

WEDNESDAY, 30 APRIL 1997

Mr SPEAKER (Hon. N. J. Turner, Nicklin) read prayers and took the chair at 9.30 a.m.

PETITIONS

The Clerk announced the receipt of the following petitions—

Prison, Wacol

From **Mr Palaszczuk** (2,516 petitioners) requesting the House to immediately stop the construction of any planned prisons at Wacol and ensure that the prisons are constructed in other more suitable localities, where the construction of such facilities will be welcomed by the community.

Pork, Labelling Laws

From **Mr Healy** (97 petitioners) requesting the House to introduce labelling laws so the public is aware of what they are eating (local or imported pork); and/or introducing a tariff that makes imported pigmeat the same price as locally produced pigmeat.

Parking Spaces, Thuringowa Drive

From **Mr McElligott** (1,308 petitioners) requesting the House to recommend to the Minister for Transport that he order the total or partial restoration of parking spaces which have been eliminated as a result of recent improvements to Thuringowa Drive.

Petitions received.

PAPERS

The following papers were laid on the table—

- (a) Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon)—

Compulsory Third Party Premiums—1 July 1997

- (b) Attorney-General and Minister for Justice (Mr Beanland)—

Queensland Law Reform Commission—

Report No. 51—Consent to Health Care of Young People.

MINISTERIAL STATEMENT**Review of Members' Interests**

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (9.33 a.m.), by leave: I rise pursuant to the Parliamentary Committees Act 1995 to give this House the Government's response to the report of the Members' Ethics and Parliamentary Privileges Committee on its review of members' interests. The Government will not be adopting any of the recommendations of the report until the consultation and detailed consideration that the Government wishes to give these important matters has been completed in the near future. I would expect this process to be completed soon. It is the Government's intention to involve the Opposition in this process. I will inform the House of the outcome of such consultation at that time.

MINISTERIAL STATEMENT**Children's Commission, Submission to Commonwealth Standing Committee**

Hon K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (9.34 a.m.), by leave: As honourable members are aware, the Children's Commissioner and Children's Services Appeals Tribunals Act was agreed by the House on 22 November 1996. The Children's Commission was established with the appointment of Mr Norman Alford as Children's Commissioner on 19 December 1996. The commission is now four months old. In that short time, I think it would be true to say that the commission has already had a significant impact. When members spoke to the Children's Commissioner Bill, many expressed the desire that the Children's Commission be pro-active as well as reactive. I am pleased to advise members of such a development.

The Children's Commission has, at short notice, made a submission to the inquiry being conducted by the joint Commonwealth Parliamentary Standing Committee on Treaties. The inquiry relates to Australia's implementation of the United Nations Convention on the Rights of the Child. The inquiry is taking place against the background of considerable criticism of Australia's efforts in implementing the convention. In this regard, Queensland's establishment of the Children's Commission is widely acknowledged as a positive contribution.

The Children's Commissioner is independent of Government. Consistent with that independence, the submission to the

inquiry notes that it "should not necessarily be construed as the views of the Queensland Government or any department of that Government". The submission warns of the need to avoid the perception of a false dichotomy between parents' rights and children's rights. The view is taken that members of a family have mutual rights and responsibilities. The submission suggests that as Queensland is the only State with a Children's Commissioner, it may well provide a model for other States and the Commonwealth. The submission canvasses the need for a change agenda and delineates a range of issues which need to be addressed to implement the convention successfully. The submission concludes with recommendations centred on process, structural change and research considerations. As the submission has been under an embargo by the inquiry until yesterday, the Children's Commissioner has today provided me with sufficient copies to enable distribution to all members. Accordingly, I table the submission for members' information.

It is my intention to propose a committee of Parliament consisting of Opposition and Government members. The Committee on Children and Their Parents is to continue this Government's pro-active approach to children's issues and continue our leading role in this area. This committee would have a major role in monitoring Queensland's compliance with the United Nations Convention on the Rights of the Child. It would also liaise closely with the Children's Commissioner to continue our State's progress in caring for children.

MINISTERIAL STATEMENT

Australia/Indonesia Development Area Agreement

Hon. D. J. SLACK (Burnett—Minister for Economic Development and Trade and Minister Assisting the Premier) (9.37 a.m.), by leave: I am pleased to inform the House of some exciting developments in Queensland's friendly and productive relations with Indonesia. I am pleased to announce that Queensland will benefit from this Government's promotion of business sector involvement in economic development opportunities opening up in eastern Indonesia. Last week my senior international trade executive represented Queensland at the launch of the Australia/Indonesia Development Area agreement in Ambon in Indonesia. Australia's Foreign Affairs Minister, Alexander Downer, and Indonesia's

Coordinating Minister for Foreign Affairs, Dr Hartarto, officially launched the agreement. Significantly, Dr Hartarto described the agreement as being equal to any signed by Indonesia and other regional nations. Both Mr Downer and Dr Hartarto described it as an historic milestone in the bilateral relationship between the two neighbours which will create real benefits for the private sectors of both countries and enhance the regional development of member areas.

Under the agreement, Queensland's business sector will benefit commercially as well as from having a direct input into commercial development strategies and cooperation in Indonesia's eastern provinces. AIDA, the Australian/Indonesia Development Area agreement, also provides Australian and Queensland business with a forum for raising issues about constraints on doing business in eastern Indonesia and for devising solutions to those constraints. To accomplish this, AIDA has established working groups in agriculture, fisheries and animal husbandry, mining and energy, tourism, transport, trade and industry, and education and training. To ensure that Queensland's interests are represented, my senior trade executive has been appointed Queensland's convenor on each of these working parties.

I am pleased to announce that Queensland has been awarded chairmanship of the very important education and training working party. I am pleased to announce the name of the inaugural chairman of that working party. He is distinguished Professor of Engineering and Pro-Vice Chancellor (Research and Advancement) at Queensland University of Technology, Professor John Corderoy. Professor Corderoy is also a barrister of the New South Wales Supreme Court and a fellow of the Institution of Engineers, Australia.

AIDA, under the education and training chairmanship of Dr Corderoy, offers Queensland and Australia significant opportunities in the area of education and training exports. Professor Corderoy is well qualified in this area. Currently, he is responsible for the international marketing of QUT's courses and the recruitment of overseas students, especially from South East Asia. The number of Indonesians studying in Queensland has increased from 310 to 1,364 in five years—an increase of 440%. I expect student numbers to accelerate further as economic development in Indonesia delivers greater prosperity and increased educational opportunities to millions of young Indonesians.

Two hundred Queensland companies are currently commercially active in Indonesia. I encourage Queensland's private sector to participate in AIDA and, by doing so, profit and contribute to the economic development and stability of a near northern neighbour.

MINISTERIAL STATEMENT
Queensland Tourist and Travel
Corporation Board

Hon. B. W. DAVIDSON (Noosa—Minister for Tourism, Small Business and Industry) (9.40 a.m.), by leave: Yesterday afternoon, I announced six new appointments to the board of the Queensland Tourist and Travel Corporation. These six vacancies are the result of recent amendments to the QTTC Act and the resignation of three existing board members. As a result, there are now nine members of the QTTC board and the chairman. The new members are Mr Bob Blair, Mr Grant Kenny, Mr John Menzies, Mr David Pradella, Mr Vic Trimble and Mr Kerry Watson.

While some of these names will be familiar to members, I would like to give a brief description of each. Bob Blair is the director of Rockhampton's Dreamtime Cultural Centre and one of the most respected members of Queensland's indigenous tourism industry. Mr Blair is a former Regimental Sergeant Major of the Royal Queensland Regiment and has made significant contributions to the central Queensland region both through tourism and other community services.

Grant Kenny is one of Australia's best known athletes, but he is building an almost equivalent reputation for his business acumen and commitment to growing the tourism and business economy of the Sunshine Coast region. I am delighted that Mr Kenny accepted my invitation to join the board as I know he will make an invaluable contribution.

John Menzies is well known to all in the tourism industry as chief executive officer of Warner Bros. Movie World, Seaworld, Wet 'N' Wild Water Park and Seaworld Nara Resort. He is a board member of the Gold Coast Tourism Bureau and is, in fact, one of its founding members. Mr Menzies is widely respected as one of the most experienced and knowledgeable people in the Australian tourism industry and his unique understanding of our State's major international markets will be invaluable to the board.

David Pradella is the chief executive of Pradella Services Pty Ltd, Brisbane's longest running accommodation operator. The Pradella family name has been associated

with accommodation in Queensland since 1956 and the company has proven itself to be perhaps the most innovative and consistent company of its type in the State.

Vic Trimble is the managing director of Australian Bareboat Charters, one of Australia's oldest and best-known bareboat charter companies. His contribution to the growth of that sector of the Queensland tourism industry has been significant and I look forward to him bringing this unique experience to the board.

Kerry Watson is the managing director of Pacific Global Corporation Pty Ltd, an independent tourism advisory and property management company on the Gold Coast. Mr Watson is also well known as chairman of the JAL Gold Coast Marathon and has held numerous senior positions on a number of State and national tourism bodies.

I would also like to take this opportunity to thank the three retiring members of the board: Mr Paul Morgan, Mr Gary Baildon and Mr David Hutchen. When I appointed these men and their fellow members last year, I gave them the unenviable task of straightening out the mess which the previous Government had left of the QTTC. Not only have they succeeded in turning the corporation around, but they have done so in a way which has seen the staff of the corporation embrace the change and emerge with a renewed commitment to being the best in Australia. This has been no small task. In addition, they have overseen the development of the new branding campaigns which we are all confident will see Queensland retain its position as the No. 1 tourist destination in Australia.

I commend these new board members to the House and am confident they will work superbly with chairman Frank Burnett and fellow board members Wendy Morris, Robyn Toohey and John Osborne.

MINISTERIAL STATEMENT
Young Unemployed Job Training

Hon. B. G. LITTLEPROUD (Western Downs—Minister for Environment) (9.44 a.m.), by leave: I am pleased to inform honourable members that the Department of Environment, in conjunction with the Federal Department of Employment, Education, Training and Youth Affairs, has implemented a \$1.83m program to provide short-term on-the-job training for young unemployed people. Funding of \$1.5m is being provided by the Department of Environment and the remainder by the Commonwealth department,

which nominated the areas where the program would operate.

The Youth Conservation Corps/Special Employer Support Program, managed by the Department of Environment, will provide 132 unemployed young people in the Ipswich, Redcliffe, Caboolture, Maroochydore, Gympie, Maryborough and Bundaberg areas with the opportunity to gain new skills in landscape construction, bush regeneration, maintenance of small machinery, workplace health and safety, and first aid. During the 20-week program, participants will have the opportunity to work on 10 projects with a variety of employers in several industry areas, mostly in our national parks and conservation parks. Support will be sought from local employers who are interested in giving young people the opportunity to work for them, with a view to permanent employment. It should be noted that participants will be paid in line with the national training wage awards.

This is a unique opportunity for unemployed people. As well as accredited on-the-job training in recreational infrastructure, participants will receive training in communication skills, working as part of a team, problem solving and planning, and organising their own work activities. These are all skills identified by employers as necessary in the people they employ. Training in the field of work provided through such a program does not restrict participants to working only in that industry area. The benefit of the program is the tremendous confidence boost young participants get from such a positive experience. Simply by increasing their self-esteem, this helps them apply for jobs with a new confidence and they are more likely to be successful. As Minister for the Environment, I am pleased that my department can play its part in providing a valuable experience for young Australians to help them in their quest to find a secure future.

MINISTERIAL STATEMENT

DPI Progression Scheme

Hon. T. J. PERRETT (Barambah—Minister for Primary Industries, Fisheries and Forestry) (9.46 a.m.), by leave: I inherited a dispirited and decimated department from which Labor had retrenched almost 700 staff between 1990 and 1995. Career opportunities for professional research and extension staff were limited, so was recognition for professional excellence. I promised to take DPI back to the bush, to increase the department's focus on research, development and extension. I promised to provide career

paths for research and extension officers, and the best of training. I promised DPI would properly recognise and reward professional excellence.

Today I am pleased to report I have delivered on each and every one of these commitments. We have acted to fill over 400 new positions, including 200 permanent ones, as well as over 300 vacant existing positions across Queensland. That is more than 700 positions focused on research, development and extension services to primary producers, which in turn benefits the Queensland economy and community as a whole.

We are not resting on our laurels. We will continue to create more industry-focused positions in the next year. DPI has re-established links with universities and agricultural colleges to enhance our recruitment of graduates. Training priorities have been identified and are being addressed. Of particular note, the department has developed and implemented a strategy to recognise and reward its highest achieving professional staff—the DPI progression scheme. Today, we announce the 72 successful applicants from the first round of this new scheme designed to retain the best research and extension staff in DPI and provide career paths for professional staff.

Under Labor, these people were unable to progress far past the mid levels in the pay scales. To be promoted, people had to abandon their chosen careers and move to the administrative stream. I promised change, and the progression scheme delivers. Panels of their peers can now assess applicants who believe the excellence of their work deserves promotion within their discipline and those panels, rather than management, can grant promotions. This unique scheme has drawn approaches from public services throughout Australia, as well as private enterprise, and has been endorsed by the State Public Services Federation of Queensland. The progression scheme is a tribute to DPI staff who took the idea and ran with it. These initiatives have boosted morale and will certainly help us retain our greatest resource—our staff.

It is ironic that Labor members bleat about how well they look after the interests of workers. They could have introduced such a scheme during the six and a half years that they brutalised DPI's scientific workforce, but they did nothing. I am proud to say it was this coalition Government which took the step to do something worth while for the self-esteem and dignity of this department's hardworking professional staff.

MINISTERIAL STATEMENT

Rural Training Initiatives

Hon. S. SANTORO (Clayfield—Minister for Training and Industrial Relations) (9.48 a.m.), by leave: The Government's commitment to the rural sector and, in particular, to rural training is clearly demonstrated by a number of rural training initiatives that I have overseen since becoming the Minister for Training and Industrial Relations. The four agricultural colleges—Burdekin, Dalby, Emerald and Longreach—have traditionally been the major sources of entry level training for the rural industries.

To assist agricultural colleges to respond positively to rapid changes in the training market, I announced a number of measures as part of my "Year of Training" initiatives. I was able to confirm progress on these measures during my recent visit to Longreach to participate in the Agricultural Colleges Co-ordinating Committee's meetings which are held twice a year. In the first instance, I announced in December last year that the Government would implement an enterprise bargaining agreement which would see staff at these colleges receiving a wage increase of 12% over two years, effective from 1 October 1996. The enterprise bargaining agreement was ratified by the Queensland Industrial Relations Commission on 2 April this year.

Let me add that the enterprise bargaining agreement that this Government has finalised should have been concluded before the coalition came to power, but the previous administration unfortunately sat on its hands. Given that this agreement was the first time in over five years that the colleges received any increases in remuneration apart from safety net adjustments, one would have thought that the Labor Party should have tried harder to ratify the agreement. Labor's pitiful efforts in finalising the colleges' first round of enterprise bargaining are an indictment of the ALP and those opposite for their neglect of agricultural colleges under Labor. The Government has also rectified the totally inequitable practice of the previous Government which resulted in agricultural colleges not receiving entitled funds. In future funding allocations, agricultural colleges will receive their full funding escalation from Treasury to ensure that colleges are able to keep pace with at least the cost of living increases.

My department has also established processes whereby agricultural colleges will be accommodated in the capital development plan for 1997 and 1998 and therefore have access to the capital development grants in

the vocational education and training budget. This will ease existing pressure on colleges to fund capital development by way of loan funds and release revenue from college commercial activities for training and curriculum development purposes. To ensure effective lines of communication between my office and the agricultural colleges, a dedicated departmental liaison officer has been appointed to service the needs of colleges and related rural sector issues and to be a source of independent advice to me. One need that has been conveyed to me as a result of the better lines of communication that have been established is the need to more effectively promote the good work that the colleges do. One outcome is that my department, in January of this year, funded an advertising campaign to attract city kids to the bush. This campaign is only an initial step. Indeed, next week the directors of all four agricultural colleges will meet with departmental officers in an effort to formulate a comprehensive marketing plan.

At Longreach, I was informed that my participation in the Agricultural Colleges Co-ordinating Committee meeting was the first time since 1991 that the responsible Minister had travelled to such a meeting. Again, that is a sorry indictment of the previous administration's lack of concern for the rural sector.

In February this year, as part of the Year of Training initiatives, I set up a Rural Industry Task Force whose role is to examine the training and vocational education needs of rural industries. This is in recognition of the fact that the rural sector is so diverse and so vital to Queensland's economic wellbeing that it warrants special attention—the sort of special attention which I fear was sadly lacking until the advent of this Government. I am pleased to inform the House that the Rural Industry Task Force held its second meeting in Longreach on 6 April, and I was able to participate in its deliberations. Issues currently being reviewed include the appropriateness of present rural sector vocational education and training, rural training in schools and the development of an industry-led grassroots training culture.

Members of the task force are not academics. They represent primary producers with a huge range of knowledge of rural industries' needs, the agricultural colleges, TAFE and the Queensland Rural Industry Training Council. Although members represent peak rural industry organisations, their terms of reference are such that the needs of smaller producers or emerging industries will not be

overlooked. I have asked the task force to undertake information and consultation sessions around the State to ensure that the views of rural constituents at all levels are captured. This is absolutely vital to guarantee that the Government has the best possible advice on the type of training needed and the best methods of delivery.

I am sure that all members would appreciate that rural industries are undergoing constant technological change. Today's primary producer has to know more than how to operate machinery or look after stock. Today's farmer is a manager, a marketer, a scientist, and many things besides.

The rural sector plays a significant role in Queensland's and Australia's economy, and its competitiveness in a global marketplace is allied to its capacity to be at the leading edge of industry advances. Training and education which is relevant to rural industry will help bridge the training gap and see a successful transition into the 21st century. I have not put a restrictive timetable on the Rural Industry Task Force, but I anticipate that some preliminary findings and advice would be forthcoming by October, with more detailed findings by early 1998. This will ensure that we get a good result rather than just a quick one. I again reiterate that this Government is truly committed to the wellbeing of the rural sector.

MINISTERIAL STATEMENT Bicentennial National Trail

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (9.53 a.m.), by leave: The Bicentennial National Trail is the world's longest multi-use recreational trail, over half of which is in Queensland. Since its opening in 1988, the trail has been used by thousands of people, and many more consider the concept to be exciting, even if they have no intention of ever walking or riding along it. There is a great sense of national pride in knowing that such a facility exists. The Queensland Government supported the concept up to 1991, when the Goss Government disbanded the National Trail Committee. Development has not progressed significantly since and, in many places, the trail has regressed significantly.

Ministerial responsibility for matters affecting the trail has recently passed to me as Minister for Natural Resources. I believe that the trail can be made into one of Queensland's great outdoor recreation attractions with some basic improvements in facilities and image. I will be seeking to raise

the profile of the project, which has the potential to become an asset of international renown. The trail has had little development over its 2,650 kilometre length in Queensland. The work done in marking the trail and compiling information has relied upon the input of unpaid volunteers. The only external assistance has been a small grant from Jupiters Casino Trust.

I have instructed my department to liaise further with the Bicentennial National Trail Association to sort out the major problems facing the project and get the basic framework right before we look for some capital funding for improvements. I am looking to rural communities to become further involved, possibly in the construction of facilities, in planning and construction of local loops and in maintenance of sections of the trail. The Bicentennial National Trail Association will be the point of contact with users and those interested in assisting. It is my aim to see Queensland playing a part in a properly established and well-maintained national trail which runs the full length of the country.

PUBLIC ACCOUNTS COMMITTEE

Addendum to Report

Mr HARPER (Mount Ommaney) (9.55 a.m.): I lay upon the table an addendum to the publication tabled yesterday titled "Review of Financial Reporting Requirements for Aboriginal Councils and Torres Strait Island Councils, Volume 1: Submissions". I commend this document to the House.

NOTICE OF MOTION

Leading Schools

Mr BREDHAUER (Cook) (9.56 a.m.): I give notice that I will move—

"That this House condemns the Borbidge Government and the Minister for Education for their incompetent handling of the restructure of Queensland's Education system 'Leading Schools'.

We note that the Minister has caused deep divisions within the education community as he has deliberately sought to fragment and isolate key stakeholders in education to the long-term detriment of the relationship between parents, teachers and the Education Department.

We call on the Government to halt the implementation of 'Leading Schools' and to negotiate with all education

stakeholders before implementing any of the proposed changes."

