the union movement as accountable as any other organisation when making donations or loans to a political party, then I invite the Minister to refer to it. Under the provisions of the Schedule, whether it is in relation to the disclosure of gifts, the declaration of expenditure, or the section that refers to outstanding amounts, the words "other than a registered industrial organisation" keep on appearing, as mentioned by the honourable member for Indooroopilly.

Honourable members should not be under any illusion that I have been cowered by the 20-second contribution that was made by the honourable member for Redlands in the hope that I would be convinced that the union movement is on a level playing field with everybody else. I am asking the Minister to try to make sense of what the honourable member for Redlands said, because all of these exclusions in relation to the union movement indicate that there is not a level playing field.

I want to reiterate this for the record, and I was going to say for the sake of honourable members on the Government side of the Chamber, but I do not think that they will believe anything I say in relation to the union movement. I suppose they will only believe me when the Opposition wins Government and it is eminently fair and amends the legislation so that it does not give preference to employer organisations or to individual employers but creates a level playing field where every player within the marketplace is as accountable as the other. We will amend legislation so that practices within the workplace and within the administration of unions are conducted in accordance with democratic principles. Under legislation, union members will actually have a say as to which party receives donations, if political objects funds exist—and they will certainly exist under the provisions that the Opposition will produce within the Industrial Relations Act and other Acts.

I was not convinced by the very brief contribution by the honourable member for Redlands because, as the amendments that have been moved by the honourable member for Indooroopilly indicate, this particular Bill is laden with preference for the union movement. If that preference is to be extended to the union movement, it should be extended to all other units that are party to the political process. If it is not to be extended to other units, then I think that the amendments of the honourable member for Indooroopilly are eminently supportable, and it gives me great pleasure to support them. I stand by all the points that I made previously.

Mr WELLS: With respect to the guarantee asked for by the honourable member for Indooroopilly—I am unable to speak on behalf of the Electoral Commissioner; the Electoral Commissioner is an independent commissioner. However, he has just told me that if the honourable member wishes to approach him—and he is in the lobby now—he would be happy to give that guarantee to him.

With respect to the proposals contained in the amendments—I feel that we have had the debate on those. The Government is opposed to them. I suggest that the Opposition calls for a division right away.

Mr SANTORO: I note for the record that the Honourable the Minister has not referred to the contribution made by the honourable member for Redlands. The Minister cannot and

has not shown to me how unions are on an equal footing with other organisations that are involved in the political process. I again invite the Minister, for my benefit and for the benefit of the Chamber, if he can make sense of the contribution that was made by the honourable member for Redlands, to do so. I am speaking very slowly, not because I usually speak slowly but so that I can give the honourable member for Redlands the opportunity to come into the Chamber and explain within the 10 minutes available to him how the union movement is on an equal footing with other organisations referred to in this particular amending Bill and to explain to me why, in all of the clauses to which the honourable member for Indooroopilly is seeking amendments, the exclusions in relation to the union movement exist.

I would like either the Minister or the honourable member for Redlands, who made such great play about packing a punch that sat me down—which it has not done at all—to explain to me how it is all happening.

Amendment negatived.

Mr WELLS (9.18 p.m.): I move the following amendments—

"At page 25, after line 6—

insert—

' '*(3) Despite subsection (1), a disclosure period for the first general election after the commencement of this Schedule, or a by-election that happens before the second general election after the commencement of this Schedule, for a candidate for the general election or by-election, or a person or organisation to which section 305(1) applies, is the period that starts on 1 January 1995.*

'*(4) Subsection (3) and this subsection expire on 1 January 1999.*'.

At page 44, line 13, '314A'—

omit, insert—

'314AB'.

At page 48, line 16, '314A'—

omit, insert—

'314AF'.

At page 56, line 18, '(other than section 305B[44])'—

omit, insert—

'*(words omitted)*'.

At page 57, line 1—

omit, insert—

'(a) *(omitted)*; or'."

Amendments agreed to.

Clause 21, as amended, agreed to.

Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

STATUTORY INSTRUMENTS AND LEGISLATIVE STANDARDS AMENDMENT BILL

Second Reading

Debate resumed from 17 November (see p. 10444).

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (9.20 p.m.): The Bill before the House, the Statutory Instruments and Legislative Standards Amendment Bill 1994, amends two Acts—the Statutory Instruments Act 1992 and the Legislative Standards Act 1992. The amendments to the Statutory Instruments Act provide for—

the preparation of regulatory impact statements prior to the making of subordinate legislation that is likely to impose significant costs on the community; and

the establishment of a new process for the review of subordinate legislation and nominates an expiry date—the tenth anniversary of the day of its making—that is, if it has not been repealed, has not expired or has not been exempted from expiry.

The amendments to the Legislative Standards Act provide for the preparation and tabling of Explanatory Notes with Bills or significant subordinate legislation. These policy initiatives derive from the 1989 commission of inquiry report which recommended that the now defunct Electoral and Administrative Review Commission report on the introduction of a comprehensive system of parliamentary committees and the review of the Office of the Parliamentary Counsel. Both of these matters are integral to understanding the amendments before the House.

The Premier superficially referred to the recommendations of EARC and the parliamentary committee to give the right flavour to the measures. What is before the House is vastly different from that finally recommended by the parliamentary committee, as so often is the case with this Government, whose zeal for reform

seems to have waned the longer it has been there.

One has to wonder how the former chairman of the parliamentary committee and the now Minister for Industrial Relations feels when he sees important reforming work that he resided over being disregarded by the Cabinet of which he is a member. It is important that the House understands the background to the amendments and the background of the Acts to which the amendments relate, as it underlines the shallowness of the Government's commitment to open and accountable government.

In May 1991, EARC submitted its report on the Office of the Parliamentary Counsel and in July 1991 the parliamentary committee delivered its recommendations. EARC proposed a legislative standards Bill which had a twofold purpose—to establish the Office of the Parliamentary Counsel and to stop new laws breaching existing rights and liberties by a parliamentary scrutiny of legislation mechanism.

The centrepiece was a powerful all-party Parliamentary Scrutiny of Legislation Committee. The function of the committee was to review all Bills and to report to the Assembly if a particular Bill appeared to transgress any basic principles, particularly basic principles of criminal law. EARC also recommended—and this was in its draft Bill—that the Parliamentary Committee of Subordinate Legislation be discontinued and its functions included with the Parliamentary Scrutiny of Legislation Committee. This was in 1991 in the reports of both EARC and the parliamentary committee on the review of the parliamentary counsel.

The House will recall that in 1992 the Government introduced into the Parliament the Legislative Standards Bill which basically established the Office of the Parliamentary Counsel. It did no more or no less than establish that office. If the Government had the will, in 1992 it could have done all of what is in this Bill. Only one extra measure would have been needed and that would have been to repeal the Regulatory Reform Act 1986.

When the Legislative Standards Bill 1992 was introduced into Parliament, it was slammed by the Civil Liberties Council spokesman at that time, Terry O'Gorman, who said that it had been "gutted". The Queensland Law Society also criticised the Government, as it had lobbied for the introduction of EARC's draft legislative standards Bill. Of course, one of the reasons why Queensland ended up with the gutted version is that this Government resists scrutiny of any kind. It took a Criminal Justice Commission inquiry to uncover that the Government was not administering the clean waters legislation. I refer of course to the report on toxic waste disposal.

This Goss Labor Government picks over the recommendations and draft Bills of EARC and the parliamentary committee to see what is palatable in terms of the reform process but at the same time is determined to avoid measures that would provide too much scrutiny. History now proves that the Goss Labor Government's commitment to open and accountable government was nothing other than lip service and not worth the paper on which it was written. This Government is not an open and accountable Government; it is secretive.

One has only to look at the delay in introducing freedom of information legislation. It languished on the business sheet for months prior to being rushed through in the dying days of the Parliament before the 1992 State election. The House will recall that earlier this year the Government amended the legislation to further restrict the flow of information to people. Further evidence of this Government's secrecy is the decision by Cabinet to give Cabinet document status to Ministers' briefing notes for Estimates committees. The Goss Labor Government is a secret Government. It is afraid to open its processes to scrutiny.