PRIVATE MEMBERS' STATEMENTS

Performance of Coalition Government

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.56 a.m.): Today's Morgan poll shows that disillusioned coalition voters have given Pauline Hanson's party 20% support in Queensland and shows a massive drop in coalition support. Why? The answer is simple: the coalition Government's deplorable performance in Queensland is dragging down the Federal coalition vote. The Borbidge/Sheldon Government has betrayed Queensland and, most importantly, betrayed the bush. The bush is burning with anger—the anger of coalition betrayal. The Queensland coalition has failed on Wik. It has failed on competition policy. It has failed on law and order. It has failed on education. It has failed on health. It has failed to deliver on capital works. It has failed to create jobs. It has failed on the environment. It has failed to stand up for Queensland or stand for anything. But it is good at turning back the clock and looking after its mates—putting its hand in the public till for its friends.

Let me take one example this morning: the scandal in emergency services. Do members remember when Minister Veivers told us that his Gold Coast mate Lyn Staib was a highly qualified lady employed to review the Queensland Fire Service at a really cheap rate? What is a cheap rate for a Veivers mate? Last night we discovered the cost to taxpayers so far: \$52,265 in fees to Lyn Staib and \$106,493 for her office and travel and other costs, making a total of \$180,531. That was in the Fire Service. Now she is into the Ambulance Service. To date, she has received \$40,237 in consultancy fees alone. That represents a grand total of \$220,768 for just over a year's work. And Mr Veivers calls that cheap! The total of this review is \$757,181, but 23,000 Queenslanders have lost their jobs.

Time expired.

Australian-Italian Festival

Mr ROWELL (Hinchinbrook) (9.58 a.m.): It is pleasing to see that the Government is getting behind an event which has the potential to become one of the State's biggest cultural festivals. I am referring to the financial assistance which the Department of Tourism, Small Business and Industry is providing for the 1997 Australian-Italian Festival at Ingham.

The Minister for Tourism, Small Business and Industry, Bruce Davidson, informs me that financial assistance of \$9,600 has been provided by his department to enable the festival organisers to prepare a development plan for this annual event.

The festival is not only an important celebration of Ingham's strong connection with Italy and the Italian community but also a vibrant tourism event attracting significant numbers of visitors to Ingham and north Queensland in general. There is no doubt that this Government funding will provide a tremendous boost for this event. The Australian-Italian Festival will be held from 8 to 11 May. Highlights of the event will include the Brisbane Opera Company, the Strictly Ballroom dancers, accordion and choir competitions, some 200 street performers, and Brisbane, Cairns and Townsville bands.

I am sure that with this Government's backing and continued support from the Ingham community, the Australian-Italian Festival will become an event of which everyone can be proud and one that brings both entertainment and significant economic benefit to our State. I am very pleased to be supporting this event because it has a wide degree of acceptance within the community in Ingham.

Capital Works Program

Hon. D. J. HAMILL (Ipswich) (10.01 a.m.): Yesterday I drew the attention of the House to the incompetence of this coalition Government and its inability to deliver its Capital Works Program. By the end of February, two-thirds of the year having elapsed, less than half of the Consolidated Fund capital works had been delivered. Who, apart from the Treasurer—whose incompetence in budget management is well known—is responsible for the fact that capital spending at the end of February was running over \$414m behind budget? Ray Connor, of course! Yes, it is easy to blame Mr Connor, the recently resigned Public Works and Housing Minister. Just look at how his Liberal colleague Education Minister Quinn dumped on him and his department's performance. Ray's former ministerial colleagues are happy for him to take the rap. Look how smug they are now that he is sitting at the back of the Chamber and they are still sitting on the ministerial leather!

What is the truth of the matter? Yes, the former Minister for Public Works and Housing was an incompetent manager of his capital works budget. Look at his performance to the

end of February. With two-thirds of the year elapsed, this Minister had delivered only 42.9% of his capital works program—a shortfall of \$90m. I have not risen today to condemn poor Ray Connor. I want to obtain some justice for him. When it comes to incompetent budget management, Ray was no Robinson Crusoe. The Treasurer's figures speak for themselves. Mr Horan in Health spent only 34.5% of his capital works budget—a shortfall of \$82m. Under Mr Johnson, in Transport and Main Roads capital spending lagged by almost \$68m. Let us not forget Mr Quinn, the Minister who dumped on his former colleague; only 48% of his capital works budget was spent—a shortfall of almost \$48m. Shame on the members opposite; shame on them all!

That occurred despite the Premier's warnings that failure to spend the capital works budget would mean a loss of the money. Mr Connor should not take the rap for the incompetence of this administration. The Premier shows no leadership. The Treasurer does not deliver on budget management. The key Ministers responsible for delivering the Government's Capital Works Program are simply not up to the task. Mr Connor deserves more friends on the back bench—friends with whom he used to sit around the Cabinet table only couple of weeks ago.

Far North Queensland Institute of TAFE

Mrs WILSON (Mulgrave) (10.03 a.m.): I have always been someone who believes that we should encourage innovation, ingenuity and a commitment to excellence in all things that we undertake. One of the best ways to encourage the entrepreneurial spirit among Queenslanders is to formally acknowledge and recognise those people or organisations who are taking on the challenge. Only in that way can we as a community, as a society, raise the standard. One such organisation of people who have raised the bar, and should be recognised for doing so, are the staff of the Far North Queensland Institute of TAFE, of which I am proud to have been a member and where I have taught for a number of years.

I would like to inform the House that, through a lot of hard work and the ability to think innovatively, the Far North Queensland Institute of TAFE has just won a contract to deliver training in Papua New Guinea. That does not happen easily; that happens through a lot of hard work, networking, visits and consultancies. We in Cairns are very proud that that has happened. The ability to identify new markets and expand into them is perhaps

the most valuable resource that an organisation can have. The people of the Far North Queensland Institute of TAFE have shown that they have that resource. As a result, they and the north Queensland community will reap the benefits. This contract will not only bring greater revenue into TAFE generally but will also generate more export income for Queensland across-the-board. The members of this House are all too aware that the generation of export income is the lifeblood of the State's and the nation's economic prosperity. Today I wish to acknowledge the innovation of the Far North Queensland Institute of TAFE and the ingenuity of the people of north Queensland for adding to our prosperity.

The Far North Queensland Institute of TAFE does have the support of the Minister. He has been supportive of that college since gaining office. Certainly that has been an indication of the way the college has expanded. I am proud to bring that to the attention of members in this House, because the north will benefit, as will the people of Papua New Guinea.

Woodford Prison Riot

Mr BARTON (Waterford) (10.05 a.m.): On Saturday in the Courier-Mail, we saw another selective leak from the inquiry report into the 1 April riot at Woodford Prison. It revealed that the prison was far from ready when prisoners were shipped in and that training programs were not in place. What a huge surprise! When the findings of the report were published on 18 April, they cited a cocktail of reasons for the riot. Primarily, it was caused by the ridiculous smoking ban, food complaints and the poor and hurried preparation of the prison before its opening.

For most members of the public, that may come as a complete shock, but for those who have taken a keen interest in Corrective Services in Queensland, unfortunately it will be no surprise. Every single one of those reasons has been raised by a multitude of people, including the Opposition both publicly and privately before and after the opening of the gaol. Those people could justifiably say to the Minister for Police and Corrective Services: we told you so. However, this is an issue that goes to the heart of the problem with a Minister who has consistently run away from his responsibility. Mr Cooper was told about each of those problems weeks before the riot, but he continued to pass them off as rumours. For starters, when the smoking issue was raised, Mr Cooper's contribution was to say

that the smoking ban was a ridiculous idea. That is another insightful display of reasoning from our Minister. Did he try to halt the smoking ban? No!

In early March before the prison opened, prison officers warned of problems about the gaol being underprepared and training programs not being in place. Did the Minister hold off opening the prison until those problems were fixed? Again, no! He pushed ahead. At every new prison opened in Queensland, prisoners have attempted to christen it with a riot. Did the Minister put measures in place to ensure that Queensland's worst prisoners, the dirty 30, did not have an opportunity to christen Woodford? No, he ignored the advice. As pressure mounted at Woodford, Mr Cooper continued to sit on his hands.

Time expired.

QE II Hospital

Mr CARROLL (Mansfield) (10.07 a.m.): During the regrettable days of the former Labor Government, the QE II Hospital serving the Mansfield electorate was seriously downgraded. It was so bad that at one stage during 1995 only nine patients were present in the hospital. Minister Mike Horan has brought the QE II Hospital back from the doldrums. On 25 March 1997, 106 in-patients were admitted to the hospital—its busiest day in years. That was clear proof of the community's new-found trust in Queensland Health.

The QE II redevelopment has continued with the recent opening of the new \$400,000 level 1 intensive care unit and upgraded emergency department. The new intensive care unit contains five beds and has the ability to treat patients who were previously transferred to major tertiary hospitals, thus relieving pressure on these hospitals and inevitably leading to increased patient care. The coalition's \$2.7m phase 1 redevelopment was completed in February of this year. It involved the upgrading of outpatients and allied health areas, renovations to the hospital entry and refurbishment of the day surgery. The \$4.4m phase 2 redevelopment is due for completion in mid July 1997 and will increase the number of operating theatres from four to six, establish a preadmission clinic and a 30-bed medical ward, and provide for an upgraded rehabilitation area. Planning is well advanced for the \$1m phase 3 for aged care, community health and breast screening facilities. That illustrates the coalition Government's commitment to the redevelopment of the QE II Hospital and the

entire health system of Queensland. That contrasts starkly with what did not happen during the Labor years.

I pay tribute to the hard work of the QE II Hospital auxiliary who not only fought to see the hospital retained and restored but throughout the dark Labor years continued also to contribute small profits from their cafeteria to provide for much-needed medical equipment. The local newspaper, the Southern Star, also was a strong campaigner for the reopening of that hospital.

Time expired.

Bowen State High School, Community Recreational Centre

Mrs BIRD (Whitsunday) (10.11 a.m.): In February 1996 I received a letter outlining favourable consideration from the Clem Jones Advisory Council for a community recreational centre at the Bowen State High School. Subsequent to this, the P & C wrote to the new Minister, the Honourable Mick Veivers, inquiring about the status of the project. Mr Veivers, with a great deal of media fanfare, announced the approval of \$300,000 for a project which he said will add significantly to the community recreational resources in Bowen and cater for the young people.

Imagine the dismay of the Bowen community when the P & C were advised by the Minister that he had withdrawn funding and that the school was not now eligible under the National Standard Sports Facility Program, especially when the P & C had not applied under that program. The Premier's man in north Queensland, the honourable Mr Stoneman, announced in the Bowen Independent that it was the Government, and specifically Mr Veivers, who were at fault and that the funding may still or could still go to Bowen. Despite letters from my office and from the council to the Premier, Ministers Veivers, Quinn and Sheldon on 13 March, we have received no response from anyone.

The people of Bowen are getting used to the rug being pulled out from under them by this Government. First it was Comalco, then it was the failure of the Minister for Industrial Relations to respond to the Borthwicks situation, and now the P & C. At the first meeting of the new Bowen Shire Council, under the leadership of the new Mayor Michael Bruncker, council moved very quickly to secure the funding for Bowen. However, they are adamant that they will not rest now until the commitment of funding for the Bowen community centre is realised.

Olympic Flag

Mr TANTI (Mundingburra) (10.12 a.m.): I take great pleasure in informing the House that the Olympic flag will tour Queensland throughout this August. My colleague Bruce Davidson, the Minister for Tourism, Small Business and Industry, has told me that his Queensland Olympic 2000 Task Force has been informed by the Sydney Olympic Games Organising Committee that the journey of the flag throughout Australia will include a number of Queensland cities and towns.

The journey of the Olympic flag around Australia is SOCOG's first official event in the three-year journey to the 2000 Olympic Games. Whilst the Games will be held in Sydney, they are Australia's Games. The journey of the flag will bring this message home to all Australians. The Olympic journey will comprise street parades, family picnics and interactive Olympic exhibitions at shopping centres throughout the country. At this stage we understand the Queensland leg proposes to travel to Townsville, Rockhampton, the Gold Coast and Brisbane. I join the Minister in encouraging all Queenslanders to embrace the Olympic spirit and to turn out in large numbers to these events.

As the year 2000 approaches, Queensland will play an increasingly important role in the success of the Olympic Games. Not only will hundreds of international athletes base themselves here for pre-Games training but also we will be holding some official events here. A number of matches for the official soccer competition will be played at Lang Park, making Brisbane an Olympic city, too. I urge all members to encourage their constituents to make sure Queensland makes these our Games.

Department of Environment

Mr PURCELL (Bulimba) (10.13 a.m.): I wish to bring to the attention of the Parliament how the Department of Environment has gone to sleep since Labor is no longer in Government. The department had a 24-hour hotline which was set up specifically to handle urgent environmental matters which happened outside ordinary working hours. How many companies and developers break the law during working hours? I can assure members: not many from where I come; that all occurs outside working hours.

The current system is that if residents ring the department on a weekend or at night—but it is mainly on the weekend when companies

or developers get up to their nonsense—with an urgent environmental problem, they are told that they will be sent a form in Monday's mail. Upon receiving the form and the department receiving the form back, the department will put the matter in a queue and a job number will be allotted. That means that it will be some three or four weeks before an inspector is sent to investigate the problem.

Recently, I have personally attempted to contact inspectors three times outside of normal working hours with constituent complaints regarding urgent environmental matters. In each case I was asked by the person on the other end of the line to put my complaint in writing. In each case I have asked for a follow-up from the inspections detailing the results of the investigation, how it was dealt with and whether the company will be prosecuted. To this date, I have not received a reply.

Ordinary residents have a right to expect that this Government department will carry out its brief as required by Parliament to protect them and their families. They do not expect to be told to put their complaints in writing. Residents have become totally disillusioned with this response and cannot see any point in making a complaint. That must certainly cut down on an inspector's workload—inspectors must have nothing to do.

An excellent example is Hornibrook, which is a business that is located right in the middle of Bulimba. Residents live all around that company. At the moment, Lyn Mathieson is keeping me up to date with the operations of a trucking company in my electorate. Yesterday, she rang me and gave me an update. The company works until 11 or 12 o'clock at night and then at 4 o'clock in the morning starts banging and bashing containers for the port. It is no wonder local residents see no point in taking up the matter with the department when they have been trying to do something about it for the last two or three months. I am still waiting on a written report.

Retail Sector

Mr HARPER (Mount Ommaney) (10.15 a.m.): I wish to inform members of this House of the significant work being done by the Minister for Tourism, Small Business and Industry and his department to ensure Queensland retail firms have an opportunity to increase their wealth and create further employment for Queenslanders. I am sure that, although members opposite are

laughing, they must be interested in that particular facet of Queensland's industry.

The retail sector is Queensland's largest employer and employs nearly one half of the 15 to 25 age group in this State. That certainly is a key factor in this Government's thrust to help young people. It is a major employer in many regional areas. It may interest members of the House to know that one in six establishments in the State is a retail business. This Government is committed to ensuring that this sector has every opportunity to grow, and the aim of the retail strategy is to look at ways of solving the issues and problems faced by the sector.

The Minister has just released a progress report on the Government's retail strategy based on consultation with 33 different industry bodies and Government agencies. I am sure that interested parties will be more than happy with some of the suggestions and will welcome the chance to have an input. Rather than release a policy, which will no doubt meet with criticism from some sections of the retail sector, the Minister has released a discussion paper for comment. The progress report highlights 22 major initiatives for consideration, covering such areas as proliferation of shopping centres, excessive regulation, retail leasing arrangements, increasing business skills, franchising and technology.

I reiterate that this report has been distributed to gain the views of interested parties on the responses suggested. Out of this discussion process will come the best possible strategy for retailers in Queensland. This strategy is only the first step in a long line of initiatives that this Government has for this sector and confirms this Government's commitment to retail firms to help them to increase their wealth and create further employment for Queenslanders.

Time expired.

Leading Schools

Hon. J. FOURAS (Ashgrove)
(10.17 a.m.): I would like to read from Hansard of 26 October 1994, which states—

"At the moment, the system suffers from a lack of certainty because of the constant changes being made to it. Every time another change is introduced, the teachers have to adjust. Then the people at the top bring in another change—another directive. The system has been in a constant state of turmoil for the past five years. That is a direct result of the policies

of this Government. In those five years, we have had a focus on the administrative and management systems within the schools. They have been turned upside down without regard for the effects on classroom teachers, who have had change right up to their ears."

Who made that statement? The then shadow Minister for Education, Mr Quinn. What does he do now that he is Minister? At that time he said that in five years there had been a focus on the administrative and management systems and that the schools had been turned upside down. What does he do? He becomes Minister and introduces Leading Schools. What do teachers have to do? Exactly what he complained about in October 1994. Teachers will have to focus on administrative and management systems at the cost of student outcomes.

In the United States, all the research on school-based management shows unequivocally that, as a result of school communities having to concentrate on organisational matters rather than educational outcomes, organisational matters have predominated and educational outcomes have suffered.

I support the principle of school-based management. I support the right of parents and teachers in school communities to have a say in the running of their schools. However, Leading Schools is a divisive weapon. It is a division program—it is dividing our school communities. It will have outcomes that are going to result in gross unfairness. In relation to every school in bands 4 to 7—as every member who visits such a school would know, when \$100m of the budget is given to schools in bands 8 to 11, they are going to be worse off. They are going to suffer.

Time expired.

One-stop Apprenticeship Shops

Ms WARWICK (Barron River)
(10.19 a.m.): Recently, the Minister for Training and Industrial Relations launched three one-stop apprenticeship shops as part of the Queensland Government's response to reforming the way in which services are provided to employers who take on apprentices and trainees. Of the three demonstration projects, one is located in Cairns and is known locally as the Cairns Apprenticeship and Traineeship Service.

The concept behind these agencies is to provide a range of Commonwealth and State Government services to employers,

apprentices, trainees and job seekers through a one-stop apprentice shop facility. The current system for providing services to employers when taking on a trainee or apprentice is seen by some unfamiliar with entry level training as being too complex, involving multiple layers of Government. It is not uncommon to hear employers describe the task of employing an apprentice or trainee as like being trapped in a maze of bureaucracy, buried in paperwork, lost in the system and confused by conflicting information. The end result is often "Never again".

Having listened to numerous employers, I believe that the concept of the one-stop apprenticeship shops has the potential to redress all of their concerns and is a major step forward in assisting business and industry to create real and meaningful employment opportunities. The one-stop apprenticeship shop in Cairns is the only demonstration project in Queensland that has the capacity to deliver the full range of services proposed for other one-stop shops.

The one-stop apprenticeship shop will combine Commonwealth and State services and functions, ranging from receiving vacancies and matching job seekers to those vacancies to providing all the administration of the training agreement, including the payment of subsidies and allowances. No longer will employers in Cairns need to go from one department to another. The one-stop shop effectively consolidates six potential client-service centres to just one. That is what the employers want and I am committed to ensuring that the Queensland Government plays its part in ensuring that those wants continue to be met.

The involvement of industry is paramount to the success of the one-stop shop. Therefore, I am pleased to acknowledge the Queensland Chamber—

Time expired.

Bouldercombe State School

Mr PEARCE (Fitzroy) (10.21 a.m.): On behalf of the Bouldercombe State School community, I wish to express my disgust at the manner in which the Education Minister has handled the issue of staff numbers. The Minister has not listened to what has been said.

In a letter dated 25 March, the Minister explained to me the options put to the school principal and the P & C association, based on whether the school would have an early

education centre with preschool in Year 1 or whether the preschool students would be a separate group. In that letter the Minister stated—

"I am advised that the school community indicated a preference for option 2 and this was put in place for the beginning of the school year."

However, I said to the Minister that the school made a decision based on information that was incomplete.

The people advising the Minister have refused to tell him that the parents are upset because they were conned and officers of the department in Rockhampton have failed to admit that they did not properly explain the full impact of the options put to the school community. The school now knows that it chose the wrong option and the school community is angry that the situation was not properly explained to them. All they ask for is a fair go. The department, supported by the Minister, has denied them that. If this is how schools are going to be treated under the Leading Schools Program, it is no wonder that that program is being rejected. The Minister will regret his arrogant approach to dealing with education issues.

Despite the Minister's rhetoric, the morale in State schools is at its lowest in the history of the State. Cleanliness in schools is on the decline as the department continues its agenda to privatise school cleaning, despite its failings in other States. Teachers and parents have lost faith in the Minister, who is now being referred to as "Peachey's Puppet".

The Minister is incapable of making a decision, and he has no respect for teachers, students or parents. If he did have respect for them, he would have consulted with school communities before attempting to force Leading Schools on the people of Queensland. Promises of bags of money are a con because the Minister does not have the courage to spell out the additional cost burdens that will be handed back to schools under Leading Schools. What impact will Leading Schools have on rural—

Time expired.

Richmond Fossil Fields

Mr MITCHELL (Charters Towers) (10.23 a.m.): It is my pleasure to inform the House of an initiative of the Minister for Tourism, Small Business and Industry, Bruce Davidson, to protect Queensland's rich fossil heritage. Over the past 12 months the Minister has had the opportunity to visit some of

Queensland's remarkable fossil fields, including Richmond in my electorate.

The treasures found in Queensland's fossil fields are of enormous value, not only to scientific study but also as a potential economic boost for the various regions in which they are found. Like areas surrounding Hughenden, Muttaborra and Riversleigh, the Richmond fossil fields have provided unique opportunities for the community to diversify its economy into tourism. Many of the fossils are unique to the world and are a major attraction for people from all over the world.

To protect this potential, the Minister has taken the first steps to draft legislation to prevent unwarranted commercial exploitation of significant Queensland fossils and to ensure that appropriate tourism development can occur. A reference group representing the University of Queensland, the Queensland Museum, the Office of Arts and Cultural Development, the Department of Environment, the Department of Natural Resources and the Department of Mines and Energy has been established. This group will look at a number of issues relevant to the development of the legislation. Should Queensland pass the proposed legislation, it will be one of the first Australian States to do so. Western Australia is currently in the process of developing similar legislation. Queensland's reference group will liaise with the Western Australian authorities on relevant points.

I would also like to announce that Richmond is holding its inaugural Fossils Festival. That festival starts tomorrow and will run for the next five days. I commend the Minister for this initiative on the fossil fields.

Rural Bank Closures

Ms SPENCE (Mount Gravatt) (10.25 a.m.): The Labor Party is extremely concerned at the current direction of changes taking place in the banking system which are hitting rural communities and disadvantaged consumers hardest. This week a Coopers and Lybrand report stated that rural regions throughout Australia will see the closure of a large number of branches, particularly in central Queensland. Bank mergers such as the recent Suncorp/Metway merger, which was engineered by the Government, mean branch closures and staff cuts, particularly in rural and regional Queensland. The major banks have already signalled their intention to close further branches to maximise their profits. This comes

at a time when banks are under pressure to sustain the record-breaking \$1 billion profit of the past two years and when annual reports show top executives at the banks earn more than \$1m a year, some for the first time.

Banking is an essential service, as necessary to modern life as water, power and ambulances. Pensions, pay packets and almost everything else are now paid into bank accounts whether we like it or not. They have our money and they help themselves to it. A recent study by the Centre for Australian Financial Institutions at the University of Southern Queensland found that, without direct access to banking, rural people had difficulties managing their access to cash. The cost of getting loans from distant financial institutions has increased at the community level and there has been a substantial spending drain as local people start to shop in other towns when they go to do their banking.

What do we hear from the State Government, which purports to represent the interests of rural Queensland? There has been a disappointing lack of comment, a lack of concern and a lack of action from the Treasurer and the Minister responsible for consumer affairs to the threat to these essential services in central Queensland. I call on the Ministers to take some action, and here are some ideas: firstly, tell the Federal Treasurer, who is currently preparing a response to the Wallis inquiry, that the needs of rural Queensland must be considered; secondly, establish a telephone hotline to take people's comments and complaints about banking services, particularly in the bush—

Time expired.

2001 Paediatric Oncology Conference

Mr HEGARTY (Redlands) (10.27 a.m.): I take great pleasure in informing the House that Queensland will host the 2001 Paediatric Oncology Conference. The State beat the US city of Detroit to hold the \$3.8m conference. This prestigious conference has previously been held in Austria, Turkey, Japan, Canada and the Netherlands.

When the Honourable Minister for Tourism, Small Business and Industry made the announcement, he said that approximately 1,700 delegates and their partners from overseas and throughout Australia will be expected to travel to Brisbane for the conference. However, the benefits will spread far beyond the capital city limits. Conference delegates are well known for touring both before and after the conference

proper. Considerable effort will be put into attracting these people to Queensland's many regional tourist destinations.

The bid was led by the Brisbane Visitors and Convention Bureau and assisted by the Brisbane Convention and Exhibition Centre and the QTTC. Congratulations should be extended to all involved. Conventions are vital to Queensland's tourism industry, generating around \$360m annually for our economy. Convention delegates are high-yield visitors with the strong potential for repeat visitation. Convention business into Australia is growing at more than 27% per year. The Queensland Government, through the Department of Tourism, Small Business and Industry and the Queensland Tourism and Travel Corporation, is increasing its focus on this burgeoning sector. The QTTC has a Conventions and Incentives Unit in its head office and specialist staff located in Munich, Los Angeles and Singapore. The QTTC also provides funding for the State's five regional convention bureaus in Brisbane, Cairns, Townsville, the Gold Coast and the Whitsundays. Under this Government, Queensland can expect more announcements on major conventions and events in the future.

This announcement, in conjunction with Brisbane's recent success in attracting the \$7.5m Fifteenth World Congress of Sociology in the year 2002, proves our growing reputation as an international conference destination. I am sure that the Minister, the Honourable Bruce Davidson, will be pursuing more of this type of business—

Time expired.

Australian Constitutional Reform

Hon. M. J. FOLEY (Yeronga) (10.29 a.m.): Reform of Australia's Constitution is an historical imperative if we are to celebrate the centenary of Federation with the proclamation of an Australian republic. Unfortunately, serious constitutional reform is being hampered by the lack of a formal compulsory ballot for the election of candidates for the constitutional convention in December. The Federal Government's decision to allow optional voting demeans the importance of the community's wish for constitutional reform, particularly on the issue of a republic.

The Constitution Convention Election Bill currently before Federal Parliament should be amended to provide for compulsory voting similar to every other election. The message to ordinary voters of a non-compulsory ballot is

that the election is intended by the Howard Government to be a mickey mouse affair. It is inconsistent to require a compulsory vote for a general election, yet allow optional voting to elect a convention to overhaul the Constitution which provides the legal foundation for parliamentary democracy in Australia. It is a dangerous precedent. This is a Liberal Party Trojan Horse to introduce optional voting generally.

Time expired.

QUESTIONS WITHOUT NOTICE

Orchid Beach Airstrip

Mr BEATTIE (10.30 a.m.): I refer the Premier to his \$250,000 plan to reopen Fraser Island's Orchid Beach airstrip that was closed by Labor in 1994, and I ask: as Bureau of Air Safety records, which I table, show that the Orchid Beach airstrip is notoriously dangerous because of shifting sands and unpredictable wind turbulence and has been the site of 13 major aircraft incidents, including four fatalities, since 1971, why is the Premier so eager to reopen this dangerous airstrip in respect of which the police, the Ambulance Service, Customs, Coastwatch and Emergency Services have all advised his Government is "not suitable for their aircraft" and "not essential for their current operations"?

Mr BORBIDGE: What the previous Labor Government tried to do was to isolate people on Fraser Island, particularly the northern part of Fraser Island, from all contact with the outside world. The former Government did a shabby deal on the Orchid Beach Resort, which one of these days will come out, with a very substantial compensation package paid to the owner of that resort.

Mr Davidson interjected.

Mr BORBIDGE: The Minister for Tourism is obviously also aware of some of the curious dealings that the previous Labor Government had with Mr Leach and Orchid Beach, and that might make an interesting tale to be told in this Parliament one day. Quite aside from that, the former Government tried to close all the roads and took the airstrip off the people despite the fact that a large number of people visit the northern end of Fraser Island and, from time to time, there are requirements for medical evacuations and access.

I found it absolutely fascinating that the Leader of the Opposition stood in this place today and said, "How dare you keep an election promise." We went to the people of

Queensland with that commitment. We were satisfied on all the evidence available to us that it was the right decision to reopen that airstrip, for which provision was made in last year's Budget. We intend to proceed to honour our commitment, and no doubt in due course we can have a more general discussion in this place about some of the curiosities relating to the trade-offs that were done in respect of the compensation package for the Orchid Beach Resort under the previous Labor Government.

Orchid Beach Airstrip

Mr BEATTIE: I direct a second question to the Premier. I table a letter from the then acting Environment Department Director-General, Tom Tolhurst, to the Premier's Director-General, Peter Ellis, about possible litigation against the State Government—a view confirmed by the Environment Minister, Mr Littleproud, and I ask: as the Orchid Beach airstrip is located inside the Great Sandy National Park and, therefore, is on State Government land, why is the Premier ignoring Environment Department advice and planning to wilfully expose Queensland taxpayers to public liability for any air crash that may occur as a result of the Government's reopening of the dangerous Orchid Beach airstrip?

Mr BORBIDGE: Procedures are being put in place to ensure that that does not occur. I make the point that this is a whole-of-Government decision. Under our Government, unlike the former Government of honourable members opposite, the Department of Environment does not have the right of veto over Government policies that have been endorsed by the electorate in a general election campaign.

Wik Negotiations

Mr SPRINGBORG: I ask the Premier: can he inform the House of the outcome of his meeting yesterday with peak industry groups concerning the Commonwealth's proposed response to the High Court's Wik ruling?

Mr BORBIDGE: Yesterday afternoon, I had the opportunity to meet with most peak industry groups in Queensland to brief them on the current state of negotiations between Queensland and the Commonwealth and the details of the Prime Minister's 10-point plan as presented to the Premiers Conference on Monday.

I am pleased to report to the House that, contrary to some of the assertions that have

been made in the politically correct press and by the Labor Party opposite, rather than being isolated on this particular issue I received very generous and widespread support from the peak industry groups in Queensland. It has been resolved and agreed with industry groups that they will work with the Government on a working party as these issues evolve.

Mr BEATTIE: I rise to a point of order. Mr Speaker, the Premier is misleading the House. No motion was put to that meeting. I have been contacted by people who attended and they believe that the Premier has abused their trust by misrepresenting their opposition, or at least their cautious concern to wait until they see the detail. The Premier abused their trust, and now he comes in here and misleads the House.

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

Mr BORBIDGE: The Leader of the Opposition was not there. How would he know? How typical of the Leader of the Opposition! The situation is that everyone who participated in that meeting will be working with the Government as this issue evolves. I am very appreciative of the support that we received from peak industry groups as opposed to the splendid isolation of honourable members opposite.

As the Leader of the Opposition wants to talk about unanimous support, I wonder whether he agrees with the comments attributed to the former Labor Attorney-General, Michael Lavarch, husband of the Labor Party candidate for Kurwongbah, who said recently that the "Keating Government genuinely believed the outcome of the Mabo decision was that native title had been extinguished by pastoral leases". That is what Mr Lavarch promised.

What we are seeing on Wik and native title is an absolute betrayal by the Leader of the Opposition, by honourable members opposite, by "Black Hole" Beazley down in Canberra and the assorted ragbag group that is out there today trying to say that once again the rural people of Australia—the farmers and the pastoralists—should have to carry the can for everyone else.

I am also particularly concerned at certain comments that have been made by ATSIC. I refer in particular to comments that have been made by ATSIC Commissioner Geoff Clark, who said—

". . . Aborigines would urge a boycott at the 'farm gate' and lobby black African nations to consider their participation in

the Sydney Olympics if Mr Howard refused to revise the plan."

I would make this observation to those people who are bloated by the ATSI budget and the income generated by Australian taxpayers: if they want to go out into the community, if they want to boycott farm products, if they want to take action against the farmers of Australia, if they want to campaign internationally in respect of opposing the Sydney Olympics, if they want to go to Edinburgh to the CHOGM meeting and campaign against countries participating in the Sydney Olympics, then I say: let them do it at their own expense, not at the expense of the taxpayers of Australia. That course of action, aided and abetted by honourable members opposite, that is being mooted by some of the extremists in the Aboriginal industry—no doubt totally backed and supported by people such as the member for Cook—is totally and absolutely un-Australian. If they want to go into the international community, if they want to say to Australians, "Don't buy what our farmers produce", if they want to go to Edinburgh or anywhere else and say, "Don't come to the Olympic Games", if they want to go out there and advocate trade sanctions against Australia, why should it be that the taxpayers of Australia are paying their air fares and their meals and their hotel accommodation bills?

The stated position of ATSI by Commissioner Clark speaks for itself. The Prime Minister and the Federal Government have an immediate obligation to review its funding.

Orchid Beach Airstrip

Mr NUNN: I direct a question to the Premier. As FOI documents, which I table, show that the Environment Department advised him and Cabinet that reopening the Orchid Beach airstrip would be viewed as ". . . inconsistent with the Great Sandy Region Management Plan and the findings of the (Fitzgerald) commission of inquiry into the conservation, management and use of Fraser Island and the Great Sandy Region" and, further, that the Environment Minister advised the Premier personally on 7 May 1996 that all departmental needs for access to the area are adequately provided without need for this airport, I ask: on whose instructions did the Premier's Director-General, Peter Ellis, ignore this advice when he wrote to his Environment Department counterpart last June demanding the department prepare a funding submission for urgent Cabinet consideration "in view of the Premier's position on this matter"?

Mr BORBIDGE: I can only reiterate that we make no apologies for implementing Government policy. That is why we are the Government. The policy was taken to the people of Queensland at the last election. Commitments were given—

Mr Beattie: You didn't win.

Mr BORBIDGE: I reckon that 54% of the vote isn't bad. Were it not for Labor's home-grown gerrymander, we would be over here with a 10-seat majority. We make no apology for implementing our election commitments. In respect of the electorate of Hervey Bay—I intend to make sure that everyone knows that the local member is seeking to frustrate a very important initiative for the people of Fraser Island and the people of Hervey Bay.

Media Reports on Native Title Issues

Mr CARROLL: I direct a question to the Honourable the Premier. As Opposition members and some in the media have suggested that the Queensland coalition Government's firm position on resolving native title issues reflects not only parochialism but also self-interest, I ask him to inform honourable members of the latest remarkable exploits of one of those fearless media investigators.

Mr BORBIDGE: I thank the honourable member for his question. I regret that when I do want an accurate assessment of what is happening in Queensland politics I increasingly turn to the Sydney Morning Herald or the Australian. The consistent attitude of the Courier-Mail in respect of native title is anti-Queensland in the extreme.

I have a leak from the Courier-Mail. It is fascinating how they are trying, in concert with the Labor Party, to suggest that the reason we are taking this stand on native title is that there might be some enormous benefit for ourselves. I have a fax from Queensland Newspapers dated 29 April 1997 to Bill Bunting, Land Services Centre. It states—

"Please charge a/c 1102.

Bill,

Could you please fax me information on whether any of the following 43 people own pastoral leases and/or farm by owner/valuer and title searches.

As Paula Doneman discussed on the phone with you, this material is requested urgently!

Thanking you for any assistance you can provide in this regard.

Yours faithfully,
Paul Whittaker"

Mr Beattie: So?

Mr BORBIDGE: That is only half the story. The names are: Robert Edward Borbidge, Theo Russell Cooper, Thomas John George Gilmore. Let us have a look at the strike rate. Robert Edward Borbidge: nil. Theo Russell Cooper: nil. Thomas John George Gilmore: nil. Howard William Thomas Hobbs: strike—got one! Michael James Horan: nil. Elizabeth (Liz) Anne Cunningham: nil. Jannion Anthony Elliott: nil. Andrew Anthony FitzGerald: nil. On it goes. After this great big investigative journalist finishes the job, they find out that Minister McCauley and Minister Slack might have a lease. Obviously disappointed that they have found two out of 26,000 leaseholders—

Opposition members: Three.

Mr BORBIDGE: Three, I am sorry—we have a situation where they go to David Russell, Ken Crooke, Robert Sparkes, Don McDonald, Joh Bjelke-Petersen—nil, nil, nil, nil. But obviously the story for the Courier-Mail is not quite yet front-page material, so there is a further fax which states—

"Bill,

Sorry to put the pressure on again after your extremely helpful efforts today, but would it be possible to search these names urgently as well?"

The names are: Denver Edward Beanland, Raymond Thomas Connor, Bruce William Davidson, Francis Edward Carroll, Robert Malcolm Harper, Bruce Edric Laming, Robert Joseph Quinn, Theodore Paul Radke, Santo Santoro, Joan Mary Sheldon, Francis John Tanti, Lynette Robyn Warwick, Dr David John Hopetoun Watson, Lucas Scott Woolmer, John Herron, Ian Macdonald, David MacGibbon—they might as well try the phone book! But after all this, where is the request for Peter Douglas Beattie? Where is the request for honourable members opposite?

If the Courier-Mail had rung yesterday, I would have given them a bit of simple advice: there is a pecuniary interests register, and it is free. I am told that MI5, the intelligence unit of Queensland Newspapers, has seized upon this fact, and Mr Whittaker and colleagues are currently—quite appropriately—rabbiting their way through the pecuniary interests register of the Parliament, where they should have started in the first place.

Orchid Beach Airstrip

Mr ELDER: I refer the Premier to the 10 October letter from his Director-General, Peter Ellis, to his counterpart in the Environment Department in which Mr Ellis says about the planned reopening of Orchid Beach airstrip—

"The Honourable the Premier is keen for the project to progress as quickly as possible and has indicated to me that, for an official opening of the facility, he would like to arrive at the airstrip in the new Government aircraft."

I table that letter. I ask: why does the Premier not just admit that the only people who stand to benefit from the reopening of the airstrip are his Gold Coast developer mates at Queensland Resort and Residential Projects Pty Ltd, who want to build a new backpacker resort near their 65-block residential housing subdivision at Orchid Beach?

Mr BORBIDGE: In the gutter again! The simple fact is that this policy was taken to the people at the last election. It was endorsed—

Opposition members interjected.

Mr BORBIDGE: I will tell members something about Mr Ferguson: it is likely that there will have to be a Criminal Justice Commission investigation into the way he was treated by the former Government. The last time I spoke to Mr Ferguson, I was unaware that he was in a position to fund anything, because the former Government had just about bankrupted him.

Capital Works

Mr HEGARTY: I refer the Honourable the Premier to criticism of the Government by the Opposition over the issue of capital works, and I ask: will the Premier outline to the House the true position in respect of this issue?

Mr BORBIDGE: I thank the honourable member for the question. Yesterday and today, we have heard a great deal from the Opposition about the Capital Works Program and what has been achieved and what has not been achieved.

Mr Livingstone interjected.

Mr BORBIDGE: I think it is quite appropriate to educate the honourable member for Ipswich West in respect of the performance of this Government compared to the performance of the previous Government. Yesterday and today we have heard the Opposition criticise this Government over capital works spending. In light of this, I considered it appropriate to consider the

record of this Government against that of our predecessor and to update for members the progress of spending in capital works this month.

In the Department of Education, April saw \$47.3m approved for projects such as the Tannum Sands State High School and the Kuranda State High School. This expenditure, all approved and all funded, will generate 533.6 person-years of employment. In the Department of Health, April saw a total of \$62.9m, including the Redlands Hospital redevelopment. This expenditure, again all funded, will generate 580.9 person-years of employment. In the Main Roads Department, a total of \$43.778m has been approved, generating 351.2 person-years of employment. I am advised that Executive Council approvals for capital works spending in April totalled—

Mr Livingstone: How much have you spent?

Mr BORBIDGE: I am trying to tell you, you dill. I will have to go a bit slower. I will repeat the sentence. It is no wonder people vote for Pauline Hanson out the honourable member's way.

I am advised that Executive Council approvals for capital works spending in April total \$176.346m, fully funded, amounting to 1,679 person-years of employment. I am further advised that during the course of this calendar year, submissions to Executive Council approving capital works spending have generated almost 7,000 person-years of employment. Have members opposite got that—7,000 person-years of employment? That is the number after 6,999—7,000 person-years of employment.

How does this compare with Labor? Let us consider for a moment the record of those opposite when it comes to capital works—the people who have been most vocal in their criticism of this Government.

Mr Hamill: Your Treasurer promised everything would be spent.

Mr BORBIDGE: No, no, we are going to talk about the record of the members opposite.

Mr Elder interjected.

Mr SPEAKER: Order! The member for Capalaba!

Mr BORBIDGE: The members opposite do not like the truth.

Mr SPEAKER: Order! I warn the member for Capalaba under Standing Order 123A. Let us have a little less interjecting.