In his speech to introduce the 1992 Legislative Standards Bill, the Premier said that the establishment of a Parliamentary Scrutiny of Legislation Committee was not included in that Bill, as the Government was waiting for the report on the review of parliamentary committees from EARC and the parliamentary committee. The Premier said that this was sensible. Two years after the release of the EARC report and one year after the parliamentary committee report, Queensland is still waiting for the Goss Labor Government's response.

According to the EARC 1994 annual report, the review of parliamentary committees contained 253 decisions for the Government to make. The implementation status in EARC's annual report shows that none—zero, zilch—has been implemented. The few contained in this Bill do not do much to improve the record.

In October 1992, EARC delivered its two-volume report on parliamentary committees. EARC recommended—and the Parliamentary Committee for Electoral and Administrative Review agreed with it—the introduction of a Queensland Parliament Bill, which included the establishment of statutory committees of Parliament which included the Parliamentary Scrutiny of Legislation Committee. It should be noted that this was the second time that EARC and the parliamentary committee recommended the Scrutiny of Legislation Committee. It is clear

that the Government does not want to be bothered with such a committee—such a safeguard and mechanism for accountability. The policy initiatives contained in the amendments to these two Bills are only the tip of the iceberg. The rest of the initiatives proposed by EARC and supported by the parliamentary committee are buried away.

In his speech, the Premier was critical of the Regulatory Reform Act of 1986, stating that the Act had "become a white elephant". I remind the Premier—in his absence—that in 1986 the then Labor Opposition supported the policy measure. And if it was a white elephant from 1990 to the time of its expiry on 31 December 1993, the problem lies fairly and squarely at the feet of the Goss Labor Government. The Business Regulation Review Unit under the Goss Government was deprived of the power necessary to compel progress. I will quote from the submission of the Queensland Confederation of Industry to the parliamentary committee, which stated—

> "The Queensland Regulatory Reform Act 1986 has largely been ignored by legislators and in many cases undermined by departments in seeking exemptions from sunsetting regulations.
>
> In effect departments in conjunction with their Ministers frustrated the mandatory repeal process where regulations expired automatically.
>
> The confederation recommends and agrees with EARC that the Regulatory Reform Act 1986 with amendments be incorporated in the Statutory Instruments Act 1992."

In other words, the confederation was saying that there has to be a commitment to carry through the principles contained in legislation, as opposed to ignoring them.

The Goss Labor Government excels with images but not with substance, and nothing is more transparent than the mess that it has made of public administration in this State. One has only to look at the Environment portfolio, where the Clean Waters Act was effectively not administered from 1990 onwards. The Minister's Government turned a blind eye to hazardous toxic waste contaminating streams and land. It is doubtful whether the clean water, air and noise abatement legislation was ever read by the Ministers. The emphasis was on the image of national parks. The same attitude would have applied to the administration of the Regulatory Reform Act. It was not glamorous. It was too basic. It would have been shoved aside withering on the vine due to lack of use.

It should be noted by the House that the Regulatory Repeal Act expired in 1993, almost 12 months ago. It must be said that the Government has taken its time—as it usually does doing anything—introducing a replacement, particularly as the parliamentary committee submitted its report in October 1993. If there is something that will enhance the image of the Goss Labor Government, it is done immediately, but if it is something to do with less glamorous issues, it stays on the backburner. It is difficult to get a photo opportunity out of a regulation, unless it is all the red tape that trails in and out of departmental offices in Queensland.

The purpose of regulatory impact statements is to justify publicly the need for proposed regulations and to provide an assessment of their costs and benefits in both social and economic terms. I ask the Minister representing the Premier—if I could have his attention before he escapes to the trivia evening—whether this Act will be proclaimed in time to allow for such impact statements to be applied to the draft environmental protection regulations and the other regulations that accompany the Environmental Protection Act.

The draft regulations provide for the introduction of and significant increases in levies for businesses and industries whose activities impact in one way or the other on the environment. Explanatory Notes, too, with significant subordinate legislation will be of much assistance to those industries, businesses or services which have to comply with regulations. Explaining how the subordinate legislation implements the intent of the Act will further assist public knowledge and understanding.

It is a shame that the Government has taken such a long time to introduce this reform measure. A good feature of the process is that notification must be given in the gazette and in appropriate newspapers that the regulatory impact statements are being prepared. It is noted that subordinate legislation must be notified in the gazette and copies then made available at certain places. I raise the matter, in general terms, that some people have mentioned that they would like to have the subordinate legislation included in the gazette. It is something for the departments to consider.

It is important to look at streamlining regulations, sunsetting the redundant and upgrading the necessary, but what is equally important is the necessity to streamline procedures for obtaining necessary business approvals. One of the conclusions reached by the Savage committee in its first report was that—

> "The success of regulatory reform will depend upon the commitment of the

Government, and the support of industry and the community."

Private enterprise should not be frustrated by red tape. It will be most interesting to watch the progress of and the commitment to regulatory reform.

The manager of an Ipswich pottery claimed that it took one employee 36 hours a week to complete paperwork related to Government regulations. Industry is telling me time and time again that Government has to look carefully at its regulatory requirements for industry and business. To emphasise the point, figures from the Senate standing committee on regulations and ordinances show a large growth in regulations put in force to operate the legislation. In 1982-83, there were 703 new regulations recorded. In 1990-91, the figure was 1 645, reflecting growth in almost every year for the period. The message is that regulations are starting to control life itself. Parliamentarians must be ever vigilant to ensure that regulations do not completely run our lives.

The Opposition supports the legislation.

Hon D. M. WELLS (Murrumba— Minister for Justice and Attorney-General and Minister for the Arts) (9.35 p.m.), in reply: The Government is deeply indebted to the Leader of the Opposition for his support for the legislation. I would have preferred if he had said a few pleasant things such as that the regulatory impact statements were a desirable and useful reform, but we grow accustomed to a certain dog-in-the-manger attitude from the other side, and we are grateful for what little crumbs of gratitude we do receive. I do thank the Leader of the Opposition for his support for the Bill.

He wanted to know primarily why EARC's recommendation for a Scrutiny of Legislation Committee has not been implemented. The answer is that it is anticipated that the Government will be introducing a new parliamentary committees Bill in the February/March sittings. The Bill will establish the new committees, including a Scrutiny of Legislation Committee. That committee will have a general power to review the operation of legislation affecting the making of Bills and regulations, including the operation of regulatory impact statements. It would be, I think, a little bit pre-emptive to start creating committees now in the context of this Bill, which was only ever intended to address part of the EARC recommendations, when it would be more appropriate to set up the committee in the context of a Bill that was a vehicle precisely for setting up a new parliamentary committee system. We do not want to do these sorts of things piecemeal; we will do it cleanly and in one go.

When the Scrutiny of Legislation Committee is set up, it will be able to examine all Bills and all subordinate legislation in terms of the fundamental legislative principles, and it will be a powerful and useful committee on behalf of the Parliament and on behalf of the citizens of Queensland. The fundamental legislative principles which this Government has been at pains to protect and at pains to ensure are appropriately recognised in legislation are principles that were ignored totally by the Opposition. It is good to see that it has now been converted to the cause of these fundamental legislative principles. I thank the Opposition for supporting the Bill, and I commend it to the House.

Motion agreed to.

Committee

Hon. D. M. Wells (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr WELLS (9.39 p.m.): I move the following amendment—

"At page 7, line 18, 'or 3'—

omit."

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 15, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

CITY OF GOLD COAST (HARBOUR TOWN ZONING) AMENDMENT BILL

Second Reading

Debate resumed from 16 November (see p. 10417).

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (9.42 p.m.): In speaking to the City of Gold Coast (Harbour Town Zoning) Amendment Bill 1994, I do not wish to delay unduly the business of the House, however, this legislation requires it. If ever there was an example of the hypocrisy, the duplicity and the double standards of the Goss Labor Government and its senior Ministers, we are

seeing it in this legislation tonight. This Bill stands as testimony to the hypocrisy of the Goss Labor Government. It is clear evidence, if anyone in this place ever needed it, that this Government, when it was in Opposition prior to 1990, was prepared to do anything, say anything, and promise anything to the people of this State.