Mr BORBIDGE: In 1992-93, Labor underspent its alleged \$3 billion capital works budget by a whopping \$411m, or 12.5%. In fact, in the first three alleged \$3 billion-plus capital works budgets, Labor underspent allocations by almost \$900m—by \$242.2m in 1991-92, by \$411.04m in 1992-93 and by \$227.821m in 1993-94.

I am quite happy to fully detail, for the benefit of the honourable member, those capital works programs approved by Executive Council during April—the total in excess of \$176m. No doubt, if I tried to read them out, the Labor Party would accuse me of filibustering.

Mr Elder: Table it.

Mr BORBIDGE: Perhaps seeing that the honourable member wants to know what we are doing, I should go through them line by line. In Education they are: Tannum Sands State High School; Springfield State School; Eatons Hill State School; Clifton State High School; Logan City Special School; Homestead Drive State School; Beenleigh Special School; Runcorn State High School; Bowen State School; Kuranda State High School; Pimlico State High School—Performing Arts Centre; The Gap State High School; Talara State School, Currimundi; Jinibara State School, Narangba; Mountain Creek State High School, Maroochy; Mountain Creek State High School, Maroochy; Hendra State High School; and Boonah State High School.

In Health we have: the Redlands Hospital redevelopment contract, Ipswich Hospital redevelopment, North Brisbane Breast Screening Clinic—

Mr Fouras: Mr Speaker, do we have to put up with this?

Mr SPEAKER: Order! The member for Ashgrove asks the question, "Should we have to put up with this?" I will quote from Speaker Fouras on 17 March 1992, who said that when questions are multi-pronged and long answers are required, a Minister should be allowed to answer each part of the question. I believe the Premier is answering each part of the question. We will have some order on both sides.

Mr BORBIDGE: Mr Speaker, thank you for upholding the wise decision of Speaker Fouras in this place.

I will continue with the Health capital works: Ipswich Hospital redevelopment, North Brisbane Breast Screening Clinic, Herston Complex, RBH Angiography and Fluoroscopic

Units, and the Accommodation Rationalisation Strategy.

In terms of Corrective Services we have: Arthur Gorrie Centre, Wacol Dog Squad, Numinbah Correctional Centre, Townsville—Cleveland Detention Centre, John Oxley Youth Detention Centre, Townsville Correctional Centre, and the Townsville Correctional Centre. In Justice we have: Brisbane Law Courts. In Main Roads there are: Warwick, Cunningham Highway; Inglewood, Cunningham Highway; Maroochy, Bruce Highway; and Banana Shire, Leichhardt Highway.

Ms Bligh: You're spending only half what you said you would.

Mr BORBIDGE: Honourable members opposite said we are not doing anything. They accused my colleague the Minister for Main Roads. I must respect the decision of the former Speaker in this regard.

Mr WELLS: I rise to a point of order. Mr Speaker, I refer to the precedent that you just quoted to the House when questions are multi-pronged. This question was not multi-pronged; the precedent does not apply. I ask you, therefore, to bring the Premier to order.

Mr SPEAKER: I ask the honourable member to resume his seat. There is no point of order. I call on the Premier and ask him to wind up his answer. I think it has gone on long enough.

Mr BORBIDGE: Certainly, Mr Speaker.

I will continue with the Main Roads capital works: Cairns, Brinsmead Road; Hervey Bay, Bruce Highway; Brisbane-Ipswich, Cunningham Highway; Caboolture, Bruce Highway; Oxenford, Pacific Motorway; Pimpama, Pacific Motorway; Cloncurry, Burke Developmental Road; Brisbane, Redcliffe Sub-arterial Road; Bungil Shire, Warrego Highway; Maroochy Shire, Bruce Highway. Office of Tourism and Sport, Police, Public Works and Housing—

Mr HAMILL: I rise to a point of order. I move that the Premier table the document from which he is quoting in the Chamber.

Mr SPEAKER: The honourable member has asked that he table it?

Mr Hamill: I move that he table it.

Mr BORBIDGE: I am absolutely delighted to table the document.

I say in conclusion that there are similar programs for most months and, as I said earlier in my answer, in terms of our spending of the Capital Works Program compared to

spending by the previous Labor Government, we are leaving it in the dust.

Airconditioning Schools

Mr PEARCE: My single-pronged question is to the Education Minister.

Mr SPEAKER: I ask him for a single-pronged answer.

Mr PEARCE: I refer the Education Minister to his Government's policy that only schools in the tropics north of Bowen will receive State funding for airconditioning of their classrooms, and I ask: did the Premier consult the Minister before he ignored this policy and allocated \$300,000 in State funding to aircondition three Moranbah schools in the National Party electorate of Charters Towers? Why has he rejected similar funding requests from schools at Blackwater, Middlemount, Dysart and Tieri in the adjoining Labor electorate of Fitzroy which have raised nearly \$700,000 towards airconditioning in their schools and only want to be given a fair go like the Moranbah schools?

Mr QUINN: When we were looking at the Cool Schools initiative, there was an issue of how far south we would go and whether, in fact, we would take it to the 20th parallel or further south. There was a debate at that particular time as to whether we would go down to the 22nd parallel. Because of budgetary limitations, we decided that we would stick with the 20th parallel and, as honourable members would know, we are in the process of implementing that Cool Schools program north of that particular line. There are some minor variations around Charters Towers and through Bowen, because the line goes through those two towns and splits communities. They are only minor variations to those lines in the interests of keeping together the communities in those particular towns.

As to the issue of the additional moneys to the school at Moranbah—I understand that the Premier's Department has provided some funding on the indication that, in the foreseeable future, we will be looking at extending the range to the 22nd parallel, as I indicated in the first part of my answer.

Law and Order, Mackay

Mr MALONE: I ask the Minister for Police: could he outline what action police have taken to address law and order issues in Mackay?

Mr COOPER: With the greatest of pleasure! I commend the member for Mirani

for his question. Obviously, he has concerns about Mackay. Earlier this year and prior to the last election I had discussions with members of the Mackay City Council. I am certainly aware that there are issues there to be addressed, and we are addressing them—as we are doing right across the State. We are trying to fill in the gaps and clean up the mess that members opposite left behind. We are getting there. We are cleaning up the mess. The police themselves worked very closely with the Mackay community as well as the city council, local businesses and ATSI groups, particularly in relation to alcohol-related crime and subsequent street offences.

As a matter of interest, because of the work that has been going on with the police, the Mackay City Council and the business community in that area, crime rates actually fell in 1996 compared to 1995, when that lot opposite were in Government. This is yet another demonstration of the fact that things are improving, and we will continue to improve them. That means a drop in offences against the person, which is one of the issues of concern in that area and in other places. But the fact is that this is working and working well. As well, the people up there want dedicated foot patrols, especially in the inner-city area. These sorts of things are happening, and they will increase as more staff come into play. Those staff are coming into play.

An Opposition member interjected.

Mr COOPER: That is on the member's figures. I will give him the figures. I have them all here. Those numbers are coming through. Even the member for Mackay—an Opposition member—knows and admits that there will be an extra 14 police in Mackay this year. He knows that they are coming. Some of them are already there. Special patrols have been conducted by the CIB, Juvenile Aid Bureau officers, the Dog Squad and the Traffic Branch. That is already happening. The Dog Squad in particular is receiving a significant increase in the weekend budget.

Mr MULHERIN: I rise to a point of order. I just want a point clarified. The Honourable Minister said yesterday in this House that there were 10 police for Mackay.

Mr SPEAKER: Order! The member cannot ask for clarification.

Mr MULHERIN: Now he is saying 14.

Mr SPEAKER: Order! The member will state his point of order.

Mr MULHERIN: What is the answer?

Mr SPEAKER: Order! I did not hear the member. I call the Minister.

Mr COOPER: I am pretty sure that the member for Mackay would agree that he would like another 14 police this year. Why does he not put up his hand? Or does he not want them? Maybe they can go elsewhere.

Mr SPEAKER: Order! We are not debating this issue.

Mrs BIRD: I rise to a point of order. Could the Minister clarify for me whether he is talking about Mackay City or the Mackay region? Most of those are to fill the gaps in the Whitsunday region.

Mr SPEAKER: Order! I will do some clarification. Members have been taking far too many frivolous points of order. There is no point of order. This is not a debate. The Minister will stick to the answer to the question.

Mr COOPER: Sure. I am enjoying every bit of it.

It is planned to increase the Dog Squad by a dog and a handler in the medium term. Again, the numbers are going up. Dog numbers are going up. The main thing is to deal with the problems that people have in that area. That is being done. But we must not forget that the gaps were caused by this lot opposite. Rostering has been changed to ensure the highest possible police profile in the Mackay central business district at critical times. It is planned to give a higher priority to establishing daily foot patrols in the Mackay CBD when the number of general duties personnel at the Mackay station is restored by this Government after the Labor regime so irresponsibly ground down those numbers. Between 1993 and 1996, numbers fell from 171 to 159 in the Mackay police district, representing a drop of 7%. That was Labor's form in 1996. We are delivering those extra 14 police. By June 1997 that number will increase to 176.

Mr BARTON: I rise to a point of order. The Minister is misleading the House. Yesterday, as recorded in Hansard, he said that this year Mackay would be getting not 14, not 10, but eight.

Mr SPEAKER: Order! I call the Minister.

Mr COOPER: It is 14. The number is 14 extra police this calendar year.

Opposition members interjected.

Mr COOPER: I will wait until members opposite are ready.

Mr SPEAKER: Order!

Mr COOPER: Five additional police are on their way to Mackay after inductions in the past week, boosting numbers in the immediate future. Two from Oxley will be on

the roster at the Mackay station on 7 May and two from the Townsville induction will be on duty at the Mackay station on 10 May.

Mr BARTON: I rise to a point of order. I move that the Minister table the document that he is reading from so that we can all see for ourselves.

Mr SPEAKER: Order! It has been moved that the Minister table the document.

Mr COOPER: I will be quite happy to do that once I am finished. Two from the Townsville induction will be at the Mackay station on 10 May. A third Townsville graduate will be on roster in the near future. Another three additional officers are expected to transfer to Mackay in the near future. Those incoming officers will give the district officer the chance to enhance service delivery in the CBD. Further to this, the Mackay district will benefit from a further allocation from Oxley in August and another in December. The additional staff are coming on line, and they will increase the district figures by 14 by the end of the calendar year. The extra officers will allow a substantial increase in pro-active police work. Those numbers will be there. That is good news for Mackay.

Last night there was a community consultative meeting, of which I know that the member is aware. The assistant commissioner for that region did attend that meeting. Many good things for the people of Mackay will flow from that meeting. There is a recognition by the community and the police that a partnership is needed to work together to bring down the crime rates. That is exactly what is happening. That is why that is catching on so well and why police and community councils are becoming so popular. That is the sort of partnership that the people need.

Mr SPEAKER: Order! The Minister will wind up his answer.

Mr COOPER: Mr Speaker, there is more. A lot has happened and is happening in Mackay, and it needs to be known.

As to police youth camps—there was one under way last week. There is a group up there called the Elders, who are bringing together respected representatives of indigenous groups in Mackay. Again, that is a step in the right direction. The Mackay Aboriginal and Islander Justice Alternative Group has been formed. There are blue-light discos. The list goes on and on and on. They are very positive moves. They are the sorts of moves which we fully intend to continue. I enjoy saying that those numbers are being delivered after members opposite ran them

down so hopelessly and irresponsibly. They should be ashamed of themselves.

Mr SPEAKER: Order! The Minister will table the document. He indicated that he would table it.

Sunbelt Developments Pty Ltd; Gold Coast Indy

Mr GIBBS: I draw the attention of the Minister for Tourism to the fact that receivers were appointed yesterday to Gold Coast Indy sponsorship company Sunbelt Developments Pty Ltd. I ask: is he aware that Indy may be forced to surrender the \$400,000 sponsorship payments from Sunbelt if receivers judge that the transactions were not made in the normal course of business and seek a court order to have the money given back for distribution to Sunbelt creditors?

Mr DAVIDSON: No, I am not aware of the issues raised by the member for Bundamba. I will take a briefing from the chairman of the board today. As the member is aware, an article in the newspaper today advised that Sunbelt had been placed in liquidation. The administrators are concerned that the undue and adverse publicity received in the last month or two has resulted in a rush of creditors on Sunbelt. After question time, I will take a briefing from the chairman of the Indy board. I will be happy to inform the member for Bundamba of the position of the Indy board in relation to the Sunbelt sponsorship.

QE II Hospital

Mr RADKE: I ask the Minister for Health: will he inform the House of the improvements that the coalition Government has made to Brisbane's QE II Hospital since coming to power?

Mr HORAN: I know that all the coalition members on the south side of Brisbane are extremely interested in the vast improvements that we have brought about at the QE II Hospital. If anything demonstrates the absolute mess of Health that was made by the previous Labor Government, it is what it did to the QE II Hospital. In 1995, that once great, proud hospital that served the south side of Brisbane was reduced to nine beds.

Mr Ardill interjected.

Mr HORAN: The honourable member was one of the people who stood by, saw what happened and did nothing. He should hang his head in disgrace.

Mr ARDILL: I rise to a point of order. The Minister knows that that is not true. I seek a withdrawal of that absolute untruth. He knows very well that I objected all the way to any change to QE II and that I supported that hospital.

Mr SPEAKER: Order! The member will resume his seat. The honourable member has found the remark offensive and has asked the Minister to withdraw.

Mr HORAN: I will withdraw. I am pleased to hear that he tried so hard in vain. Obviously, the powers that be in the Labor Government were determined to destroy the QE II Hospital and reduced it to just nine occupied beds, just a shadow of its once great self. The QE II Hospital once had the third biggest accident and emergency section in the State and the third biggest maternity section. It was one of the great jewels in the crown of the Queensland health system.

The coalition Government, an action Government, made an election promise. We have restored that hospital to a true community general hospital. We have provided up to \$11m in capital works, which are under way at the hospital now. Indeed, it was a great pleasure to go there recently to open the \$400,000 level one intensive care unit and the upgrade of the emergency department, to see those departments busy with staff bustling around, to see patients being treated and to know that if people have serious cardiac problems, major trauma or fractures they can now go to their hospital and be treated. In addition to those capital works, we provided the hospital with an additional \$9m for its recurrent budget—a record increase. With that increase, we have been able to provide five beds in the ICU, two of which are ventilated. In the first month of operation, that unit has been able to treat 57 critically ill patients. We are about treating people, not closing down the hospital as did the previous Labor Government.

Specialist services that are now available at the QE II Hospital include ophthalmology, urology, general surgery, orthopaedics, gynaecology and gastroenterology. Already, we have appointed 68 additional full-time equivalent nurses and 36 full-time equivalent doctors. They are staff who can treat people. We have reopened a 30-bed medical ward, which is expected to treat 1,500 patients a year. The redevelopment of the QE II Hospital has included increasing the operating theatres from four to six, the establishment of a preadmission clinic, the upgrade of the rehabilitation treatment area, the upgrade of

outpatients, upgrade of allied health areas and refurbishment of day surgery. The figures speak for themselves. A comparison of January-March 1996 with January-March 1997 shows a 58% increase in the number of people admitted in that period. At midnight on 25 March, just last month, the QE II recorded its busiest day for many years with 106 in-patients. Compare that with the dismal record of the previous Labor Government. Every one of the Labor members in that area should hang their head in shame that they were not able to stop the Labor Government from downgrading the QE II Hospital as they did. I am proud to say that the coalition Government has been able to return that hospital to do what it should be doing: serving the people of the south side.

I will wind up by reading the opening part of the editorial in the Southern Star of 23 April, "Miracle' cure", which states—

"If the QEII Hospital were a patient, its recent recovery would be viewed as nothing short of miraculous.

Amputation of nearly all of its services was followed by the lost 'limbs' somehow rejuvenating, some stronger than ever.

Downgrading of the hospital was started by the Labor Government in the early 1990s and culminated in 1995 when just nine beds were occupied.

Despite explanations from the Government at the time, the decision to downgrade did not sit well with hospital staff and Southside residents."

The editorial concluded—

"The Coalition, then in Opposition, pledged to restore QEII to full community hospital status should it win government. It did both."

Itinerant Vendors

Mr WELLS: I draw the attention of the Honourable Minister for Tourism, Small Business and Industry to the numerous complaints to my office on behalf of small businesses about the invasion of itinerant food vendors into their local areas. As the Minister should be aware, local shopkeepers employ local people, pay taxes and go to great expense to establish clientele only to face competition from itinerant food vendors, such as pie vans and snack mobiles, who drive into their area every day and poach thousands of dollars worth of business from local shopkeepers. I ask: what steps is he taking to

protect the livelihoods of hardworking local shopkeepers from those itinerant food vendors?

Mr DAVIDSON: The member should be aware that I cannot get around every day of the week to every suburb and town in Queensland checking up on the activities of itinerant or casual food vendors. I would think that the honourable member has a responsibility to write to me as the Minister for Small Business and bring those issues to my attention.

Mr ELDER: Is the Minister aware that Peter Rankin, the Liberal candidate for Kurwongbah, is an itinerant vendor who runs his pie vans through those suburbs?

Mr DAVIDSON: I will just ask the Minister for Environment to pinch me to make sure that I am awake. I have sat in this House for over 14 months and when the Deputy Leader of the Opposition was Small Business spokesperson he never asked me a question. The only question that I have had from the present Opposition spokesperson for Small Business is a point of order. I cannot believe that the present Opposition spokesperson for Small Business would rise to a point of order to make reference to the candidate for Kurwongbah.

I have been concerned for some time about the small-business community in Labor Party electorates. Recently, I had my staff check every file in my office to ensure that they were being represented by Labor Party members. I am constantly receiving letters from members on this side of the House. I am constantly being invited by members on this side of the House to meetings with small-business people. I am constantly being reminded by members on this side of the House of the needs of business and small business. On checking my files, I found it unbelievable that in 14 months I had received about seven or eight letters from Opposition members, not on behalf of small business but on a variety of other issues.

I cannot believe, with all the work that we as a Government have done for small business in establishing The Red Tape Reduction Task Force, in establishing the Queensland Small Business Council, in setting up the Queensland Retail Strategy—all the initiatives that we have put in place as a Government—that not one member opposite bothers to take the time to bring to my attention the concerns of small-business people in their electorates. The member who asked the question—

Mrs EDMOND: I rise to a point of order. I wrote to the Minister about an issue and so far he has not agreed to meet with the people concerned.

Mr SPEAKER: Order! Was it a long letter? There is no point of order. Another point of order? Did you write to the Minister?

Mr WELLS: My point of order—

Mr SPEAKER: Very, very in-depth stuff here today.

Mr WELLS: Mr Speaker, this will appeal to your own profundity. Will the Minister look into it if we do write to him?

Mr SPEAKER: I call the Minister. Not long to go.

Mr DAVIDSON: Obviously, I take note of the concerns that the member has raised today. I will raise this issue with the Minister for Local Government and Planning, Di McCauley. I will also bring it to the attention of the Queensland Small Business Council Chairman, Mr Geoff Murphy. I will have the Small Business Council place this issue on the agenda for the next meeting. As I understand from the Premier, Mrs McCauley already has instituted action and is developing an overview for the Government on these issues.

Statewide Land Cover and Trees Study

Mr ELLIOTT: I ask the Minister for Natural Resources: can he inform the House of the latest results from the Statewide land cover and trees study, especially as it relates to vegetation change and greenhouse gas emissions?

Mr HOBBS: I thank the honourable member for the question. A group called the Statewide Land Cover and Tree Study Committee has put together a lot of work on vegetation change, vegetation density and satellite imagery maps in relation to the variances in land cover in Queensland. The preliminary assessment of vegetation change for 1991-1995 shows the average annual rate of tree clearing to be 308,000 hectares a year. I also make the point that 60% to 70% of that land is regrowth.

The conservation groups make a fair bit of the permits that are issued. I make the point to the Parliament that the issuing of permits does not really indicate at all that any timber is cleared or is even contemplated to be cleared; it is just that graziers or farmers may intend some time down the track to do that clearing, but that certainly does not mean to say that the permits are being used.

Interestingly, the measured trends in vegetation thickening indicate that greenhouse gas emissions from tree clearing may be in balance with carbon being stored as a result of woodland thickening in Queensland. People must understand—and this is very important—that because of the different types of biodiversity in Queensland, we have enormous regrowth. In fact, there is more standing woodland in Queensland today than there was at the time of white settlement.