Perhaps some of the newcomers do not know the history of this particular project, but I do, and I remember that 1989 election. Many honourable members, particularly those who were around in the late eighties, would be well aware of the history of this project. They will also be well aware of the way the Labor Party in Opposition railed against this project: how they undermined it, how they alleged—and we saw it again tonight—corruption involving the previous Government. This particular project was the subject of allegations by the Labor Party of corruption between National Party Ministers and the developer. They implied that some sort of seedy, shabby deal was under way. Now, in Government, what do we find? We find that they embrace it. We find that they turn full circle and go against everything that they said they stood for in 1989.

Mr Nunn interjected.

Madam DEPUTY SPEAKER (Ms Power): Order! The member for Hervey Bay.

Mr BORBIDGE: It will be interesting to see whether the *Courier-Mail* runs an editorial on this subject. What I want to say is how the member for Albert is in this place as from tonight by political fraud because this was an issue that he, and all his backers in the Government opposite, rode into Parliament on.

I think it is important in this debate that the words and actions of honourable members opposite be repeated, that the members of the Labor Party be reminded of what was said in 1989. I can understand their sensitivity because in 1989 it was corrupt, in 1994, apparently it is sound town planning. Let us cast our minds back to 1989 and recall what current Ministers in the Goss Cabinet, including the Premier and Deputy Premier themselves, had to say about Harbour Town. Let us see how their credibility stands up to the test. I quote from that august paper, the *Courier-Mail* of Thursday, 11 January 1990 under the headline "Burns Bids to Reverse Coast Shops Rezoning". This was in those days when the Opposition used to get a good run in that paper not long after the Goss Government came to power. I will repeat that headline because we want Government members to understand what they said both in Opposition and in Government. Under the headline "Burns Bids to Reverse Coast Shops Rezoning", the article stated—

> "The Local Government Minister, Mr Burns will try to have the controversial Harbour Town ministerial rezoning overturned."

The paper then reported that, "in the election campaign the Labor Party promised to try to overturn the decision." And then in the *Courier-Mail* of Tuesday, 6 March 1990, we have the headline "State Scraps Coast Ministerial Rezone". Let me read from that article to remind honourable members opposite. It states—

> "The rezoning of land at Southport for the proposed giant Harbourtown shopping complex was overturned by State Cabinet yesterday.
>
> The Deputy Premier and Local Government Minister, Mr Burns, yesterday said legislation would be introduced in Parliament to give effect to Cabinet's decision.
>
> He also issued a warning to developers that no ministerial rezoning would be approved by the Goss Government . . . "

Listen to this little pearl of wisdom, Madam Deputy Speaker. The article continued—

> ". . . all development had to have the approval of local councils."

Mr Connor: What was that? Could you repeat that, please?

Mr BORBIDGE: He went on to say—

> ". . . all development had to have the approval of local councils."

That is what the Deputy Premier said. But he went on. It gets better. He said—

> "If Lewis Land Corp wants to proceed with the development, it still has the right to go to council in the usual way."

Mr Burns then said—

> "A major election promise had been kept through Cabinet's decision.
>
> Under this Government there will be no Russell Hinze style National Party rezonings."

That is what he said—

> "Under this Government there will be no Russell Hinze style National Party rezonings."

No, today we have the Tom Burns/Terry Mackenroth Labor style ministerial rezoning.

Mr Johnson: Put Goss in, too.

Mr BORBIDGE: I am coming to him. It is little wonder that the political process in this nation and this State is held in such low esteem when it can be proven, as it can in this instance, that the word of the Deputy Premier is worth

nothing, when a Deputy Premier, on 6 March 1990, can say that all development will have to have the approval of local councils and then today sit in this Parliament and vote for the very same ministerial rezoning he railed against.

Mr Nunn interjected.

Mr BORBIDGE: Speak in the debate, you great brick, if you want to, instead of your inane interjections.

Madam DEPUTY SPEAKER: Order! The Chair finds those remarks offensive. I ask the member to withdraw them and return to his speech.

Mr BORBIDGE: I was not referring to the Chair, Madam Deputy Speaker.

Madam DEPUTY SPEAKER: Order! I find them offensive. They are not parliamentary and should not be used in this Chamber. I ask the member to withdraw them. The member for Hervey Bay will cease interjecting.

Mr BORBIDGE: I withdraw. I said "brick".

Madam DEPUTY SPEAKER: Order! I do not think so.

Mr BORBIDGE: Madam Deputy Speaker, with respect, I know what I said, and I said "brick". When a Deputy Premier, on 6 March 1990 can say—and I will just remind the honourable member for Hervey Bay again, to use his correct title—that all development will have to have the approval of local councils and then Government members all come in here today, sit in this Parliament and do completely the opposite of what they railed against in 1989 is gross hypocrisy. Government members will vote for legislation that overrides the local council and vote for legislation to which the Deputy Premier has previously been so vehemently opposed. Just as the people of rural and regional Queensland have come to expect, his word means nothing; he is a fraud.

I turn now to the *Australian Financial Review* of 8 March 1990 and further comments from the Deputy Premier.

Mr Santoro: Is there more?

Mr BORBIDGE: There is more. They won a seat on the precept that their word is their bond. The honourable member for Albert is in this Chamber by an act of political fraud.

Mr Ardill: It's not a ministerial rezoning.

Mr BORBIDGE: If the member gives me half a chance, I will do him over, as well. On 8 March 1990, the Deputy Premier said that "no further such ministerial intervention would be undertaken at the request of developers or private industry". He wanted to ensure that everyone had the message to help the man who is now the member for Albert. Again, in the *Daily Sun* on 27 May 1990, he said that "the Government would have no part of the brown paper bag mentality and will refuse to pander to the white shoe brigade." It would not have a bar of it, because it was corrupt. Not content with that, let us look at the comments of Labor's then Local Government spokesman, the honourable member for Thuringowa, Mr McElligott, who said that the Government had ignored objections to the rezoning from local residents, small-business operators and the council.

I turn now to the priceless comments of the member for Logan, the Premier. On 20 February 1989, Mr Goss, as Opposition Leader, said of the proposed ministerial rezoning relating to Harbour Town—

> "The rezoning decision is the worst example of ministerial rezoning possible. It's just as gross as anything that happened in the Bjelke-Petersen Government."

Now we have a Labor Government, a Labor Leader and his deputy going ahead with a ministerial rezoning, special legislation designed to cut out the local council after they had previously referred to it as "gross" and as part of the "brown paper bag mentality".

Mr Santoro: Do you think that power has corrupted these people on the other side?

Mr BORBIDGE: The people of the Gold Coast will make their own judgment on that. I know that Harbour Town is now a vastly different project from Harbour Town as proposed by the previous Government in 1989—a much smaller project. Little wonder that the Minister had trouble getting this legislation through when caucus considered it last week. Now we know why members opposite are so sensitive. Caucus was so upset about this matter that it leaked. Little wonder that it had to be forced through by the Minister telling caucus that he wanted it and that it was what Wayne wanted.

What exactly has led to this extraordinary change of heart is the most perplexing aspect of this legislation.

Mr Santoro: Are you suggesting that there is somebody on the other side with a conscience?

Mr BORBIDGE: That might be overly generous. The National Party and the coalition have learnt from their mistakes of the past, yet this Labor Government seems intent on revisiting them. We are happy that this is the course of action that the Government has taken, because it will eventually destroy its credibility.

Mr Mackenroth: Do you support development?

Mr BORBIDGE: I supported that project in 1989. The previous Government got the processes wrong. I am saying that this Government has got the processes wrong, as well. If the Gold Coast City Council had been permitted to process this matter in the manner that is normal, it would be finished. However, the Government has to ride across that council, which is not such a great surprise from the Minister who is about to abolish the council, anyway.

Mr Santoro: Not only have they got it wrong, but they've got it hypocritically wrong.

Mr BORBIDGE: That is right. If there is one lesson through Fitzgerald and post Fitzgerald, it is about proper processes. We are happy that the Government has taken this course of action, because its credibility, if not already destroyed, will be destroyed as a result of actions such as this. The Government should ask major retailers on the Gold Coast, many of whom committed millions of investment dollars into the Gold Coast region on the basis of a commitment from Government that the project should not proceed. It should talk to Reg Clairs from Woolworths Limited, who wrote to the Minister on 28 October 1994—

"Dear Minister

For some considerable time our company has been aware of the possible developments in the area of Runaway Bay and Harbour Town. Some time ago we were led to believe that these matters had been resolved and we committed to significant development in the Runaway Bay shopping centre.

It has now been brought to my attention that an application by the Harbour Town developers seeking a ministerial amendment to the Harbour Town act has been presented to you. If that were to take place then obviously it would have a dramatic impact on the development that we have committed to under the present rules at Runaway Bay and I seek your consideration for the commitments we have made in any deliberation regarding an amendment to the Harbour Town act."

On 18 April 1994, Coles Myer Ltd wrote to the Mayor of the Gold Coast, Councillor Baildon—

"It has recently come to our attention that the owner of the proposed Harbourtown Shopping Centre site, Lewis Land, is seeking Gold Coast Council support in its endeavours to persuade the Queensland State Government to amend the legislation which controls development on the site. Coles Myer Ltd. for and on behalf of its major retail businesses Myer, Kmart, Target and Coles is concerned with the proposal and would like to register its strong opposition to any change to the existing controls."

The Government set out the rules in an agreement stating what it was going to do and it has now reneged. It has shifted the goalposts. Why? People made clear commercial commitments based on assurances given by this Government.

Mr Ardill interjected.

Mr BORBIDGE: Is the member claiming that Woolworths, Coles Myer Ltd, K mart and everyone else are wrong and that Government members are right—members who lied and have done a backflip and say they are honest and accountable? I do not believe it. What about the small businesses that ploughed money back into the local economy and that expanded on the basis of the Government's decision that this project would not proceed? The Government has deceived those people and they are unlikely to forget it. What is more, the Opposition will not allow them to forget. I now wish to address an important anomaly in the legislation.

Mr Santoro: Another one.

Mr BORBIDGE: Another one.

Mr Nunn: And Santo.

Mr BORBIDGE: I suggest that the member should listen and he might find out a few things. He might even want to ask questions in caucus about what his Ministers and his Government are up to. He might even stay awake through the caucus meeting.

Mr JOHNSON: I rise to a point of order. Madam Deputy Speaker, I draw to your attention the conduct of the member for Hervey Bay when he obtained a glass of water from the table of the House. His conduct has not changed. If Mr Speaker were in the chair and Opposition members conducted themselves in a similar fashion, they would be thrown out of the Chamber. The member for Hervey Bay has not been reprimanded for his conduct.

Madam DEPUTY SPEAKER (Ms Power): Order! There is no point of order.

Mr Nunn interjected.

Madam DEPUTY SPEAKER: I have warned the member for Hervey Bay. He will now cease his interjections.

Mr BORBIDGE: I was quite getting used to the sideshow by the circus act up the back. That is the way the honourable member wants to carry on and make a fool of himself.

Mr Elder: You needn't talk; you've got plenty of them behind you.

Mr BORBIDGE: If the Minister wants to interject, he should go back to his correct seat. Is it not interesting how the Minister who interjects has sold out the small-business community on the Gold Coast? Where was the Minister for Small Business in the Cabinet room? He was backing this all the way, because he knows he wants to knock off some of his mates to take over from Tom Burns when he retires.

Mr Elder interjected.

Mr BORBIDGE: I now wish to address an important anomaly in this legislation. The Minister who is so excited might like to explain this. It refers to a five-hectare parcel of land that was an old drive-in theatre site and which was purchased by Lewis Land after—and I stress after—the original ministerial rezoning. I am advised that Lewis Land now wishes to have that five-hectare parcel of land included in the Harbour Town Act and that this Government is assisting in order to achieve that.

In order to facilitate this, Lewis Land has offered to excise five hectares from the northern end of the Harbour Town site. I will go through this slowly, because I know that some members opposite have difficulty in comprehending. I shall repeat that. In order to facilitate this, Lewis Land has offered to excise five hectares from the northern end of the Harbour Town site. This would mean that the total site area would remain the same. But the anomaly has arisen because this Bill will convert the five-hectare, former drive-in site from a Light Industry zoning to land covered by the Harbour Town Act. The five hectares excised from the Harbour Town Act to the north will, however, retain its zoning as Special Facilities—everything—giving it significantly more value on the open market and providing a substantial windfall for the developer. It is important in this debate that the Minister outline exactly his intentions in respect of that five-hectare parcel of land. The Opposition awaits the Minister's response.

This legislation cannot be supported. To support it would be, in effect, endorsing the politics of lies, the politics of deception and the politics of hypocrisy. This legislation goes beyond the project that it will facilitate—a project that would go ahead anyway if it had gone through the proper processes of the Gold Coast City Council. But then again, we have the mystery of the five-hectare swap of land. No matter what we thought of the project—whether we supported it or not—we cannot allow a situation to occur where business, both large and small, can be so easily deceived by Government. The Opposition will not let the Government get away with it. If we were to let it by supporting this legislation, we would be endorsing the unfettered arrogance that has been Labor's trademark and, before long, it would be another part of the electorate that would be affected.

For too long this Government has got away with saying one thing and doing completely the opposite. Its arrogance knows no bounds. What other Government—apart from perhaps Labor federally—would use its Parliament to overturn the clear and concise message it sent to the electorate in 1989 in respect of this project? This Government must be—and it will be—held accountable for its electoral promises. This debate is about processes; this debate is about propriety; and this debate is about respecting the right of local government. It is not a debate—as the Minister opposite tried to imply—about whether we support or oppose the project. I supported it in the late eighties, but we got the process wrong. That is what this Government is doing tonight. It is getting the process wrong.

Mr Dollin: You've always been wrong.

Mr BORBIDGE: The guru in the peanut gallery at the back of the Chamber might like to explain the exchange of land—the five hectares.

The Government can try to say that we are against the project. Our credentials prove that that is not the case. What this is about is integrity in Government. It is about respect for proper processes. It is about making sure that political parties and politicians are held accountable for what they say in election campaigns in marginal seats. Those are the reasons that the Opposition cannot support this legislation.

Mr SZCZERBANIK (Albert) (10.07 p.m.): The political fraud is still here. He is still trying to knock me off, but again he will not knock me off. This Bill is about getting people in small business to do the things they want to do and to continue what they are doing. This Government is allowing Harbour Town to get on its feet and start operating as it should.

If members want to talk about rezoning applications and political frauds in this place, they should refer to some articles that have appeared in the press. One article stated—

> "Mrs Elson said she did not oppose the Harbour Town project.
>
> However, she believed it was approved at least five years early."

Kay Elson got it right. This Government is getting Harbour Town on its feet. Opposition members cannot talk about political frauds. If the Leader of the Opposition wants to talk about me, he should

look at those blokes behind him—the members of the Liberal Party who gave me their preferences. I would not be here if it were not for them. He should turn around and look at them. They have the knives in his back, not me. I was the only Labor Party candidate in Queensland in the 1989 election who got Liberal Party preferences. Why? Because the Liberals could not trust the National Party in my seat.

Let me come back to the Bill and its history. In 1988, this was brought to the National Party Government by Russ Hinze and was carried on by Jimmy Randell. Opposition members claim that this is a ministerial rezoning. I do not know how it could be. It has not been taken to the Governor in Council for her approval; it has been taken to the Parliament for the Parliament to vote on it. What other way can we get this issue across unless the Parliament votes on it? If Opposition members want to vote against it, that is fine. It is out in the open tonight for members to vote on it. We will see how National Party members stand. Lewis Land Corporation supported them in the past. We will see what support they get from Lewis Land in the future.

Mr Connor: How much money did you get?

Mr SZCZERBANIK: I did not get any.

According to one article—

> "Liberal candidate for Nerang . . . said he had been approached by a friend who claimed to be a go-between for Lewis Land Corporation, Harbour Town's developers."

How much was Ray Connor going to get—$50,000 for his campaign if he supported the Lewis Land Corporation. This is about Government getting on with the job. When he was a member of this House, Trevor Coomber said—

> "What opposition there has been to Harbour Town, even in recent times, has been generated by groups with an obvious commercial interest and not by the general public, who are the ones who will ultimately use and financially support Harbour Town."