The situation in Queensland is not the same as the situation down south—and I refer to the problems experienced with the Murray-Darling system—and it is about time that members opposite, particularly the shadow Ministers for Environment and Natural Resources, understood that.

The satellite imagery for 1988, 1991 and 1995 will be analysed to detect change in tree cover across the entire State. The process will be repeated in 1997 and 1998. Maps of vegetation cover change, and summary statistics categorised by shire, pastoral zone, biogeographic zone and province will be produced. The accuracy of the computer analysis of the satellite imagery will be verified by ground measurements. The tree management guidelines that we have been working on for quite a long time will, in fact, come into being fairly soon. Thirty-six groups have been involved in that work, which includes undertaking a regional assessment of the guidelines. We are looking to have those guidelines in place by mid 1997.

It is unfortunate that the conservation groups have pulled out of the State trees group. They have pulled out on the basis that there has been a dilution of the 1995 preliminary policy. I make it quite clear to the Parliament and the people of Queensland that an enormous amount of study and investigation has been carried out into tree-clearing guidelines in this State. As we go along, we find more information and, on that basis, we have to update our guidelines. We have done an exhaustive study and investigation into this process and we in this State will have the best tree management guidelines that will be the envy of the rest of Australia.

I make the point also that Senator Hill is visiting Queensland this week to inspect some of the tree management programs that we have in place. We are certainly keen to make sure that he receives a real perspective of what is happening in Queensland in contrast to what he has been told by perhaps conservation groups or the Opposition.

We are genuinely making sure that we have a professional basis upon which we can put in place our tree management guidelines. We want to have sustainable guidelines that will be able to take Queensland into the next century.

Native Title Compensation

Mr HAMILL: I refer the Treasurer to media reports stating that she as Treasurer would not be prepared to pay more than 25% of native title compensation claims, and I ask: what other aspects of the Prime Minister's 10-point plan on native title does she endorse, or does she subscribe to the Premier's discredited one-point plan?

Mrs SHELDON: I am pleased that finally the Opposition has a question for me about Wik. I am sure that the shadow Treasurer would be interested in the amount of compensation that we as a State would have to pay if, in fact, State legislation was put in place. I have had discussions with the Prime Minister on this matter, the last one as late as Friday night. My understanding from that discussion was that the State would have to pay no more than indeed the compensation that had been proposed earlier, which was the Commonwealth Government pay 75% and the State pay 25%. In fact, the Premier had indicated to me that it may be less than 25%, and I raised that particular point with John Howard. The fact of the matter is that the State does not have money put aside for compensation.

Mr Beattie: Why pay anything?

Mrs SHELDON: Why pay anything? Because I suppose people who have a legal claim and a rightful claim have a right to some compensation.

Mr Beattie: The Commonwealth should pay.

Mrs SHELDON: It is very interesting to note that the Leader of the Opposition is saying, "Why pay anything?" I wonder if the Aboriginal groups are listening? They will certainly know—

Mr T. B. Sullivan: He didn't say that at all.

Mrs SHELDON: Yes, he did. He said it yesterday, too. He said, "Why should we pay anything?" The fact of the matter is that if the State legislates, the State will be in the position that the question of compensation will have to be addressed. I am supporting the situation where the States must pay their fair share. As I said quite clearly—

Mr Hamill: Are you supporting John Howard?

Mrs SHELDON: I said this at a press conference on Monday night, so there is no secret of it—that the State should pay no more than 25%.

Mr Hamill: Are you supporting Rob Borbidge?

Mrs SHELDON: I am supporting our State not having to pay any more. The member asked the question; he should listen to the answer. I assume that he wants to hear it and that he is not like his leader and playing politics for the sake of playing politics and not looking after the interests of the people of Queensland, whoever they might be.

The fact of the matter is that we as a State cannot afford to pay compensation; but if it is State legislation, there will be an onus obviously on us to look after equality for the Aboriginal people in this State.

Mr Beattie: You're avoiding the question and you know it.

Mrs SHELDON: Why does the Leader of the Opposition not listen? He asked the question, and the question was about compensation.

Mr Hamill: I asked the question.

Mrs SHELDON: I know the member did. However, the Leader of the Opposition is now asking one. I will answer this question as I see fit. We must be fair to all people in this State—the pastoralists, the industrialists, the miners, the developers, the people who have ordinary leases and the Aboriginal community. If compensation has to be paid, we as a State must pay our fair share. That should be no more than 25%.

Training

Mr BAUMANN: I ask the Minister for Training and Industrial Relations, if the time will allow, to inform the House of a recent Government initiative which will ensure that small business becomes more involved in training.

Mr SANTORO: The honourable member asked an extremely interesting question which deserves a far more comprehensive answer than what I am able to give to the House today. However, I wish to assure the House that as soon as I have an opportunity to amplify the matter raised in the question—perhaps tomorrow—I would like to bring to the attention of the House the many initiatives that this Government has taken in relation to small business, particularly in the

area of training, which will help to overcome the enormous lack of culture that this Government inherited as a result of the commitment of the previous Government.

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

GAMING MACHINE AMENDMENT BILL

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.31 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Gaming Machine Act 1991."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mrs Sheldon, read a first time.

Second Reading

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.32 a.m.): I move—

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

This Bill will amend the Gaming Machine Act 1991. The Act is the primary legislative measure regulating the operation of gaming machines in Queensland clubs and hotels. The Act has undergone minor amendments in 1993 and 1995, but has largely been unchanged since its commencement in 1991. However, a review of the Act in the light of experience and changing times has resulted in various amendments being proposed to enhance the operational arrangements for machine gaming in Queensland.

Due to the wide-ranging and fundamental nature of the proposed changes, as well as industry agreement on the timetable for their implementation, the Bill only deals with the amendments required to be operational by 1 July 1997 and involves changes to ownership and possession of machines, the provision of licensed commercial operators and approved financiers, and a taxation structure based on metered site win. A second Bill dealing with other issues, including changes to the licensing requirements, the electronic monitoring of gaming machines and a range of administrative matters will be introduced in the second half of calendar 1997.

The Bill is the result of a two-year review of the regulatory arrangements for gaming machines in Queensland clubs and hotels. The review followed the successful introduction of machines into Queensland in February 1992. A partial measure of this success has been the overwhelming acceptance of gaming machines into Queensland and the transformation of the clubs and, to a lesser extent, the hotel industries in the period since then. As at 31 March 1997, there were over 21,000 gaming machines in over 1,100 sites.

While the current regulatory regime has served a new and relatively mature industry well and has ensured that it meets the highest standards of integrity, it is timely that the regulatory structure be reviewed to strategically position the industry to meet the future demands and expectations that will be placed on it. The review has included extensive consultation with all parts of the industry and the Bill proposes a new model for the regulation of machine gaming in Queensland. It is a Bill based on the needs of a mature, highly competitive industry, particularly its needs to be flexible and responsive to the increasingly sophisticated requirements of the gaming industry. Critically, though, it does not compromise the very high standards with regards to probity and integrity achieved in the Queensland industry.

Under existing legislation, the ownership of gaming machines, other than by the Government, excluding casinos, is illegal. This strict regulation of the industry was originally required to ensure the integrity of gaming. Under this system, however, sites have no choice regarding the brand of machine or game supplied to them. As the popularity of brands of machines and games varies widely, a key issue identified by all major industry participants was this absence of choice. Further, as the rental fees charged by the Government to licensees were calculated over a five-year life cycle and the average age of machines is currently approximately 2.5 years, together with the rising cost of new gaming technology, the ability of the Government to maintain supply of the most modern and popular gaming technology to the industry has declined.

Furthermore, the Government is placed in a position of potential conflict through being a participant in the industry as a direct purchaser and owner of machines and also maintaining a regulatory role. This has been especially brought to note in both the National Competition Policy and the Commission of Audit.

The Bill provides for the Government to withdraw from ownership of gaming machines and to allow licensed sites, licensed commercial operators and prescribed financiers to own machines. Ultimately, this will allow licensed sites to select the brands of machines and games of their choice. By providing for the introduction of prescribed financiers to supply finance and licensed commercial operators to provide machines and monitoring services to the industry, as well as additional services such as management, marketing and analysis, licensees will have access to a range of ownership options that will best suit their individual needs.

To ensure the continued integrity of the industry, commercial operators wishing to participate in the Queensland market will be licensed under current strict licensing procedures and all purchasing arrangements entered into by the industry will require approval by the Queensland Office of Gaming Regulation prior to purchase. It also provides the Queensland Office of Gaming Regulation with a clearer regulatory focus, enabling it to perform its functions without the conflicting role of engaging in commercial activities.

The Bill also deals with the taxation structure, which was another key issue identified by the review. The present method of calculating tax as a flat 3% plus levies of site turnover is a simple, effective and easily controlled method which ensures that the Government receives its full entitlements. However, due to the constantly changing nature of new technology in gaming machines, many new innovations such as linked jackpot systems and multi-bet games that require increased player returns run the risk of failure in the marketplace under the current taxation structure. Also, under a turnover-based system, a licensed site could lose money in any given assessment period because of a large jackpot payout. Irrespective of the win or loss for the period, the full turnover tax assessed is payable, which may impose cash flow difficulties in these circumstances.

The Bill allows for a shift from a flat taxation based on turnover to a progressive tax scale based on the metered win, or loss, of the site. In amendments to the gaming machine regulation which have already been implemented and commenced as of 1 March 1997, the actual level of tax paid by licensed clubs has been reduced from 4% of turnover—plus community benefit levy over \$500,000—for clubs to 2% on the first \$66,666 of turnover and 4% on all turnover over this amount—plus the community benefit

levy. For hotels, tax has been reduced from 10%—including all levies—of turnover to 7.5%. The progressive taxation rates based on the metered win of the site and provided for in the gaming machine regulation incorporate these tax reductions which means that sites will continue to benefit from the reduction in the effective tax rate under the proposed change to a metered win based structure. Additionally, the metered win based tax allows for an increased player return, as the site only pays tax on profit. The corresponding advantages of new innovations, as previously mentioned, can also be introduced without the risk of failure due to poor player returns.

The Bill is a necessary result of the review of the Gaming Machine Act's operation since its inception in 1991. It has been developed in full and open consultation with industry participants and agreement with these participants has been achieved. I commend the Bill to the House.

Debate, on motion of Mr Hamill, adjourned.

SUPERANNUATION AND OTHER LEGISLATION AMENDMENT BILL

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.40 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend or repeal certain Acts establishing superannuation schemes, to provide for the amalgamation of the schemes, and for other purposes."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mrs Sheldon, read a first time.

Second Reading

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.41 a.m.): I move—

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

The purpose of the Bill is to amend superannuation legislation to merge the major superannuation funds catering for public sector employees, and also strengthen the provisions for the recovery of the employer

portion of superannuation benefits of corrupt public officials.

Currently the provision of superannuation benefits for Queensland State Public Sector employees is through the State Public Sector (Q Super), Gosuper, State Service, Police and the Fires Superannuation Schemes. The five schemes contain different benefit designs and are administered through separate Acts, funds and trustee boards.

The Bill amends the Superannuation (State Public Sector) Act 1990—which is the Q Super legislation—and the Fire and Rescue Authority Act 1990 to provide for the merger of the five funds and the trustee boards of such funds. As all operative provisions covering the schemes of the merged funds will be contained under the Superannuation (State Public Sector) Act 1990, the Bill also repeals those superannuation Acts which will be redundant following the merger.

The Commonwealth Government has provided for superannuation funds to merge without incurring a capital gains tax liability where the merger occurs by 30 June 1997. The merger is being pursued to—

simplify the operating structure of the trustee boards;

permit the most efficient taxation arrangements, allowing members to transfer between the funds without incurring capital gains tax; and

access administration cost savings through the rationalisation of administration processes such as the preparation of financial statements and taxation returns.

The merger will not alter any member's benefits, with members of the separate schemes having their benefits specified under different categories of the deed of the State Public Sector Superannuation Scheme. The merger has the support of the trustee boards of the various schemes which include representatives of employees. A single board will oversee the scheme and the board membership has been expanded from 8 persons to 10 to cater for additional employee and employer representatives.

In addition, the Bill amends the Public Officers' Superannuation Benefits Recovery Act 1988. This Act permits recovery of the Crown financed portion of superannuation benefits where a person has been convicted of an offence involving the corruption of their office. A number of deficiencies have been identified in the Recovery Act and its operation with other superannuation legislation, including

the inability to access preserved superannuation benefits. The amendments contained in this Bill will address these inadequacies without changing the thrust of the legislation in any way.

The Bill also makes consequential amendments to the Building and Construction Industry (Portable Long Service Leave) Act 1991, as a result of the introduction of the Queensland Workplace Relations Act 1997 and the Commonwealth Workplace Relations Act 1996.

The amendments commence from 27 March 1997 and prescribe the correct provisions under the Queensland Workplace Relations Act 1997 and facilitate the recognition for membership of employees working under Queensland and Australian workplace agreements. I commend the Bill to the House.

Debate, on motion of Mr Hamill, adjourned.

BANK OF NEW ZEALAND (TRANSFER OF UNDERTAKING) BILL

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.45 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to provide for the transfer of the undertaking of Bank of New Zealand to National Australia Bank Limited, and for related purposes."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mrs Sheldon, read a first time.

Second Reading

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.46 a.m.): I move—

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

In February 1993, Bank of New Zealand, a New Zealand company, became a wholly owned subsidiary of National Australia Bank. Part of BNZ's business is a banking business in Australia, which operates with relative autonomy as a division of BNZ, under the name of BNZ Australia. BNZ has an authority as a licensed foreign bank under the Banking

Act 1959 (Commonwealth) to carry on banking business in Australia. As a result of the acquisition of BNZ by NAB, BNZ is required by the Reserve Bank to surrender its authority and, as such, it is necessary to transfer the Australian undertaking of BNZ to NAB.

NAB has requested assistance from all Australian jurisdictions to pass complementary legislation to facilitate the transfer of specific assets and liabilities within each State and Territory. The aim of the Bill is to transfer BNZ's Australian undertaking to NAB. The transfer could be achieved without legislation. However, such legislation overcomes the need for identification and transfer of individual assets on an item by item basis. In addition, legislation achieves continuity in customer relationships, as well as providing protection for persons dealing with either bank in respect of transferred assets and liabilities.

Further, the Bill will exempt the transfer transaction from State stamp duty which would normally be payable, on the condition that a lump sum in lieu of the duty is paid to the Consolidated Fund by NAB. The amount of that payment will be determined by the Governor in Council, on my advice. The Office of State Revenue currently is in the process of finalising a figure for the payment, in consultation with NAB.

The State's policy in the past has been to assist merging banks by enacting transfer legislation, most recently demonstrated by the Challenge Bank (Transfer of Undertaking) Act 1996 and the Bank Merger (BankSA and Advance Bank) Act 1996. The approach contemplated by the Bill accords with previous bank merger legislation in Queensland, and is consistent with complementary legislation in other Australian jurisdictions. NAB has requested that the legislation be operative by the earliest possible date in order to enable a coordinated transfer of undertakings across all jurisdictions. I commend the Bill to the House.

Debate, on motion of Mr Hamill, adjourned.

QUEENSLAND COMPETITION AUTHORITY BILL

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.48 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to establish the Queensland Competition Authority, give it powers and functions about pricing practices relating to government monopoly business

activities, competitive neutrality and access to services, and for other purposes."

Motion agreed to.

Mr DEPUTY SPEAKER (Mr Laming) read a message from Her Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mrs Sheldon, read a first time.

Second Reading

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (11.49 a.m.): I move—

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

The purpose of this Bill is to implement competition policy related initiatives consistent with the Government's broader policy agenda, including social and equity considerations, environmental objectives and the continued delivery of community service obligations.

This legislation establishes an independent body, the Queensland Competition Authority (QCA), to undertake prices oversight of Government monopoly business activities, administer a State-based third-party access regime and provide a competitive neutrality complaints mechanism.

The QCA is to comprise at least three members and a secretariat staffed with high-quality people who have the right balance of experience and technical skills. It is intended that the membership of the QCA will comprise individuals with an outstanding record of success in both the private and the public sectors. This Government is committed to adequately resource the QCA to enable it to produce high quality results.

As honourable members are aware, Queensland is a fully participating jurisdiction of the National Competition Policy. This package of reforms was agreed between all States and Territories and the Commonwealth through the Council of Australian Governments in 1995 and significant benefits are attached to its implementation.

At the same time it is important to recognise that the NCP is a political agreement between sovereign Governments and the agreement provides legitimate mechanisms for States and Territories to implement the NCP in a flexible and

responsible manner. NCP is not about competition for competition's sake. It is about introducing worthwhile competitive arrangements where the social as well as economic and financial benefits outweigh the costs. In this respect, the Bill does not contain mechanisms to reduce the delivery of community service obligations, nor does it force Government businesses to abandon the provision of these services. The Bill does contain specific requirements that public interest tests be conducted before reforms are implemented.

This Government is committed to implementing NCP in a manner which benefits the community, that is, the State of Queensland. There must be clear, demonstrable benefits to the community before consideration will be given to implementing reforms. The impact of reform on Queensland and on Queenslanders is most appropriately assessed under a State-based regime. Without a State-based regime to take account of State-based issues, the Commonwealth regime prevails and this risks the interests of Queensland being subordinated to the national interest. This alone is reason enough for all members of this House to support this Bill.

As mentioned earlier, the Bill comprises three components—prices oversight of monopoly or near monopoly Government business activities, a complaints mechanism for alleged breaches of competitive neutrality and a third-party access regime. Government business activities with monopoly powers are in a position to charge prices which are excessive. Accordingly, it is important that there is a mechanism to ensure independent oversight of the prices charged by these organisations to ensure they do not abuse their monopoly powers. The prices oversight component of the Bill provides for the QCA to oversee the prices charged by monopoly or near monopoly Government business activities.

The second component of the Bill deals with a competitive neutrality complaints mechanism. Government business activities—be they undertaken by Government departments, GOCs or other statutory authorities—compete with private sector businesses in a variety of markets. Competition of this nature will increase as Government continues to implement reforms such as corporatisation and commercialisation. Competitors of such Government businesses must, however, be able to seek redress if they believe they are competing at a disadvantage. Accordingly, the Bill provides for an

independent mechanism which allows competitors of Government businesses to lodge a complaint where they believe that the Government business enjoys a competitive advantage by virtue of its ownership.

The third component of the Bill comprises a State third-party access regime. This regime is to apply exclusively to public infrastructure, although subsequently it may also apply to selected private infrastructure after due consultation with affected owners. Third-party access involves a two-step process. The first step ensures that the infrastructure to which another person seeks to gain access is of a special category, which broadly can be classified as a natural monopoly. This step in the process is extremely important because if access is applied too widely, it has the potential to adversely affect future investment in this State. A second step involves compulsory dispute resolution through either a private arbiter, or by the QCA if the parties cannot agree on the appointment of a private arbiter. The third-party access regime has been designed to maximise certainty for all parties and to streamline the process to the maximum extent possible.

This Government is not interested in reform or NCP for its own sake. This Government is interested in protecting consumers and users of affected services and providing an avenue for aggrieved parties to complain against unfair competition. Achievement of these outcomes is facilitated by the QCA in dealing with prices oversight, third-party access and competitive neutrality complaints. The Bill provides for open and accountable processes. Of course, it also recognises and accommodates instances where information is commercially sensitive and its disclosure could be prejudicial to the commercial interests of the disclosing enterprise.

One of the QCA's major functions is to give advice to the responsible Ministers—that is, the Premier and Treasurer—on the criteria to be used by them for deciding whether a particular business activity carried on by a Government agency should be declared and brought under the authority's jurisdiction. In this regard, the regime promotes an open and consultative approach which also encourages certainty. In relation to prices oversight, for example, the authority will produce guidelines on what constitutes a Government monopoly business activity, with all stakeholders to be consulted and given every opportunity to comment and provide input.

The drafting of this Bill has involved an unprecedented level of consultation with stakeholders and community groups. For example, particular care has been paid to the need for streamlined processes and mechanisms to increase investment certainty in the access regime. Ultimately, the reforms which will occur as a result of this Bill facilitate significant growth in the economy, providing more jobs and higher living standards for Queenslanders. However, the fulfilment of the Government's social objectives will not be compromised. Indeed, one of the prime motivations for State legislation, instead of relying upon the equivalent Commonwealth regime, is to ensure that the interests of Queenslanders are fully considered in assessing the need for competition policy reform. It is only through the establishment of State-based arrangements that the Queensland Government can ensure that the competition-related reforms are implemented in a manner consistent with this State's best interests. Moreover, the reforms should not be seen as a catalyst to privatisation. Nothing in the Bill compels any privatisation of Government functions. Accordingly, the Bill should not be viewed as one which threatens to dismantle any part of the public sector in this State. It will, however, promote greater commercial accountability in major State Government business undertakings and will facilitate fairer competition between Government businesses and the private sector.