That is what we are talking about tonight—people using Harbour Town and going shopping there. Members of the National and Liberal Parties are talking about a financial gain that someone will get out of this. Those were not my words, they were the words of the former member for Currumbin, Trevor Coomber.

I return to the subject of the site. It is bordered by Oxley Drive and Brisbane Road. That site is perfect for a shopping centre. It has two main road frontages, and with the inclusion of the Southport drive-in, there will be access from Gateway Drive onto Brisbane Road. It provides a perfect opportunity for the developers to put a shopping centre there. What other site is better for a shopping centre? Do Opposition members want to consider the Biggera Waters shopping centre? It is in a mostly residential area in a backstreet. That is not a good site. The council has to look at some of its past town planning decisions and admit that it has not been right. In its strategic plan in 1992, the council designated the site as a regional shopping centre. The council wants it as a regional shopping centre and it is playing politics with the site.

This site will cater for future population increases. One just has to look at the growth that is occurring in the northern Gold Coast and northern Albert regions. With the increase in population, the shopping centre will be used by the people. If it is not being used, then the shopping centre will have something to whinge about. If a shopping centre owner is not playing the game and is not getting people to his own centre, then he has to look at the marketing of his shopping centre. That is what the honourable member is complaining about. The member for Nerang is the small-business spokesperson for the Liberal Party. What does he want? Does he want free and fair trade, or does he want monopolies to lock in areas? Sometimes I do not know what the honourable member stands for. He did not speak up when Giant, Bi-Lo or any other shopping centres were built in Nerang. Now he is jumping up and down.

Mr Connor: I support the council.

Mr SZCZERBANIK: We change our mind when it is somewhere else. Does the honourable member support Kerry Smith and Dawn Crichlow who are on the Gold Coast City Council?

Mr Connor: I support the Gold Coast City Council.

Mr SZCZERBANIK: They cannot even make up their minds. Joe Sciacca, the head of the planning and development department in the council, is supporting it, yet six of the 11 councillors are not supporting it. I do not think that anyone could ever win in that situation. The council could not make up its mind. We have asked the council to help us go down this track. It would not, so we have gone ahead and done it.

I return to the council's strategic plan and some of the notes of Trevor Coomber. He states—

> "That council has always been advised by its planners that Harbour Town as a regional centre is an ideal location on an ideal road network and it affords the least possible intrusions into current and future

> residential communities. It therefore believes that it has a responsibility to ensure that, if and when the growth of the northern corridor is capable of supporting a centre of regional status, it must be located in a large parcel of land which has the road network and the infrastructure to support it."

That site fits all the criteria for a regional shopping centre. I do not know of any other sites around that area on which one could put a regional shopping centre. I am not sure what the argument is. The honourable members opposite have no argument.

I will return to some of the other matters. I believe that Lewis Land conducted an economic impact statement in relation to the site and it came up glowing. The report was given to the council and the council acted on that. We have to consider also the changing face of the retail sector in this State. Part of the old Act said that it had to have a major department store, with a retail shop space of at least 10 000 square metres. From my understanding of the terminology, a retail shop has points of sales throughout the store, unlike a discount department store, which has all of its cash registers across the front of the store. That is the only difference mentioned in the Act between the discount stores and the major retail stores.

I refer to another press clipping that the Opposition seems to have forgotten. Leda Developments is developing the Runaway Bay shopping centre. The article states—

> "Leda . . . is furious at the State Government's move to amend the City of Gold Coast (Harbour Town Rezoning) Act 1990 against the wishes of the Gold Coast City Council."

I did not see Leda jumping up and down when this Government got that company and the Redland council out of a bind in relation to the Capalaba Shopping Centre. Leda could have been stuck in the courts for years fighting the adjoining shopping centre—I think it was Schroders. The member for Nerang did not jump up and down and argue Leda's point of view in that case. It all comes back to the point that there seems to be some financial gain; there is always some link to financial gain.

In relation to the retail sector in this State—McDonnell and East have gone down the toilet. We cannot find anyone to fill their void. The Myer/Coles consortium wants to go into the Runaway Bay Shopping Centre. David Jones is going into the Robina Shopping Centre. Those companies have locked the Harbour Town development out of their proposal. What they wanted to do, they would never be able to do. A commercial interest is blocking Harbour Town.

The nature of the Gold Coast's retail sector is changing. One only has to look back 25 years to when Sundale opened. In the past two years or three years, we have seen its demise. The retail sector, retail trading and people's attitudes towards shopping are changing. They are moving out into the suburbs. We did not see the member for Nerang or any of the members of the Liberal Party jumping up and down when such places as Southport Park or Runaway Bay were developed. This is a commercial venture which is part of the changing face of the Gold Coast. Things like that are going to happen.

I repeat that this is not a ministerial rezoning. If it was going to be a ministerial rezoning, it would have been taken to the Governor in Council for a decision. This Government is not doing that. We are bringing it to the floor of the Parliament for it to decide. If honourable members opposite want to vote against it, that is fine. They should make sure that they register their votes, because I will make sure that everyone gets a copy of the *Hansard* record. I will show them who voted against the City of Gold Coast (Harbour Town Zoning) Amendment Bill. The majority of people do not give a crumb about Harbour Town. If the shopping centre is a viable one and if it is marketed properly, people are going to go to it.

I have a copy of a speech in which Trevor Coomber supported the regional shopping centre on that site. One cannot get away from the fact that it is always going to be a regional shopping centre. Let us get on and build the regional shopping centre there.

Mr Grice: He's a has-been, like you're going to be.

Mr SZCZERBANIK: That is what they said the last time, but they were wrong. They should bring out another boxer and we will see what happens. He is going to box himself into a corner.

In conclusion, I have had some discussions with Desley Slater. A few honourable members would know of Desley. I know that Allan Grice would support me in wishing her well for her wedding and wishing her well for the future. Last but not least, I want to say that when the last card falls out of the deck, it is always a joker.

Mr GRICE (Broadwater) (10.20 p.m.): The member for Albert is obviously acknowledging his position in the Labor Party. I rise to oppose the City of Gold Coast (Harbour Town Zoning) Amendment Bill. How quickly they forget! Was it really only five years ago that Harbour Town was the subject that Labor was obsessed with? Was it really only five years ago that Labor saw an election issue in a big bad State Government

taking on the poor defenceless local council to clear the way for Harbour Town? Surely not, because Labor would remember that far back. Perhaps the members opposite can remember four years ago, almost to the day, when the current Deputy Premier introduced the City of Gold Coast (Harbour Town Zoning) Bill.

We on this side of the House remember what the Minister said at that time. However, for the benefit of the people opposite, I will quote what he said, as recorded in *Hansard*—

> "The Government believes that the Gold Coast City Council is the proper planning authority for the area and that its right should be restored to deal with land use matters on the site."

That is clear enough: the State Government should pull its head in and let the council get on with its job. A few sentences later, the Minister stated—

> "In line with the commitment of the Government, the responsibility for any development should rest with the Gold Coast City Council."

It should rest with the Gold Coast City Council! That should clear up the matter. The Goss Government is honest, open and accountable, isn't it? Pigs fly too, don't they?

The Harbour Town being sponsored by the Australian Labor Party in this Bill is not the Harbour Town all the fuss was about in 1989. It is a different size and it is in a different place. It is not even the same Harbour Town the Australian Labor Party sponsored in its 1990 Bill. It is a different size, it has a different retail configuration and it is in a different place.

It must be said that the Gold Coast City Council makes great sense when it says that there needs to be a new application for town planning approval. The latest Harbour Town proposal bears little, if any, relationship to the scheme accepted by the council after the 1990 Bill. The council maintains that it should have the opportunity to study this proposal properly and to put it up for consideration by the most important people of all—the ratepayers who elected the council to take care of town planning matters.

Briefly, the proposal accepted by the council was for a regional centre of 50 000 square metres gross lease area, with a major department store to occupy 10 000 square metres. The new proposal, the one Labor is to use its numbers here tonight to impose on the people of my electorate, is very different. It is a district centre, very much reduced in area and with the department store replaced by discount stores. It is a different beast altogether, and one which does not fit the council's town plan. It is also outside other planning documents including the Gold Coast Planning Scheme (1992), the Major Centres Policy of the SEQ 2001 project, the Albert Shire planning scheme draft of November 1993, and the Albert Corridor Development Control Plan draft of November 1993.

I can understand and sympathise with the Gold Coast City Council's desire to take a hard look at this redrawn Harbour Town proposal. I make no judgment on the worth or otherwise of the project. I have not studied the new drawings or looked closely at the sales projections. I have not compared the current proposal with the very good ones that I have seen previously. I have not done that for a very simple and good reason: that is for the Gold Coast City Council, and certainly not for the Labor Goss Government, or the local member. The council is taking a strong stand on town planning grounds, and I support its right to do that. Unfortunately, the Minister and his colleagues have decided to take the decisions away from the people elected to make them. Who will be next?

When it became clear that the Goss Labor Government was joining forces with Lewis Land Corporation to defeat the Gold Coast town plan, the city mayor had a few things to say in the *Gold Coast Bulletin*. He stated—

> "I'm disappointed that we have a decision that is being made by the Government."

Mayor Baildon made it clear that other developers were required to submit applications through the council, which gave the community an opportunity to object. The same article quoted another senior elected member of the Gold Coast City Council, Councillor Alan Rickard. His message was simple and to the point. He stated—

> "They are really disenfranchising us. They are asserting that they are big brother."

He went on to state—

> "We spent years developing our town plan. Now the Town Plan is thrown into total disarray."

There was no such dismay from Councillor Joe Sciacca. He was quick to point out his fulsome support for the State Government in crushing the views of the Gold Coast City Council. The party line, as peddled by Councillor Sciacca, was—

> "From a personal point of view as the councillor for the division, I welcome their change of heart."

The Labor member for Albert said that he did not expect the Government's decision would create major concerns. He is a quick learner. He knows exactly on which side his bread is buttered. Unfortunately, his memory is a bit of a problem—and that is not his only problem. He was one of the crew running around the place in 1989 dumping on the Harbour Town proposal and the State Government intervention. I challenge the member to stand up in this debate again, as he did not make it clear in any way how he is going to explain to the people of Albert where he was wrong in 1989 and where the then sitting member was right after all in supporting Harbour Town. The member for Albert cannot have it both ways. Opposition to Harbour Town and opposition to State Government intervention helped get the member for Albert into this place. His constituents deserve to know why he has changed his mind. What is his reason for changing his mind? Was it a whim? Did he wake up one morning with a good idea? I doubt that seriously; the member has never had one.

In 1989, the then Minister believed that the Harbour Town proposal was the right one for development on the Gold Coast. However, things change. Since then, other commercial growth decisions and multimillion-dollar commitments have been made. Economic circumstances have changed. So too has the perception that fast-tracking an important project was sufficient reason for the State Government to overrule a local authority.

In 1989, Labor made a major election issue of the use of such powers. It used it as a stick with which to bash the National Party. Since 1989, we have been reminded by Wayne Goss and his party that Labor's win gave it a mandate for all sorts of things. Why not a mandate to outlaw the overruling of local government? In Labor-speak, a mandate is what one chooses to make it. In Labor-speak, whatever suits Labor is suddenly invested with all the authority of the Fitzgerald reform process. Whatever Labor members said before was all a great big misunderstanding. It was no longer operative. What Labor members liked to call "government by brown paper bag" is now "sensible and sensitive application of the Fitzgerald reform process". Hallelujah! They are nothing more than hypocrites unwilling to tell the electors the truth about anything. In this case, the truth is that Harbour Town is suddenly in the best interests of the Australian Labor Party and a couple of its local hacks. In that case, the high-sounding rhetoric of the past has to be rewritten.

The National Party accepts the 1989 verdict that decisions on projects such as Harbour Town belong properly in the province of local government. Labor once thought the same thing, and let the whole world know. Back in 1989, one of Labor's fellow travellers in the Harbour Town debate even called for the Special Prosecutor to be sooled onto the then member for Albert and the then local alderman. Presumably, in those days support for Lewis Land and Harbour Town was evidence of corruption. Is the same person making the same call now? Of course not! This time it is Labor which has become a true believer in Lewis Land and Harbour Town. This time it is Labor which is overruling the expressed wishes of the Gold Coast City Council. This time it is Labor doing the rezoning.

The essential thing about a ministerial rezoning is that a land use favoured by the Government of the day is given legal force. Tight party discipline and a backbench that does what it is told achieves the same effect. A vote on party lines just gives the rezoning the patina of respectability.

The Labor Goss Government should give its members a free vote on this Bill. It should recognise that there are people in its own ranks who have grave misgivings about overruling the local council. They are people who believe in local government. They do not go along with the powerbrokers and the local politicians who want to sell out their constituents. The Government should give those people the opportunity to show where they stand and vote with their consciences. The member for Thuringowa would probably like the opportunity to back his rhetoric reported in the *Courier-Mail* on 25 July 1989. As Labor's then local government spokesman, he was outraged that the council had been overridden. The Transport Minister might like a free vote, too. On 4 November 1989, he was so upset about the rezoning that he was in print in the *Courier-Mail* detailing bribery allegations. He stated—

> "The allegations that the National Party Cabinet approved the Ministerial rezoning against the wishes of the Gold Coast City Council and the Local Government Department after the company donated a seven-figure sum to the Nationals are of a most serious nature."

There we are!

The Australian Labor Party was so upset at State intervention in favour of the Harbour Town project that it started talking bribery. Obviously, Labor thinks the only reason for using State power over a local authority is a few bucks in the back pocket. As one who was so vocal against Harbour Town in 1989, the Minister might like to enlighten us as to his recent change of heart.

As I have pointed out, the Deputy Premier was bitterly opposed to the Harbour Town

intervention. But I want to reinforce the point of his objection, because he started the Labor Goss Government down the path of embracing Harbour Town. In the *Courier-Mail* of 6 March 1990, the Government's good Labor man Tony Koch wrote about a Tom Burns press conference on Harbour Town. Part of that report stated—

> "He also issued a warning to developers that no ministerial rezoning would be approved by the Goss Government: all development had to have the approval of local councils."

Mr Deputy Speaker, I ask you to tell me how a disciplined party-lines vote to intervene is in any practical way different from a ministerial intervention. But the bloke who said that all development needed local council approval brought in the legislation to intervene.

I return to the Tony Koch story, which stated—

> "The Labor Party gave a commitment before the December 2 election that if it won government the Harbour Town project would not proceed because of the local objection to the project."

It would not proceed because of local objection. But Labor brought in legislation to get it under way. The Minister must have thought that the line looked good in print, because he fed the same rubbish to the *Financial Review* two days later—the same line, the same loose treatment of the truth. The *Financial Review* duly reported it this way—

> "The Minister for Local Government, Mr. Tom Burns, said that no further such ministerial interference would be undertaken at the request of developers or private industry."

We are looking at the latest example of ministerial interference. I wonder on whose request that was done. It was not the council's, that is for sure.

Let us have another look at the Tom Burns line, as reported this time in the *Brisbane Sun* by David Smith on 27 May 1990. The first sentence of that story read—

> "Controversial ministerial rezonings of land against council wishes will be a thing of the past."

He should have said "the future", because he was speaking six months before he brought in a Bill effecting the Harbour Town plan.

I return to the *Brisbane Sun* article, which stated—

> "He said the government would have no part of the brown paper bag mentality and that it refused to pander to the white shoe brigade."

I am not particularly interested in Labor Party rhetoric; it is only ever used to disguise Labor's real intentions. But I am interested in what Labor does. In this case, again, it is clearly playing Big Brother and using a pick handle to beat an elected council into submission. I will not vote for this hypocritical piece of chicanery.

This legislation was brought into the House at 1.21 in the morning, and I find that interesting in the light of comments made by the current Deputy Premier in the House on 7 June 1989. That was during the infamous speech when the member for Lytton showed his opinion of the judiciary by referring to the former Chief Justice of the High Court as Sir Harry "lying" Gibbs, and then repeated the slander. During that speech, we heard a comment that is very appropriate to what we are doing here. Mr Burns said—

> "The late night sessions and the all night sessions are the nights for Iwasaki, Sanctuary Cove, the essential services legislation and all those sorts of things. That is when the media cannot report it very well and it is the way that cockroaches operate—in the dark. Again, we are doing it in the dark."