It is in Queensland's interests that the QCA be established and that it undertake the important functions as specified in the Bill. I commend the Bill to the House.

Debate, on motion of Mr Hamill, adjourned.

LAND SALES AND LAND TITLE AMENDMENT BILL

Hon. D. E. BEANLAND (Indooroopilly—
Attorney-General and Minister for Justice)
(11.56 a.m.), by leave, without notice: I
move—

"That leave be granted to bring in a
Bill for an Act to amend the Land Sales
Act 1984 and the Land Title Act 1994,
and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (11.57 a.m.): I move—

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

Over a number of years, the real estate and property development industries have approached the Government expressing concern over inadequacies in the existing legislation relating to the restrictions on selling land prior to registration. Currently pre-registration restrictions do not apply to building units in Queensland and do not apply to land in any other Australian State or Territory except Victoria. Developers consider that their inability to sell land prior to registration is hindering growth and development in that sector. By contrast, the provision which already exists to sell building units and group titles off the plan prior to registration confers an unfair commercial advantage on developers in that sector.

Extensive consultation followed the circulation of a discussion paper on this subject in July 1996 and the release of a draft Bill in early 1997. Submissions were received from industry groups, developers, surveyors and engineers, local governments, consumers, financiers, Queensland Government departments and the legal profession. The Bill includes many of the proposals contained in the discussion paper and many further refinements to the original proposal which arose after submissions were received. There was extensive consultation on the technical aspects of the Bill with industry groups and the professional surveyors.

I am pleased to report that the Bill has received broad support from the commercial interests affected. Industry groups are very strongly supportive of the proposal embodied in the Bill and believe that this reform is long overdue. In particular, they consider that selling land prior to registration will open up the market in times of rising demand, with the consequence that costs will be contained more readily. They also consider that the ability to sell land at an earlier stage will make it easier for developers to secure finance, a view with which the finance industry concurs.

The existing provisions of the Land Sales Act 1984 place restrictions on selling land before a plan of subdivision is approved and then later sealed by the local government. By this stage, the allotments are readily identifiable and either the developer has completed the work necessary for the purpose of the subdivision to the satisfaction of the

local government or the local government has bonded the developer. The Act also provides that, if the final size and topography of the allotment differ from that originally contracted for by the purchaser, the purchaser may avoid the contract if he or she is materially prejudiced by the difference. In these cases the purchaser will receive a refund of deposit moneys which have been held in trust.

There is no compelling reason in principle to limit the sale of land prior to registration to the point where the subdivision plan has been sealed, provided that certainty of identification of the land purchased is assured. The amendments proposed by the Bill will not infringe the original policy objectives of the Land Sales Act 1984 of minimising as far as possible the deliberate or inadvertent misdescription of land and of providing readily available remedies to consumers who are nevertheless adversely affected.

The broad purpose of this Bill is to amend the Land Sales Act 1984 to remove the constraints on the selling of all freehold and leasehold land prior to registration to allow land to be sold once a subdivision has been approved and engineering drawings prepared and, in doing so, to provide enhanced consumer protection measures.

Turning to the specific provisions of the Bill, honourable members will note that this Bill has a number of elements, the chief of which is that sales of land—which are termed "proposed allotments"—prior to registration will be permitted at the stage at which a subdivision is approved and engineering drawings are prepared.

The Bill contains provisions, including the supply of a disclosure statement and disclosure plan to a purchaser to ensure that a proposed allotment, when transferred to the purchaser, is substantially identical to that which was originally purchased. The purchaser also has the opportunity at this stage to inspect the allotment as pegged by a licensed surveyor. If the allotment is not substantially identical, but there is a significant variation between the disclosure plan and either the plan showing the constructed works or the plan proposed to be registered—both prepared by a licensed surveyor—the purchaser will have an automatic right to avoid the contract of sale.

A significant variation is defined in the Bill as a variation of 1% between the linear dimensions on the disclosure plan and the approved plan of survey, or 2% between the areas shown on the disclosure plan and the approved plan of survey or a difference of 500

millimetres in contour intervals between the disclosure plan and the plan showing the constructed works. The definition of "significant variation" has been the subject of extensive consultation with industry groups and surveyors. I am confident that these tolerances are achievable by developers and still protective of consumers.

Where the allotments are substantially identical, developers and purchasers will be able to enforce their contracts against each other at all times to allow commercial certainty to developers and financiers. The Bill provides that deposit moneys should continue to be retained in trust accounts, but a new measure is that deposits are not to exceed 10% of the purchase price.

The Bill inserts an objects clause in the Act which specifies that the objects of the Act are to be achieved without imposing any additional obligations on local governments as a result of these amendments. Effectively, therefore, there will be no additional certification requirements imposed by the Bill on local governments and there should be no increased financial or administrative burden on local governments as a result.

If there is a delay of more than 18 months between the date of the contract and the date of transfer for a proposed allotment, the purchaser will have a right under the Act to avoid the contract. This period replaces the present period of nine months. If there is a delay of more than 42 months between the date of the contract and the date of transfer for a proposed lot, the purchaser will have a right under the Act to avoid the contract. This period replaces the present period of 36 months. I am confident that experience has shown that this extended period should be sufficient to cover all contingencies that may arise. At the same time, the ministerial discretions to extend the periods of automatic avoidance will be removed as the existence of such provisions has, to some extent, resulted in an element of uncertainty in the time frame which is not a commercially desirable feature in legislation of this type.

Finally, the Bill provides for increased penalties for breaches of the Act in order to provide a more realistic deterrent and to bring the applicable penalties into line with those under the Fair Trading Act 1989. Clearly, consumers must not be prejudiced by the removal of restrictions on selling land prior to registration. The purchasers likely to be most affected by these amendments are first home buyers who represent a relatively vulnerable class of consumers. It is important that, in

providing for consumer protection measures in the Bill, the enforcement measures are correspondingly adequate. For the same reason, the Bill includes provisions whereby if a body corporate commits an offence against the Act, each director of the body corporate will be taken to have committed the offence.

The passage of this Bill will provide Queensland's property development market with an opportunity to thrive, and offer Queensland's home buyers greatly enhanced opportunities for affordable housing in developing areas. This Bill establishes a regime whereby property development in Queensland will be significantly accelerated within an effective consumer protective framework, which provides non-litigious remedies at no cost to any adversely affected consumers. I commend the Bill to the House.

Debate, on motion of Mr Foley, adjourned.

TOWNSVILLE BREAKWATER ENTERTAINMENT CENTRE AMENDMENT BILL

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (12.05 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Townsville Breakwater Entertainment Centre Act 1991."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (12.06 p.m.): I move—

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

Today I am pleased to introduce the Townsville Breakwater Entertainment Centre Amendment Bill 1997. The original Act was introduced in 1991 to provide the legal authority for the Townsville and Thuringowa City Councils to participate in a joint venture with the Breakwater Trust to establish and operate the entertainment centre. Among other things, the Act also detailed the contributions of the State and the local governments, and limited the liability of the

local governments to their interests in the centre.

The Act provided for the surrender and grant of land to the joint venturers according to their respective capital contributions and provided for the appropriate zoning of the site. Schedule 1 to the Act comprises the original agreement between the parties to participate in the joint venture, the management agreement and the agreement for the original development to be carried out.

Initial funding constraints caused the size and scope of the proposal to be less than originally planned. Since the original construction of the centre, its potential has been hampered by insufficient seating capacity for basketball games, major concerts and other entertainment events which are consistently sold out. Without an increase in the seating capacity, the Townsville Suns are at risk of losing their National Basketball League franchise, as the NBL requires a seating capacity of at least 5,000 at the home base of each member team. In addition, while Townsville has had considerable success in attracting conventions, the centre suffers a competitive disadvantage because of poor finish and lack of specialised equipment.

On 16 December 1996, Cabinet approved capital works funding to upgrade the entertainment centre. The work is to be funded through the Departments of the Premier and Cabinet and Treasury by way of special purpose capital grants totalling \$11.5m to Townsville and Thuringowa City Councils in the same proportions as the original grants.

The Townsville Breakwater Entertainment Centre Amendment Bill will take care of the formalities necessary to allow the funds to be made available and work to proceed on the upgrading of the centre. The amendments will allow for the adjustment of the interests of the joint venturers in the land on which the entertainment centre is situated, which is necessary as a consequence of the additional grants. The Bill also incorporates the form of an agreement between the parties which varies their original agreement as to shares in the land and in profits and losses.

The upgrade will provide seating capacity for an additional 1,100 spectators, which will satisfy the NBL requirements. The facilities for basketball games, major concerts and entertainment events will be upgraded and toilet facilities, fire exits, and airconditioning will be improved to cater for the larger audiences. The appeal of the convention and meeting facilities will be increased by providing upholstered seating and carpeting in more

areas. Acoustics will be improved and additional conference and meeting equipment and catering equipment will be available to the users of the centre. Generally, the overall standard of finish for the entertainment centre will be raised.

The social benefits for the people of Townsville and surrounding areas will be significant. The Townsville Suns have an enthusiastic local following and games are supported by sell-out crowds. The centre also provides a venue for local activities such as exhibitions and expos, as well as a variety of imported sporting and entertainment events. The upgrade of the centre should also increase Townsville's market share of sporting and other entertainment events and strengthen the national and international position of Queensland venues in the convention facilities industry.

Conventions and meetings will provide opportunities to promote this area of Queensland to delegates, who may return to Townsville as tourists or may recognise or identify potential business and employment opportunities. Visits by convention delegates should also provide economic benefits to the local business community and the area generally through the spending potential of delegates. Holding conventions in periods when business activity is generally slow will also help to level out the region's economic activity.

The original legislation was generally well received when it was introduced in 1991. We hope to receive similar support for this amendment Bill so that the upgrading of the centre can proceed without delay. I commend the Bill to the House.

Debate, on motion of Mr Mackenroth, adjourned.

BODY CORPORATE AND COMMUNITY MANAGEMENT BILL

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (12.10 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act providing for the establishment and administration of community titles schemes, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (12.11 p.m.): I move—

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

It is with a great sense of moral and professional obligation that I present the Body Corporate and Community Management Bill to the House. This legislation, which replaces the present Building Units and Group Titles Act, has been a long time coming. There are well in excess of 220,000 property owners affected by this legislation, so clearly it is of great relevance to a significant proportion of the Queensland population.

Before addressing the principles of the Bill, it is appropriate to recap briefly the history behind this legislative response. An attempt was made by Labor to draft a new Act to replace the Building Units and Group Titles Act of 1980—or BUGTA, as it became known. This commenced in 1991 with a Green Paper. It finished with the unceremonious dumping of the ill-fated BUGTA 1994 legislation, which was the subject of strong industry and community criticism for its impracticality and inflexible response to very diverse concerns. The new body corporate and community management legislation is by no means more of the same. It is genuine reform involving—

- innovative management arrangements;
- flexible development mechanisms;
- much-improved dispute resolution; and
- consumer protection mechanisms.

Its primary objective is to provide for flexible arrangements for the application of a community living concept on freehold land.

The Act also needs to accommodate emerging trends in community titling. The keystone is the establishment of a flexible framework—a framework which accommodates different types of development which have differing requirements. The primary means of achieving this flexibility is through a legislative structure that comprises an umbrella Act supported by separate regulatory modules that are tailor made for specific types of development. It is intended that the legislation will commence with four modules in place. This structure has been formulated because the community told us that they were adamant about the need for this flexibility. To repeat the mistake of 1994 and formulate an Act which could not separate a law governing 500-room resorts from that pertaining to a "six-pack" or duplex apartment would be useless. It would

defeat the purpose of Government even trying to legislate to provide security to those who choose to live, work or invest in the very different types of developments that are available through this lifestyle concept.

The first module, being the standard module, will provide for significantly regulated management processes and is designed to accommodate predominantly owner-occupied buildings. It may also include developments which are a mix of permanent residential and holiday letting. The second is the accommodation module, which sets up management processes that are less regulated than the management processes under the standard module. This module is intended for schemes that are used predominantly as holiday letting or serviced apartment operations with the need for accommodation management. It may also be suitable for certain hotel or resort projects where the majority of owners are investors.

The third module deals with commercial projects and is intended for non-residential developments, although some mixed-use projects may be placed under it. I would like to stress that this will only be where any residential component is not significant. Compared with the standard and accommodation modules, the management processes are further deregulated.

The fourth module intended for this phase of the project is for small schemes. It will only be available for community title schemes which have six or less lots. It sets up very deregulated management processes which encourage the owners to self-manage. There is no body corporate committee, and decisions are made by the owners meeting informally. I cannot make the point strongly enough that while owner occupiers, investment owners and resident managers are all unit owners, their needs and aspirations for their investment can be very different. It is crucial to have a balanced response to cater for all these concerns. It is here where the most strident debate has resided and continues, in some instances, to reside.

People who have been involved in the development of this legislation know that I have not bowed to pressure to destroy this balance merely because it would be politically expedient to do so. The formulation of this Bill involved some hard decisions. Hard decisions made by any Government are often misconstrued as misappropriated favouritism. We only need to think of the present Wik deliberations or last year's gun law reform to illustrate this. I can assure you that my

personal commitment to this Act and the extraordinary efforts of my departmental staff could simply not have been sustained if mere favouritism had propelled our reason to stick by this Bill.

Notwithstanding the extensive consultation process undertaken in developing the Bill and regulations, I am mindful that, for a number of issues, it is impossible to reconcile all of the interests of all the parties involved. However, I firmly believe that the Bill represents a balanced package for those people who want—who need—a legislative response. The broad policy intent of the legislation is indicated in its secondary objectives, namely—

balancing the rights of individuals with the responsibility for self-management;

promoting economic development by establishing sufficiently flexible administrative and management arrangements;

providing a legislative framework which accommodates future trends in community titling;

ensuring that bodies corporate have control of the common property and real assets that they are responsible for managing on behalf of owners;

providing bodies corporate with a level of flexibility in their operations and dealings to accommodate changing circumstances within community title schemes;

providing an appropriate level of consumer protection for those living or intending to live in community title schemes;

improving accessibility to information about community title matters; and

providing an efficient and effective dispute resolution process.

While the Government generally resists introducing retrospective legislation, in the case of two provisions in the Body Corporate and Community Management Bill there are very strong reasons why they are included. The first deals with term limitation provisions applying to the body corporate management agreements, letting authorisations and service contracts. The maximum terms which are to apply, the details of which are set out in the various regulatory modules, will be retrospective to 24 October 1994. For example, for agreements regulated by the standard module, a 10-year maximum term applies to all letting authorisations and service contracts entered into from 24 October 1994.

This provision will not affect agreements which were clearly on foot prior to 24 October 1994. Similarly, in circumstances where a body corporate has taken action to validate an existing agreement by passing an empowering by-law, these agreements will not be affected by the term limitation provision. This date was well known to the community following BUGTA 1994, and to choose an alternative date would have had the effect of creating unwarranted instability.

The second retrospective provision relates to the High Court's 4 May 1994 decision in the *Surfers Palms North* case, which found that a body corporate does not have the power to enter into a letting agreement under the existing BUGTA legislation. The Body Corporate and Community Management Bill provides that a body corporate is taken to have the power to enter into a letting agreement from 4 May 1994. Agreements entered into prior to this date will not be validated by the legislation. This date, too, was similarly well recognised. It has been retained so as not to affect existing rights conferred as a result of the High Court's decision.

This is one of the most complex pieces of legislation that this Government has yet presented to the House. It is also recognised nationally and internationally as a "first". Other Governments are keenly interested in Queensland's response to those issues that they have simply been unable to tackle with their incumbent laws. The community living concept is a rapidly developing lifestyle option and industry. With this growth has come an urgent need for Government to act—to serve the needs of the ever-increasing number of Queenslanders who have chosen this life or line of work.

Over the last 15 months my department has worked incredibly hard alongside the community and industry to get legislation up and running at last. It is now up to the members opposite to respond constructively to the needs of the community and let us act. The Government has put before the House an advanced, well-balanced, community-driven Act which will help provide more security and certainty to the lives of those Queenslanders who have chosen to invest in this lifestyle. Failing to deliver this legislation will create tenure and lifestyle uncertainty—and God knows we do not need any more of that.

It may go without saying that I have great faith in this legislation. However, we are politicians first and foremost, not day-to-day practitioners of an Act of this magnitude. For this reason, a Minister, a Government or

Parliament cannot be as arrogant as to assume that an entire, complex legislative package can translate from the black and white of a Bill into applied reality without some room to move. Inconsistencies between the intent and application of the objectives will be addressed as part of a proposed assessment intended to be undertaken at the end of 12 months following commencement. Commencement is the key.

It is beyond doubt that this legislation will pave the way for significant economic development in the State while also providing more certainty for present and potential owners—be it the investment owner or owner occupier. It enables flexible development and management arrangements which, in conjunction with much-improved consumer protection provisions, provide a legislative package far superior and far more representative than anything else in Australia.

I would like to express my gratitude to the hardworking and professional departmental staff who worked extremely hard to get to this stage. Rob Freeman, Paul Bidwell, Loren Leader, the instructing officer, Bevan Bailey, Col Young and the support staff behind these people have been inspirational in their dedication. My special thanks also goes to Mr Gary Bugden, who developed the conceptual approach to the Bill's structure, laboured long and hard beside my staff to assist with day-to-day consultation and who was a crucial legal consult in the process. Finally, I express thanks to the 38-strong consultative committee and others who were the crucial links to the individual experiences of those Queenslanders for whom we are legislating responsively and responsibly. I commend the Bill to the House.

Debate, on motion of Mr Palaszczuk, adjourned.

NATURAL RESOURCES LEGISLATION AMENDMENT BILL

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (12.22 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend legislation about natural resources, and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (12.23 p.m.): I move—

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

In introducing this Bill to the House, I would point out that the Bill makes amendments to three Acts in the natural resources portfolio: the Land Act 1994, the Valuation of Land Act 1944 and the

Water Resources Act 1989. The amendments address a number of important policy and administrative changes to these Acts. The amendments cover a number of diverse issues, so I will briefly describe the major changes.

A number of lessees of former miners' homesteads tenures, particularly in Mount Isa, missed the deadline to freehold their leases at the 1980 valuation. People had the opportunity to freehold but for various reasons did not do so. I am aware that many have expressed concerns regarding the adverse effect on lessees who missed the deadline. This Bill provides a further opportunity for these lessees to apply for freehold under the previous terms and conditions, and extends the deadline for applications to 31 January 1998. After that date, leases where no application has been lodged, or which cannot be freeholded, will become perpetual leases under the Land Act 1994.

In 1991, the previous Government introduced interest charges on the freeholding of grazing homestead perpetual leases. Then, in 1994, it prohibited new perpetual leases for grazing and agriculture from being able to convert to freehold using time payments. In this Bill, instalments of the purchase price which are due on or after 16 September 1996 for all grazing homestead freeholding leases will be free of interest. The date on which I publicly announced my intention to make this amendment was 16 September 1996. In addition, in this Bill time payment with no interest has been reintroduced for lessees wishing to convert their perpetual leases for grazing or agriculture to freehold. This will assist graziers to obtain a more secure tenure over their land and enable lessees who have been unable to afford to freehold their leases to do so.

The amendments to the Valuation of Land Act 1944 generally allow for a separate value for each lot in a plan of subdivision registered after 30 June 1997. The need for

this amendment goes back to the enactment of the new Local Government Act in 1993. Since then, adjustments of general rates are required to be made by the local authority from the date of change in ownership of part of the land. This has resulted in fresh amalgamated valuations needing to be made every time a lot in a plan of subdivision is transferred from the developer to an individual purchaser. This amendment will streamline the issue of valuations for local authority rating purposes. However, to ensure that this change does not create a burden for subdividers, amendments will be made to the valuation of land regulations 1993 and the Land Tax Act 1915 so that, where the subject land remains vacant and in the subdivider's ownership, the valuation of the land would be subject to a discount of 40%, and this would also apply to any balance area created. This adjusted amount will then be used as the basis for the assessment of rates and land tax.

The current provisions of the Water Resources Act 1989 enable the State to exercise control over the use and flow of water in watercourses, lakes and springs. Such control does not extend to water on a flood plain, except in areas specifically declared by a regulation as designated areas. There are currently no such designated areas in the State. For the purpose of inquiry into an application for a licence to construct a referable dam not on a watercourse nor in a designated area, the Court of Appeal has interpreted the Act to require consideration of water management principles in addition to considering matters relating to safety and the protection of life and property. This is a wider interpretation than was ever intended. The Bill amends the Act to accord with that intent by defining matters to be considered when inquiring into an application for a licence for a referable dam, not on a watercourse nor in a designated area. It also makes clear that the purpose of the referable dam process is to ensure the safety of the referable dam and the protection of life or property that would or could be endangered from the uncontrolled loss or release of water or hazardous waste caused by the collapse or failure of the dam.

The current Water Resources Act 1989 requires that water charges are levied in a manner which is inconsistent with efficient business operations. The amendments in this Bill will simplify and improve accounting and debt management practices. This in turn will lead to improved service delivery to the water

users in State-owned schemes, and provide benefits to the people of Queensland through more efficient administration. Savings in the order of half a million dollars each year are expected through improved billing procedures alone. Irrigation water users in State-owned schemes have for some time been taking advantage of administrative arrangements put in place by the Primary Industries Corporation that provide for greater flexibility in the delivery of water. Under certain conditions, customers can "carryover" the unused portion of their allocation to the next water year or they can "forward draw" on their allocation for the next water year. Whilst these arrangements have operated on an administrative basis with the agreement of water users, they have not had any head of power with the Water Resources Act 1989. The amendments in the Bill provide a head of power in the Water Resources Act 1989 to allow carryovers and forward draws to be approved under a regulation.

At present the Water Resources Act 1989 provides for the sale, to owners of lands, of water entitlements that are issued as licences. However, the current Act does not provide for the sale of entitlements to enter into agreements. Water agreements may be the preferred option for the purchase of certain water entitlements, for example coal mining and other industrial users. The Bill allows for the sale, to owners of land, of entitlements to enter into agreements with the Primary Industries Corporation for the supply of water, in addition to selling entitlements by issue of a licence.

Finally, as part of this Government's commitment to the implementation of its rural water pricing and management policy, it is planned to introduce a pilot program to enable irrigation water users in some State-owned irrigation areas to permanently trade part or all of their existing licensed water entitlements. The pilot program will be tightly managed and allow trading only within the confines of the irrigation areas approved for inclusion in the pilot program. The amendments facilitate this pilot program by formally allowing any legitimate costs to the Primary Industries Corporation associated with the transaction, as well as the interests of the other customers, to be taken into consideration. Other minor amendments in the Bill correct previous anomalies or further streamline administration. I commend this Bill to the House.

Debate, on motion of Mr Palaszczuk, adjourned.

AMBULANCE SERVICE AMENDMENT BILL

Resumption of Committee

Hon. M. D. Veivers (Southport—Minister for Emergency Services and Minister for Sport) in charge of the Bill.

Resumed from 29 April (see p. 1083) on clause 17—

Mr J. H. SULLIVAN (12.31 p.m.): I had finished what I had been saying last evening. I wait now with bated breath to hear the Minister's response.

Mr VEIVERS: A new section 68—I have to explain that it is unlikely that this wide regulation-making power will be utilised. If it is, the Scrutiny of Legislation Committee has been informed that any regulation will have a 12-month sunset clause and any regulation will simply assist in effecting necessary transitional arrangements for the new Queensland Ambulance Service.

Mr J. H. SULLIVAN: Just briefly, the transitional regulation provision—section 68—makes it quite clear that the power exists only for 12 months. However, it does not make it clear that a regulation made under that power would drop off in 12 months.

Mr VEIVERS: It would because it is a sunset clause.

Mr J. H. SULLIVAN: No, the regulation-making power is sunsetted, not the regulations under it. Previously, the Treasurer has accepted that particular point and included in legislation before this Parliament a sunset clause on regulations made. I know that we do not want to drag this on, but what that does is that if the regulation is sunsetted, changes made to the legislation by regulation would have to come back to this place in an amendment Bill within 12 months.

Mr VEIVERS: I reassure the honourable member that any regulation made during this period will disappear with the sunset clause. That is what I have been informed.

Clause 17, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

ENVIRONMENTAL PROTECTION AMENDMENT BILL (No. 2)

Second Reading

Resumed from 13 November 1996 (see p. 4002).

Mr WELFORD (Everton) (12.35 p.m.) This Bill has been a long time coming. Today I had hoped to be able to say a few kind things about the Minister and the Government and I had hoped that this Bill would have been a Bill of substance. But what an anticlimax it is.

This is the second amending Bill that the Government has brought before the Parliament in relation to the Environmental Protection Act. The first Bill was brought in almost 12 months ago in May last year. At that time the Minister made much of the great reforms that he was going to sweep upon the good citizenry of Queensland in relation to the Environmental Protection Act. Indeed, we had anticipated many more reforms to come before the Parliament throughout last year. But alas, nothing has happened and even with the amending Bill we have before us now, we have still very, very limited reform.

When launching into the second-reading debate of this Bill some months ago, the Minister said that this Bill will implement recommendations of the ministerial advisory committee which he had established in March last year—some 15 months ago. The ministerial advisory committee made 103 recommendations in relation to the Environmental Protection Act—most of them reasonably innocuous—but of special importance was the fact that despite all the criticisms of the Government Ministers, former Ministers for Environment, and the back bench about this Environmental Protection Act, the ministerial advisory committee recommended that the central tenets of the legislation remain in place.

The Minister has been embarrassed ever since. He has been dragged along to a series of public meetings where all the people whom he and the former Minister had previously inflamed over the operation of this legislation are to some extent still expecting to be excited by the promises that they were making—but which they are now not keeping—about how they were going to gut this legislation. They know and they have learned both from the advice that the Minister received from his ministerial advisory committee, from the department and from a small dose of commonsense that one need only bring to bear on this legislation to realise that it is sensible, balanced and easily justifiable legislation which this State needs urgently.

So it is that today we debate an amending Bill which, notwithstanding all the grandiose claims that the Government and the Minister have made in the political debate about reform of the Environmental Protection Act, has not borne any fruit at all. Instead we have a bit of piecemeal amendment here and there and largely innocuous machinery adjustments to the legislation.

As I say, this Bill implements only some of the recommendations of the ministerial advisory committee. Members might ask, "How many is 'some'?" The ministerial advisory committee made 103 recommendations. This grand, reforming amendment Bill implements two out of the 103 recommendations made by the ministerial advisory committee. One of those recommendations which this Bill implements does not even rate a mention in the Minister's second-reading speech. Yet in that second-reading speech we were told by the Minister that the whole point of the Bill was that it brings home the bacon to implement the recommendations of the ministerial advisory committee. Given the effect of the amendment on which the Minister was silent in his speech, I am not surprised, and I will have more to say about that in a moment. It also introduces amendments to the transitional provisions of the Bill which members should recall was first introduced in 1994. Here we are a full three years down the track and the Minister is still introducing amendments to transitional provisions to allow for the delays over which he continues to preside in the implementation of this legislation.

As I indicated, in May last year the Minister introduced his first amendments to the Environmental Protection Act. I warned him then that, by going into the public arena and criticising the legislation and backing up the former National Party spokesperson for the Environment in his attack upon the licensing fee structure, the Minister would make it very difficult to properly administer the legislation because, after all, he has a responsibility to stand up for the environment and not undermine the legislative and legal framework upon which environmental protection depends in the State. I told him then that, by taking this almost schizophrenic approach to the issue, he would only increase confusion in the community, particularly in the business community, about how the legislation is supposed to operate. In his second-reading speech when dealing with this amendment, the Minister confessed that what I said a full 12 months ago was in fact prophetic; it has become true.

It is extraordinary that in his second-reading speech the Minister confessed that the moratorium which he initiated last year between 1 March and 1 July not only caused confusion in the business community but also caused confusion for administering authorities. As a result, that added to further delays in the consideration of applications which should have been lodged with the department at that time. Of those very same groups, that is, businesses and the administering authorities including local government, for which he said he was making changes 12 months ago, the Minister now says the changes resulted in confusion. As a result, he is back before the Parliament on this occasion purportedly to address that confusion. I have outlined the effects of some elements of this amendment, lean though it is, which shall only add to the confusion that already exists in the community. I can tell the Minister that that confusion is set to continue.

In light of the confusion that he had cast the legislation into because of the delays, the moratorium and all the rest of the shenanigans that went on while he tried to weasel his way through the false promises that had been held out to the business community about what the Government would do with this legislation, twelve months ago I advised the Minister that he should also ensure that a consolidated reprint of the Bill was issued so that people would at least have some opportunity to get their minds around just what the effect of his changes were to be at that time. Of course, nothing of the kind has happened. We now have a series of amendments to regulations in the interim which add to the pile of paper that goes to make up the legislation and which only the best legal minds in the country could begin to grapple with if they were to try to understand what it is about. Is it any wonder that the confusion which I predicted 12 months ago is now even greater amongst the business community than it was then?

Just as occurred 12 months ago, the Ministers's former Cabinet colleague and now Mayor of Pine Rivers Shire, Yvonne Chapman, is still attending public meetings called in honour of the false promises of the National Party which claimed that it was going to garrotte this legislation and the licence fees that go with it. Only a few weeks ago there was yet another public meeting at which Ms Chapman was proudly sponsoring the attack upon this legislation. Therefore, in 12 months nothing has changed and confusion reigns supreme in the business community. The latest gimmick which has been proposed by

the Minister is to introduce some form of conditional licence as a way through the morass to achieve something approaching the promises that were made to alleviate the so-called burden of the legislation on smaller business. Even that proposal, misconceived as it was in its inception, is running aground because of the difficulties of what is required.

At the end of the day, the Minister has a fundamental problem that he has to face if he goes ahead with this notion of conditional licences as a means for reducing licences to many smaller businesses across the State. The conundrum with which he is faced is: where is the money going to come from to properly administer the legislation? Where are the financial resources of the Government and the other administering authorities in local government going to be sourced from in order to ensure that the confused mess of licensing regimes operate at the end of all the changes that the Minister proposes? They will not in fact ever be effectively complied with or enforced simply because the Minister will not have the resources that the licence fees are supposed to provide in order to police the legislation. Where does that leave the business community, particularly those businesses which are good corporate citizens and fulfil their environmental duties fully, if there is not proper enforcement and consistent application across-the-board of all the other businesses which sign their one-page conditional licences, pay their nominal levy and then ignore forever more their environmental responsibilities under the legislation with impunity in the absence of proper enforcement and inspection?

Where are the resources going to come from? After all, the \$24m oil and tyre levy which was proposed to be one mechanism to siphon off funds for the environment division of the department to implement the Environmental Protection Act is no longer available. If on top of that reduction in budgetary funding we are now going to have further cuts in the revenue available from licensing fees, how does the Minister ever propose to provide proper resourcing to ensure the consistent and fair enforcement of this legislation across all polluters in industry? I do not say "polluters" in a derogatory sense. I simply make the purely descriptive observation that every business is in some way or another a producer of waste products. As the various schedules of the legislation relating to environmentally relevant activities makes clear, some businesses are more polluting and more waste producing than others. Some of the categories of waste produced by some

businesses are more hazardous, more toxic and more dangerous than others and they have the potential to cause more environmental harm than others.

The Bill is largely a lost opportunity. Most of the provisions are administrative and machinery in nature. However, there are three provisions on which I wish to dwell and pay particular attention to in this debate. Firstly, I refer to the proposal to provide for environmental management programs to be amended. The Opposition supports that proposal. This eminently sensible amendment provides flexibility for the department to negotiate with a business that has an environmental management program to adjust the program as new technologies, ideas and environmental management practices become known or available.

That is a good provision. Especially in respect of a longer term environmental management program—that is, one of over three to five years' duration—it is essential that, whatever the form of its drafting, it should not be frozen in concrete if better, more cost effective and environmentally favourable alternatives become available within the term of the EMP. It makes sense to include a provision which allows an EMP to be amended.

However, it is important to note—again I lend support to this element of the amendment—that the administering authority can approve such an amendment to an environmental management program only if it is reasonably satisfied that less environmental harm will be caused by carrying out the activity than would otherwise have been caused. In other words, an approval can be given for the amendment of an EMP only if there will be a net environmental gain—a net benefit for the environment. Again, that is a very sensible basis upon which an amendment should be allowed. It would be absurd in the extreme to allow environmental management programs to be amended to weaken the range of initiatives that the EMP requires of the licence holder in the life of the EMP when that commitment to improvement has already been given.

The relevant amendment also provides for other matters to be taken into account, including the period of the original approval, the period that remains under the life of the current EMP—that is, the period remaining under the original approval—and any change in the period that might be considered to be part of the proposed amendment. That is a potentially risk-laden element. In other words, this provision contemplates clearly that there

may be a change in the period of the approval, that is, the life of the EMP.

For example, an EMP may have a three-year life by which time certain goals are to be achieved, but the amendment may be nothing more than to provide for a five, seven or 10-year life of the approval of the EMP. I trust that, for any such amendment to be approved, the requirement that there would be less environmental harm as a result will be maintained. However, careful monitoring will be needed to ensure that this provision is not seen by the business community and its advisers to be a mechanism for extending the life of an approval for an EMP simply because the business decides that it does not want to live up to the standard that it set itself when it submitted the original EMP approval.

The administrative authority must also have regard to the risk of environmental harm being caused by the activity. Obviously, it only makes sense that that be a key and central factor to be taken into account. The nature of the risk of the environmental harm, the extent of the risk, the seriousness of the consequences of the risk and the potential for environmental harm being increased as a result of the amendment are all factors which should be taken into account by the administering authority.

The factors to which the legislation says the administering authority must have regard are not exhaustive. I would imagine that experience will demonstrate to the relevant administering authorities, whether it be the State department or local government, that over time, in relation to particular environmental relevant activities, there will be a range of other factors peculiar to those ERAs which may well need to be taken into account before any amendment is approved.

However, there is a sleeper in this legislation which causes me a good deal of concern, and I hinted at it a moment ago. When we last debated the amendment to this Bill in May of last year, I made a half-jesting criticism of the Minister for not having read his speech. This time his speech seems to be okay, but if one read his speech one would suspect that he has not read the Bill. Nowhere in his speech did he refer to a very important amendment which could have serious ramifications for the maintenance of environmental quality and the prevention of environmental harm. I refer to the provision that allows an extension of time within which an environmental management program can be concealed from public scrutiny.

Previously, the legislation provided that, where an EMP exceeded three years, public notice had to be given of the application for that EMP, and it was open to public scrutiny. The reason for that public notice provision being placed in the legislation was precisely that if one allows a potential polluter—a potential source of environmental harm—to continue to pollute while that business causing environmental harm is bringing its practices up to standard, then the extension of that time could result in further environmental harm being caused.

It was considered that an appropriate balance was reached, namely, that if a business has more than three years to get its environmental act together, then it really ought to be exposed to peer review of some kind. In other words, it ought to be known not only by those who want the environment protected but also by other businesses that are putting in place initiatives to improve their environmental performance.

Even if objections or submissions were not lodged in relation to the EMP, it seems to me to be fair that, if I am operating a business in Robinson Road at Geebung and there is another business with which I am competing down the road that lodges an EMP that gives it more than three years to reach the standard that I am trying to attain relatively promptly, then I am entitled to know about it.

Under this legislation, the Minister is extending the length of the EMP approval period for which it does not have to be notified publicly. In other words, we can now have an EMP that delays for five years the requirement that we come up to standard instead of three years and we still do not have to notify anyone via a public notice.

Sitting suspended from 1 to 2.30 p.m.

Mr WELFORD: The concern I am expressing about the particular provision we are currently discussing is that, firstly, it restricts rather than expands the right of public scrutiny and the opportunity for there to be public accountability for the standards of environmental protection that businesses are required to maintain. This is in stark contrast to the promises that this Government made after it came to office, particularly in respect of environmental policy, to be open and accountable. It made many promises to the environment movement and held itself out as being a new National Party, a new coalition, which had put behind it the bad old days of slash and burn. In particular, as part of that new image the coalition promoted itself as a Government that would be open in its

consultations regarding environmental issues and publicly accountable. The Environment Protection Council was feted as justification and reason for believing that this Government was in fact going to be open and accountable. But this measure restricts public accountability and restricts public scrutiny in precisely the area of the legislation where public scrutiny should be greatest—namely, where, rather than obtain a licence on the basis of meeting the required environmental standards, an applicant obtains an environmental management program which gives them a period over which to meet that standard, in other words, a period within which some measure of environmental harm, some standard less than the standard required, will be permitted.

I am not opposed in principle to environmental management programs; do not misinterpret me on that. On the contrary, I think having a mechanism which gives people a period over which they will meet agreed goals in terms of environmental improvement is a very sensible mechanism to have, which is precisely why I am supporting the other significant amendment in this Bill which allows for an environmental program itself to be varied in mid course, particularly where that results in some sort of improvement in environmental quality or environmental management practice. But it is just as well we have that measure in place, because what this measure does is weaken the position that the Act previously provided to ensure that the progress that a business was making towards achieving the outcomes which its EMP required would be met within time.

One way in which the Government and, more particularly, the community as a whole has of ensuring that that EMP and the progress of the various targets within it are achieved is to allow, in respect of EMPs that are for longer than a three-year period, a process of public scrutiny. What this amendment does is say, "Not only will we now allow a longer period—a five-year period—within which you can achieve your required standard but also we will conceal you from public scrutiny for the full extent of that longer period." By any measure, it is a mechanism which reduces the capacity of this legislation to deliver good environmental outcomes, in direct contrast to the statement which the Minister himself made in the second-reading speech when he concluded his speech by saying precisely that—that the proposed changes are not weakening the ability of the Bill to achieve better environmental outcomes. I suggest to the

Minister that this particular provision has precisely that potential effect.

It is not just a question of extending the time within which scrutiny is denied. The point about public scrutiny is that, in respect of environmental management programs, the longer the EMP goes on, then in many cases the longer will be the period and the greater the extent of the environmental harm potentially caused pending the EMP licence holder or approval holder actually measuring up to the required standard which every other business will be required to meet. So the protection provided by this provision is about public accountability. We might well ask: what proportion of EMPs are going to have a period between three and five years? If the number of EMPs that are in excess of three years but less than five represents a large proportion of the EMPs that are going to be established, then what we are saying is that a large proportion of all the EMPs being established will now escape public scrutiny and public notification, whereas previously they would have required it.

What support for this proposal can we find from the committee that recommended it? The Minister set up the ministerial advisory committee to look at a range of issues, and one of the recommendations was in fact that this extension from three to five years' exemption from public scrutiny or public notification be implemented. One might be forgiven for thinking that there was good reason for this, and, on its face, I was not opposed to it if good reason could be found. If there was good reason for concealing from public notification or public scrutiny an EMP because it was four years instead of two or five years instead of three, then the case might be different. But on turning to the report of the ministerial advisory committee, this is the argument that is put, and this is the full extent of the argument that is put in respect of this significant amendment—

"It was argued that EMPs should be able to operate for 5 years rather than the existing 3 years before public notice was required offering the opportunity for public comment."

That is the full extent of the argument. So if one wants to go to the ministerial advisory committee report to find out what the justification for it is, one is not going to find it. If one wants to go to the Minister's second-reading speech to find out what the justification for this amendment is, one is not going to find it. But there it is, conveniently slipping into the legislation, making what I

suggest, on its face, is a significant change to the potential for community involvement in maintaining environmental standards.

At the end of the day, it is not just the Government that is responsible for improving the environmental quality of our lives, it is not just the Government that has an interest in making sure that environmental standards are achieved and complied with; it is the community as a whole. This is one provision which gives the community an opportunity to know what is going on, to know what standards are being required, and that one opportunity is now being wound back by a provision that denies public notice for what is potentially a large proportion of the total number of EMPs to be put in place. It may be that there are very few so far, but I consider that because the EMP concept is such a flexible and useful one, there will be many, many businesses that take advantage of it, and justifiably so. But in doing so, if the EMP that a business chooses is going to extend for a lengthy period—and the previous policy position was that anything over three years was a relatively lengthy period—then surely the public should not be locked out of the consultation cycle.