Indeed, we are doing it in the dark, but the cockroaches have changed.

Mr CONNOR (Nerang) (10.35 p.m.): The Harbour Town issue harks back to the previous Government during the middle of the Fitzgerald inquiry. The issue involves the development of a regional shopping centre and the Government's facilitation of the same. It became a major election issue in the run-up to the 1989 election. It did so because the process by which the previous Government was to facilitate this development was via ministerial rezoning.

The ministerial rezoning effectively overrode the wishes of the council and the local community. It put in jeopardy the lifestyles of local residents because they would not have the opportunity to object. It would also dramatically affect the viability of local retail outlets and other shopping centres in the general area, of which there are many. Needless to say, these sectors of the community all voiced their outrage loudly.

The developer, Lewis Land, controlled by Bernard Lewis of Sydney, approached the previous Government and achieved a decision for a ministerial rezoning. The Opposition at the time, in conjunction with the Liberal Party, led a charge to stop this ministerial rezoning and give rights back to the community and the council. Commitments were made in Parliament and in

the media that, if there was a change in Government, the ministerial rezoning would be overturned.

The Labor Government came to power in December 1989 reiterating that commitment, but instead of simply bringing in legislation overriding the ministerial rezoning, in November 1990 it enacted legislation allowing for the development, with council consent. There were still serious concerns in the community in that the ability to object was effectively negated. However, because of the onerous conditions that were included in the legislation, the groundswell of protest was generally quelled. The main conditions were that the centre would have to have a minimum of 45 000 square metres of development and a department store—and council approval—meaning that it was a regional shopping centre and that, because of its minimum size requirements, it was unlikely that it would go ahead before the community was ready for it.

Lewis Land then began negotiations with the council because the council still had a substantial say in the way in which the development would go ahead. The two major sticking points with the council were that it would not move away from the minimum requirement of 45 000 square metres nor the requirement for a department store.

On 22 April this year, the council rejected the proposal by Lewis Land to cut back the overall size of the development and to do away with the major department store. The Lewis Land spokesman reportedly said that the company would not accept the council's decision and that, despite the latest hurdle, there was no way the project would be abandoned. The spokesman said, "We are reviewing our options." The council made its decision, and it was a majority decision.

We now see this amendment Bill before the House which allows for a staged development with a minimum floor space of 30 000 square metres, with no requirement at all for a department store. This is just as Lewis Land wanted and just what the Gold Coast City Council rejected. The proposed legislation also states, "The Harbour Town land may, without the Gold Coast City Council's consent, be lawfully used for a regional shopping centre."

So there we have it. We have turned full circle. We have a Labor Opposition crying foul, supporting the community and the council's rights in 1989, accusing the Government of the day of receiving brown paper bags, then getting into Government, softening its position, bringing in legislation that goes half way, and now today completely overturning the original decision. It is doing a total backflip and doing exactly what it said it would not do.

And if anyone has any doubt that this is the case, I would like to refer to just a few statements in this House by Labor members. First of all, I would like to refer to a question asked by the member for Thuringowa, Mr McElligott, who I am sure when given a free vote would not be sitting on his side of the Chamber during a division.

On 10 August 1989, when this Government was in Opposition, Mr McElligott asked the following question—

> "With reference to the ministerial rezoning of the Lewis Land Corporation Project known as Harbourtown on the Gold Coast—
>
> . . .
>
> Has a substantial donation been paid by Bernie Lewis . . ."

Those were the words of the honourable member.

An honourable member interjected.

Mr CONNOR: The member is right; it was a very good question. I asked the same question of this Minister.

I would also like to remind this House of a question asked on 1 March 1990 by Mr D'Arcy, who is sitting behind the member for Thuringowa, after the Labor Party came to power. Mr D'Arcy asked—

> "I ask the Deputy Premier: are claims that the Government has reneged on its promises made in Opposition to block the Harbour Town development true, remembering that this was a ministerial rezoning of the National Party Government?"

The Deputy Premier's reply was——

Mr Laming: It wasn't a Dorothy Dixer, was it!

Mr CONNOR: I am sure that it was a Dorothy Dixer arranged by the Deputy Premier. His reply was—

> "I thank the honourable member for the question. It was a massive ministerial rezoning and one that has caused considerable heartburn on the Gold Coast."

He stated further—

> "I make the point that many scurrilous rumours have been spread on the Gold Coast in relation to the Government's attitude on this matter. The Government has acted as quickly as it can, remembering that this is a most important principle. The whole question of ministerial rezonings was one

> that featured heavily in the Fitzgerald report."

I would also like to remind the House of this Government's legislation and the original debate when the then Minister for Housing and Local Government, Mr Burns, said in his second-reading speech of 21 November 1990—

> "In Opposition, the Government spokesman opposed the use of the ministerial rezoning powers in the Local Government Act to rezone the Harbour Town site at Labrador as a regional town centre for basically private commercial purposes. The Gold Coast City Council also opposed the rezoning, and an undertaking was given by the Opposition spokesman on Local Government"—

the member for Thuringowa—

> "to reverse that ministerial rezoning and return the matter to the council. This undertaking is now being honoured."

That was the Deputy Premier speaking. He stated further—

> "The Bill declares that the Order in Council of 13 July 1989, which provided for this ministerial rezoning, never took place. The Government believes that the Gold Coast City Council is the proper planning authority for the area"—

I repeat—

> "The Government believes that the Gold Coast City Council is the proper planning authority for the area and that its rights should be restored to deal with land use matters on the site."

That was the Deputy Premier in Government. Those were the first two paragraphs spoken by the Deputy Premier when introducing that legislation in November 1990. The same Minister, the Deputy Premier, also had this to say at the time—

> "In line with the commitment of the Government, the responsibility for any development should rest with the Gold Coast City Council."

Further, he stated—

> "This Government recognises that the Gold Coast City Council should be the authority that makes the final decision in respect of the development of the Harbour Town land."

Those were the words of the current Deputy Premier of Queensland.

Mr Perrett: I wonder why he's not here tonight to listen to this.

Mr CONNOR: I wonder where the Deputy Premier is tonight. If he is listening, I invite him to come down to the Chamber.

I would like to now quote the member for Albert, in whose electorate this development was located at the time of the original Labor Government legislation in November 1990. Mr Szczerbanik said—

> "By giving the right to the council, the Bill gives the rights of the community back to the community, which is represented by the council. The Bill and the amendments that will be proposed at the Committee stage by the Minister represent the wishes of the present council, which wants the site to be used for a regional shopping centre."

Further, he stated—

> "The Government is giving the right back to the council and putting the council's wishes into legislation."

Further, he stated—

> "I commend the Minister for the Bill, which follows the Labor Party's commitment prior to the last election of giving the rights back to the council. I support the Bill."

In the Deputy Premier's reply in November 1990, he stated—

> "When the Labor Party was in Opposition, it undertook to return planning and control of the site over to the council, and that is what this Bill does."

Further, he stated—

> "I believe that this legislation represents the best possible answer."

What did the Deputy Premier say? He said that the legislation was the best possible answer. Further, he stated—

> "It relates to the logical site for a regional shopping centre and it deals as fairly as the Government can possibly deal with a problem that was created earlier by the ministerial rezoning."

That is what the Deputy Premier said.

This is the absolute gem. I would like to table a letter dated 9 October 1990——

Mr Borbidge: Will you read it?

Mr CONNOR: I will read it. No-one will stop me! It is only three paragraphs long. Government members will have to sit there and cop it. The letter was addressed to Mr R. Ritchie, centre manger of the Runaway Bay Shopping Village, which is the nearest existing major shopping centre to the proposed Harbour Town development. The letter was signed by the Deputy Premier, and I will be tabling it.

Mr Borbidge: "Trust me Tom".

Mr CONNOR: "Trust me Tom". It is dated 9 October.

An honourable member: What year?

Mr CONNOR: It is dated 9 October 1990, when the Labor Party was in Government. The letter states—

> "I refer to your correspondence in relation to the Harbour Town Development and the previous Government's ministerial rezoning."

Mr Elder: Quote from the letter.

Mr CONNOR: I will do that. It continues—

> "As promised our Government will return control of this matter to the Gold Coast City Council."

That is what the Deputy Premier said. There it is, in black and white. I repeat that it stated—

> "As promised our Government will return control of this matter to the Gold Coast City Council.
>
> We have had discussions with the Council and will legislate in line with Council's resolution."

The letter is signed, "With best wishes, Tom Burns, MLA, Deputy Premier and Minister for Housing and Local Government." I table that letter.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! The House will come to order. The honourable member for Barambah has contravened Standing Order 24 by walking between the honourable member on his feet and the Chair. I ask the member for Barambah to resume his seat.

Mr CONNOR: I have seen some hypocritical and dishonest actions by the Government in the last five years, but I think that this would be the most dishonest and corrupt decision that I have seen so far. I have heard that desperate people do desperate things. I just wonder why a Government that came to power on the back of the Fitzgerald inquiry, on the back of accountability and the corruption issue, would be prepared to compromise its integrity so severely. One has to ask: why?

Mr Szczerbanik interjected.

Mr CONNOR: If I were the member for Albert, I would not be interjecting and I certainly would not have contributed to this debate. This legislation should be called the "Good-bye Johnny" legislation, because that is what it is.

The Government was so committed to the rights of the council and the community back in 1989, yet five years later it is prepared to completely throw away that commitment. Is this what government does to a political party? Is the Labor Party so desperate to hang on to the Treasury benches that it will do anything?

It was interesting that a previous National Party Government made this decision in July 1989, five months before it was thrown out of Government by the people of Queensland. That occurred because the people of Queensland felt that they were not being listened to.

Mr Perrett: It's probably about five months to the next election.

Mr CONNOR: That is my exact point. There are about five or six months to the next election. With these sorts of hypocritical, dishonest and corrupt actions, this Government is likely to suffer the same fate.

One wonders what the people of Queensland have to do before they will be listened to. I would like to ask the same question that Ken McElligott, the member for Thuringowa, asked in 1989: "Has a substantial donation been paid by Bernie Lewis?" That is the question I put to the Minister.

Mr MACKENROTH: I rise to a point of order. I object to that statement. The answer is, "No", and I ask for it to be withdrawn.

Mr DEPUTY SPEAKER: Order! I ask the honourable member to withdraw the statement unequivocally.

Mr CONNOR: I withdraw the question and I then put the question to the Opposition—to the Government. Well, the future Opposition, sorry.

Mr Borbidge interjected.

Mr CONNOR: That is the point; how does the Minister know what political donations Bernie Lewis has made or not made?

Mr Mackenroth: You pointed to me.

Mr Elder: You made the accusation directly at him.

Mr CONNOR: I made no allegations. However, I will refer the member to a little CJC inquiry report dated November 1991. It is a report on a public inquiry into payments made by land developers. I refer the Minister to pages 30 and 31 of that report to this Government by the CJC. The report shows the money trail of Mr Bernard Lewis and the Lewis Land Corporation. I table that. I recommend strongly that the members opposite—the backbenchers—read how Mr Bernard Lewis and the Lewis Land Corporation launders money through a public relations firm and feeds that money out to different political officials.

Mr Elder: Table it.

Mr CONNOR: I already have tabled it. The member should listen. All the member has to do is have a look at it. That is whom the Government is dealing with and that is whom the Government is giving special deals to. One asks the question: what has this Government got in return?

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (10.55 p.m.), in reply: What we will get is jobs for Queensland people. We will get a development on the Gold Coast that is going to provide jobs for Queenslanders—jobs for people on the Gold Coast. I have just heard what I think is probably the most illogical and most incoherent speech and argument that anyone has ever put up in this Parliament. The member for Nerang put up an argument that the people of Queensland will judge us; then he said that we will do anything to stay in power—which would suggest to me that he must believe that this is a very popular decision—and then he goes on to say that nobody supports it. So if we are going to do anything to stay in power, one would assume that people are supporting it. One cannot really get to the bottom of what his argument was.

When this shopping centre is opened, the member for Nerang, the member for Broadbeach and the member for Surfers Paradise will all be there at the official opening, slapping people on the back and saying, "What a great development for the Gold Coast; what a great thing it is that we have this shopping centre here." That is what they are going to do. The arguments that in some way one can relate what we are doing here tonight to a National Party rezoning of the eighties is, once again, a totally illogical argument.

Our Government can be no clearer or more open by what we are doing by bringing before this Parliament, which is the highest law-making body in this State, the subject matter in relation to the City of Gold Coast (Harbour Town Zoning) Amendment Bill. We cannot be any clearer than that.

Mr Borbidge talked about us overriding the council. The council has, in its strategic plan, designated this land as a regional shopping centre. When this Bill goes through the Parliament tonight, what can happen on this land is that the developers can build a regional shopping centre exactly as the strategic plan provides for this particular land—no different at all. That is the way that it has been set out. If we go back into the history of the development, we see a situation in which the National Party did carry out a ministerial rezoning and gave a developer rights to a very large development. When we came into Government, we negotiated those development rights right back, and that is where the City of Gold Coast (Harbour Town Zoning) Bill came in. We introduced this Bill to legislate and bring back the rights that that developer had under the ministerial rezoning given by the National Party. This Government took away from that developer the rights that he had under this ministerial rezoning. We argued against that at the time, but it was done and the developer had the legal right to do that. We then had the situation in which, by bringing our legislation into the Parliament, we restricted what they could do and we said that they had to build between 45 000 or 50 000 square metres and that the development had to have a department store included. Tonight, we are saying that this regional shopping centre can be built—the regional shopping centre can start with a minimum size of 30 000 square metres. An argument has been put to me by other developers on the Gold Coast that that is unfair because nobody is going to go into that shopping centre at 30 000 square metres. They have said that we should make them build 50 000 square metres because that is the only way it will work. I think that, in reality, the Opposition knows that 50 000 square metres is not going to work at present, but that 30 000 square metres as a minimum certainly will allow that shopping centre to start trading.

I do not think that we are doing anything special for the developer in this instance, something that has been suggested tonight. When the developer came to see me in the first instance in relation to this proposal—I do not remember the exact time but it is probably a year or so ago; it is not as if this thing has just happened overnight—I then met with the Mayor of the Gold Coast, who at that time was Lex Bell, and discussed it with him. We then put forward a proposal by the developer to have the Gold Coast City Council consider the matter and to support the amendments to this Act. The Gold Coast City Council considered it and rejected it by one vote. It then went back to the council at a later date for reconsideration. The council rejected it, again by one vote, but it was a different vote. People who voted for it one way in the first instance changed to the other side and somebody from the other side went back to the opposite side. Once again, it was one vote.

I met with the present Mayor of the Gold Coast, Gary Baildon, discussed it with him and asked him whether there was any way that the council would reconsider it and approve it. Councillor Baildon's opinion was that there was no way that the council would reconsider it and support it. I respect Gary Baildon's view on that. I informed him that the Government would have to consider amending the legislation without the

council's support, which is the action the Government has taken. I reported the matter to Cabinet, which decided to prepare the legislation now before us. The action that the Government is taking is no more or no less than to see a development go ahead on the Gold Coast, to see development in Queensland and to see jobs created for Queenslanders. I suggest that all members should support that.

The Leader of the Opposition mentioned the 5 hectare block of land which is the former drive-in shopping centre site.

Mr Borbidge: The old drive-in, not the drive-in shopping centre.

Mr MACKENROTH: I meant to call it the old drive-in picture theatre. It was to be included and 5 hectares were to be taken out of the Harbour Town site to provide safer and more coordinated access to the site. That is what the Bill is achieving. Clause 10 takes the 5 hectares out of the Harbour Town zoning area.

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

AYES, 45—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, D'Arcy, Davies, Dollin, Elder, Fenlon, Foley, Gibbs, Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Nunn, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Warner, Welford, Woodgate *Tellers:* Pitt, Nuttall

NOES, 24—Beanland, Borbidge, Connor, Davidson, Elliott, FitzGerald, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Littleproud, Malone, Mitchell, Perrett, Quinn, Rowell, Santoro, Simpson, Veivers, Watson *Tellers:* Stephan, Laming

Resolved in the **affirmative**.

Debate, on motion of Mr Mackenroth, adjourned.

The House adjourned at 11.10 p.m.