Given that it was not in the MAC report and it was not in the Minister's speech, what are we to make of this being in the legislation? Why was it not drawn to our attention in this debate? Why was it not given greater prominence? Perhaps it is just a question of a lack of competence in the way that the thing was presented to the Parliament. Perhaps there is a more sinister reason. After this morning's outburst by the Premier, one wonders whether this Minister exercises any real ministerial authority at all. If one wants to go searching for a more sinister reason for this sort of amendment coming into the House, one might start by wondering just what influence the Premier is exerting over the legislative program of the Department of Environment and the choices that this Minister might otherwise wisely pursue based on his department's advice. I will come back to the Premier in a moment.

The third element of this amending Bill that I would like to address relates to the section that the Minister's speech points to as the substantial component of the Bill, namely, clause 13 which I will come back to in the debate on the clauses.

Mr Littleproud: Division 4.

Mr WELFORD: I think at the end of the day it actually comes to fall within Division 6. The Minister's further amendments, which we

got this morning, changes the division again. Anyhow, it relates to the new sections 235 and 236. These are part of the transitional arrangements that were put in the Bill in 1994. Here we are in 1997 making further adjustments to the provisions that allow for the transition from the old laws to the new laws.

These amendments epitomise the climate of prevarication, delay and indecision that pervades the Environment portfolio in the current Government. This amendment is needed precisely because of the excruciatingly lengthy delays in considering applications for licences that are currently before the department. The pre-existing transitional provisions provided for a period within which licences were to be dealt with after the Bill came into play. Those transitional provisions were then amended by the current Government last year to make allowance for the moratorium period so that there had to be yet another extension of the time within which any applications for environmental licences would be approved.

Here we are now three years down the track and not only do these amendments to the Bill that was presented to the House a couple of months ago provide for an extension of time within which to approve licence applications, but this morning we get amendments to the amending Bill which further extend the time within which the department must either grant or not grant an approval for a licence application. This really is amateur hour stuff. It makes one wonder just how many licences are outstanding, how many approvals are pending in the department that have not been dealt with, how many licences have, in fact, been granted across the State compared to those which the Department of Environment itself deals with, how many licences has the department granted and how many applications have been made to the department which are yet to be dealt with.

The amendment we were given when this Bill was brought before the House—

Mr Littleproud: In 1996.

Mr WELFORD: —in 1996 stated that applications lodged after 1 March last year would now be treated as if they were lodged from 1 January this year. In other words, we have let it slip nine months, but "Don't you worry about that". The amendments that we were given this morning—and I am not going to make criticism of the timing of these most recent amendments to this Bill; the amendments are not significant so I am not making criticism about that—which further

amend the amending Bill tell us that we are now letting it slip another six months, so that we will treat these applications that were lodged after March last year as if they are being lodged on 1 June this year. This is Keystone Cops. How much further delay, how much more indecision and how much longer must this department and its operation of the Environmental Protection Act be frozen in time before someone somewhere says, "It is time for this Act to take effect fully and effectively"?

I simply draw attention to the effect of these amendments piled upon amendments. I do not intend to divide on these amendments at the second-reading debate or on the clauses at the Committee stage. There really is no point because, after all, if the Government has so poorly managed the Department of Environment or under-resourced the Department of Environment so severely that it is unable to perform its job any better than these amendments allow, there is hardly any point attempting to force upon the Government a law which in practice simply cannot be lived up to.

If another period of time is required after 1 June this year for the department to even start looking at some of the applications that were lodged after 1 March last year, so be it; but let it be well and truly noted and publicised in the community, especially amongst the business community who are so concerned about the confusion reigning over this legislation, that a very significant part of that confusion is generated by the repeated delays wrought upon the processes of the legislation by a Government that simply cannot properly administer it.

There are a couple of points I want to make about the Explanatory Notes. I made some comments about the Explanatory Notes to the first Environmental Protection Amendment Bill of 1996. This, of course, is the second piece of amending legislation in 1996 to the principal Act but has taken until now to actually be debated in the House. I think the members opposite as a Government became so embarrassed by the delays in actually bringing this legislation on for debate that they have moved it up the list of Bills on the Notice Paper. I dare say that the Minister had something to say about that because he was wondering whether he was ever going to get legislation in. We might well have had those transitional provisions in not referring to 1 January or 1 June but 1 December or 1 July next year if we had not got to debate the Bill now, because there has been such an extraordinary delay already.

These Explanatory Notes really are unsatisfactory. I am not up with the latest as to who is responsible for preparing these—whether it is Parliamentary Counsel; it may well be—but, ultimately, it is the Minister's Bill that is introduced into the House. I have been commenting on this issue long enough now for those in Government bureaucracy to realise that there is really little point in having Explanatory Notes which do not properly explain, to a lay person attempting to grasp the effect of an amending Bill, exactly what the changes really are about. For example, in relation to the Bill's objectives, the Explanatory Notes say that it has two main objectives. It mentions the first one about implementing Ministerial Advisory Committee recommendations and then it says this—

"Secondly this Bill clarifies other matters which have arisen during the implementation of the Environmental Protection Act 1994."

That is really informative! Really, really informative—other matters! One of those other matters, I might say, gets short shrift in the Explanatory Notes and no mention in the second-reading speech, but it happens to be the most significant concern I have about the Bill. It is quaintly smothered; it is not even political speech, it is just waffle about other matters.

The Explanatory Notes also state that the Bill implements "the recommendations of the Ministerial Advisory Council". One might infer from that that it is, in fact, implementing all or nearly all of the recommendations of the ministerial advisory council. Of course, it does not. Of the 103 recommendations of the MAC, this Bill succeeds in implementing two. I am not being nitpicking for the sake of it; I am being specific about this because it is important that, when people look at these Explanatory Notes, they actually do get an accurate grasp of what this Bill is about. At the very least, the Explanatory Notes should state that the Bill implements "some" of the recommendations of the ministerial advisory committee, not "the" recommendations, as if the Bill implements all of them, or as if the only recommendations of the MAC are in fact the things that this Bill implements.

The Notes on Provisions refer to clause 2 as indicating when this Act commences. Clause 2 of this amending Bill states that section 13 commences on—it is now 1 June, assuming that the amendments which the Minister proposes are agreed to, and we have no objection—1 June 1997. So where do we get it that the Explanatory Notes tell us that

clause 2 indicates when the Act commences? Or is clause 2 itself in the amending Bill an error or a misprint? It may be in the Minister's interest to clarify that. It may be just that the Explanatory Notes are inaccurate. If they are, then although it is not an enormous inaccuracy, it just lends support to my concern that if we are going to have Explanatory Notes that are meaningful and useful to people who do want to come to understand what changes the Government is actually making to the law, it would be nice if the Explanatory Notes were something resembling accurate.

There are a couple of other matters that I should raise in the context of the Environmental Protection Act. This Government has been in office for 15 months. The Environmental Protection Act itself was going to be the cornerstone of a reform program that the conservative Government had promised. It has not been. The two minuscule Bills that have come before the House have done little more than make piecemeal change, albeit change which weakens, in my view, the capacity or ability of the legislation to protect our environment.

There are other things that the Government could be doing in relation to environmental protection to lift its stocks with those in the community who care about the environment—those who are fast coming to form the view that this Government simply does not care about the environment. Recently there was an article in the Daily Mercury about a visit by the Minister to a company called Environmental Filter Disposals which recycles oil filters. The owners of that firm argue that there need to be either legislative or other economic measures taken to drive a process of change so that more people recycle oil filters. This is just one example of an opportunity presented to the Minister—among the undoubtedly dozens of opportunities that he would come across in his role as the Minister responsible for Environment—for actually improving the management of what would otherwise be a polluting waste. Oil filters, oil, tyres—pick what you like—all of them have significant environmental effects.

There are no doubt people with technologies beating down the door to demonstrate to the Minister that they have something to offer, that they have a technology that can be of assistance in this regard, but what has been achieved? Apart from whatever padding might be done by this Daffy Duck under the water, there is just no progress being made. There is no measure in

place after 15 months of promises and Budgets and failed Budget initiatives in relation to oil recycling, tyre recycling or reuse, or in relation to oil filter recycling. What outcomes can the Minister point to within the last 15 months on environmental protection and say that that is evidence of any progress? There has been no significant legislative reform, no benefit in net terms to the environment, and not a single initiative to improve the extent of recycling or, indeed, cleaner production. There might be a seminar here and there. That is fine. But talkfests do not bring about results. So far we just have not had any results.

This legislation has not recognised or responded to any of the concerns raised when this issue was last discussed. Let me draw the attention of Government members to part of what the discussion was about when we debated the first amending Bill to this legislation in May last year. There was a provision in it which was effectively a Henry VIII clause which I drew to the attention of the Minister, as did the Scrutiny of Legislation Committee. A Henry VIII clause allows for a provision in a Bill that says that you can change the law by regulation. Henry VIII clauses are in breach of our legislative standards—the standards to which this Parliament should subscribe in drafting new laws. Any substantive law should be changed by an Act of Parliament, not a regulation that goes through Executive Council and whisks through without proper public scrutiny in this Parliament—the people's House.

In relation to the Henry VIII clause, Mr Elliott, the Chair of the Scrutiny of Legislation Committee, said that he had a meeting with the Minister in relation to the relevant clause. Then he said—

"The Scrutiny of Legislation Committee believes 251 (3) to be a Henry VIII clause and we had some difficulty with the other two that I just mentioned. The Minister has indicated to me that he will be bringing this legislation back to the Chamber around June."

That was said in May 1996. It is now almost May 1997. Sure enough, we have had legislation come back to the Chamber only 11 months later, but there is not a word—either in the debate on the second reading of the Bill or in the Bill or anywhere else—about having addressed a weakness which he promised to address, not just to me in the Chamber but to the Parliament's Scrutiny of Legislation Committee and its Chair, a member of his own National Party.

One wonders just what sort of control is being exercised by the Minister over the agenda or the program of work that this department conducts. I say that without intending to be directly or personally critical of the Minister. It may be that forces beyond his control are taking control of the environment agenda of this Government out of his hands. The outburst by the Premier this morning would lend support to that view. But a commitment was given to this House when we last debated—many moons ago—amendments to this legislation which simply has not been responded to.

The Environmental Protection Act depends for its effective implementation on a range of specific environmental protection policies—EPPs—with respect to specific matters: noise, water, air and waste being the main ones. When our Government lost office in February last year, we had water and air virtually finalised, water ready to be signed off and noise well and truly down the track. I notice that the environmental protection policy for water has gone through and been reported on by the Environment Protection Council of Queensland. The council has already reported on it in its March report, which was tabled yesterday in the House. Yet the water policy has still not seen the light of day. Indeed, so controversial has been this policy that, after being approved by the department, all the stakeholders in the consultation process and the Environment Protection Council of Queensland, how far did it get? It reached the National Party bunker and fell over. It fell over into the bowels of the National Party policy committee, which wants to massage it a little bit here and a little bit there and hope that it just might go away.

After all those sneaky, backroom deals to undermine and undercut the Environmental Protection Act, which started with the scuttling of the environmental protection policies upon which the Act depends for its effectiveness, why are we not surprised that the departmental officer responsible for leading the preparation of that policy has resigned in disgust at the fact that his three-odd years of work putting together an environmental protection policy for water and steering it sensibly through every consultation process necessary to make it effective only to see it then bowled over by some backroom National Party committee? It is no wonder that in the community, and in the environment community, especially the environment lobby groups, a distinct impression exists that this Government simply is not up to it when it comes to protecting our environment.

I conclude by referring to those extraordinary comments which must have severely embarrassed my counterpart Minister this morning. Today in question time, when answering questions about the ludicrous, scandalous squandering of taxpayers' money on a handful of private residents on Fraser Island to give them a private airstrip at Government expense, the Premier crowed. In the course of crowing about that action being a so-called election promise, he said that he no longer took any notice of the Environment Minister or the Department of Environment. He said that it was a whole-of-Government initiative—which was code for saying "This is my initiative for a mate"—and that, unlike the previous Government, his Environment Department does not have a veto over Government decisions. That is a bit like saying, "We won't give someone a vote just in case they want to run the show." The Premier is exaggerating it to the point of talking about vetoes. Officers in the Department of Environment will be delighted to learn they had them under our previous Government. It will be interesting when they learn that the veto that the Premier says they had is now going to be taken away. Not only will they not have a veto but also they will not even have a say. That is precisely what has happened in relation to the Fraser Island fiasco.

The Premier, bless him, has a mate and his mate is involved in profiting from development on Fraser Island and, presumably, the developments that are up there. Is it any wonder that Mr Whittaker from the Courier-Mail would be trawling through the property ownership of members of the Government benches when we have this extraordinary proposition of the Queensland taxpayers shelling out \$250,000 to create a private airstrip for a handful of people, one of whom appears to be a mate of the Premier, contrary to advice about the safety requirements of the airstrip—the fact is that it simply is not safe—and contrary to the advice of the Department of Environment which has specifically pointed out that the proposal for a private airstrip is inconsistent with the management plan for a World Heritage area on Fraser Island. This has all the stench of private patronage for which this National Party is renowned. I sympathise with the Minister for the second fiddle that he is playing in this scandalous affair. I hope that he has a better say in the future.

Time expired.

Ms WARWICK (Barron River)
(3.05 p.m.): It gives me great pleasure today to support the Environmental Protection

Amendment Bill (No. 2). After the previous Labor Government had burdened the people of Queensland with the Environmental Protection Act, my office was inundated with genuine complaints regarding this very impractical, unworkable legislation.

Mrs Wilson interjected.

Ms WARWICK: That is quite right: other members' offices were as well.

I have no objection to the Environmental Protection Act. I am well aware of the need for such an Act, but not that particular Act. It was very hastily put together. As I said, it was totally unworkable. Small-business people were appalled, disturbed and just plain anxious about the provisions of that new, hastily concocted legislation. The Opposition Environment spokesman referred to confusion. He is quite right: confusion reigned. Confusion would be the one word that I would associate with that legislation. No-one seemed to know what the legislation meant. Council officers who were policing the Act had no training and very little knowledge of the machinery of the legislation; hence they would do inspections and totally confuse and upset small-business people. My office and those of many of my colleagues were literally inundated with complaints. Consequently, I lobbied for its amendment, as did many of my colleagues. Minister Brian Littleproud listened to our complaints and took some positive steps to amend the legislation and to make it more workable.

I have always been committed to assisting small business. I think I have made that quite clear in this place. The National/Liberal coalition Government also is committed to small business. We are acutely aware that small business is the backbone of our economy. We felt that we must do everything in our power to assist small business. That is exactly why we went to the Minister. He responded to the difficulties being faced by the small-business sector and established very early after taking Government last March a ministerial advisory committee. That has been commented on by the member for Everton. That committee reviewed the effectiveness, fairness and practicality of the environmental protection legislation. The advisory committee focused on the Environmental Protection (Interim) Regulation 1995, but it also made a small number of recommendations that require amendments to the Environmental Protection Act 1994.

This Government, while being aware of its responsibilities to the small-business sector, is also very aware of its responsibilities to the

environment. In particular, my electorate of Barron River is a very environmentally sensitive area. The environment is a very big issue. I live in a wonderful part of Queensland. I have two World Heritage areas in my region. I am also aware that the economy of my region is very dependent on the tourist dollar. That in turn is very much dependent on preserving our natural environment. I am very much in favour of environmental controls, but I think we must be very sensible about those controls. I put myself in the place of a small-business person who is struggling to make ends meet and to pay workers' compensation, leave loading, holiday pay, sick pay, superannuation, wages and rent. Of course, this is just another impost. I am not saying for one moment that we should not impose environmental protection on small-business people. However, I am saying that we must do it in a fairly sensible and consultative way. This Bill will allow for an administering authority to approve the amendment of an environmental management program. That will allow a business to propose a program that will overcome a temporary inability of that business to comply with the requirements of the licence conditions under the Act.

As the Minister said in his second-reading speech, this amendment Bill will provide flexibility in cases where new technology or different management techniques have become known after the initial approval is granted. This Bill is about flexibility: it is not endeavouring to go easy on environmental responsibility; it is trying to make it easier for business people to comply. That was certainly lacking in the old legislation. I think that it will facilitate the achievement of improved environmental management outcomes. It will make the Act more user friendly.

The second recommendation that this Bill will implement will allow an administering authority to continue to process applications for licences or approvals that were deemed to be refused because the administering authority did not respond within the statutory time limit. Because of the large numbers of applications that had to be processed in the initial implementation of the Act, and because of the difficulties encountered by administering authorities, there was widespread confusion. It was impossible to handle all the applications within the statutory period. Unfortunately, the moratorium that was introduced for a four-month period from 1 March 1996 to 1 July 1996 caused some confusion for both business and for the administering authorities and added to the number of applications that were deemed refused.

The existing legislation was patently inequitable as it would have required the applicants to resubmit applications and to pay additional fees. These amendments will resolve the situation that has arisen since 1 March 1996 and will allow an administering authority an extension of the period for consideration of new applications more readily than what is currently available. The Minister is very aware of the difficulties being faced by small business and he is doing all in his power to alleviate those difficulties. These amendments will go some way towards that goal and hopefully more will follow. I know that he is aware of the current difficulties and the problems with the legislation and he is very receptive to providing an outcome that will be acceptable to all stakeholders.

I can assure the people of my electorate of Barron River that the Minister will not relax environmental standards in the industrial arena but he will facilitate the compliance regulations that are required under this Act. Therefore, I endorse the amendments and commend this Bill to the House.

Mrs ROSE (Currumbin) (3.13 pm): It is with pleasure that I rise to participate in this debate on the Environmental Protection Amendment Bill. As my colleague the shadow Minister for Environment said, although the Opposition will not be opposing the Bill and its amendments, I would like to speak for a few minutes to section 85 of the Act, which provides that where the length of an environmental management program is longer than five years, public notification of the application is required. Of course, the requirement at this time is three years.

For six years, the Labor Government set about putting in place strategies and plans through working with the community to rectify years of neglect of our natural environment by conservative Governments. Six years of a concentrated effort to try to stop the haphazard degradation of our natural environment, to avoid the creation of pollution havens and to penalise industries for taking environmental shortcuts! Months of working with the community, industry, business and local authorities to come up with a way to manage and deal with the irresponsible behaviour of a few whose callous disregard for the environment was having serious, long-term implications for the future of our environment!

Some of the practices harmful to the environment by some industries and businesses would make members' heads spin and turn their skin green. However, the former Government did not want to come down hard

and just penalise those businesses that were doing the wrong thing; it provided incentives for those businesses that were wanting to do the right thing and it provided benefits to those businesses that were doing the right thing. For example, where the licence fee structure reflects the licensee's performance, the regulatory costs are decreased as the performance increases.

What has this Government done? It has started chipping away at the tough laws that the Labor Government put in place—chipping away to weaken our environmental laws. This latest effort of extending the required public notification of licence applications to get a management program in place from a three-year period to five years is an example of that action—public notification to help to ensure that community conflicts could be avoided or minimised. If as the Minister says it is for those businesses that may have to outlay large amounts of capital to bring their environmental performance up to standard, that is fine; that is okay. But what about those businesses that are merely going to use the extra time as a delaying tactic, to not have to be answerable to community concerns, to not have to be available for public scrutiny? The environmental management plan program was put into place to assist those companies that could not meet standards immediately, to give them time to develop a management plan to establish how compliance could be achieved; it was not put into place as a mechanism for them to delay implementing pollution preventive measures or environmental management programs or to avoid being available and open to public scrutiny.

What about the third person appeal process? Has that been proclaimed? My understanding is that the previous Government had it ready to be proclaimed, yet it still has not been proclaimed. If this amending Bill is to be passed, which it will as the Opposition will not be opposing it, then the Minister is going to have to make sure that the businesses claiming the five-year period are doing so for the right reasons.

There have been some small businesses in my electorate that have found it a bit tough to come up with the licence fee. I have received a few calls about this matter. In general, most businesses accept that the fee is necessary to cover monitoring and inspection costs. The fee structure is one that is fair across-the-board and there is a mechanism whereby businesses that are suffering severe financial hardship can make application to council for a reduction of the fee

or, in exceptional circumstances, for a waiving of the fee. However, as I said, most companies accept paying the fee, which they know will go towards ensuring that proper standards are set in the control and management of waste.

I am sure that everyone in this House has on more than one occasion witnessed appalling practices by some businesses in the disposal of waste. I can vividly remember the day I was sitting in my car waiting at the traffic lights and I looked across at a mechanical workshop-cum-tyre servicing place and saw that a fellow was hosing out oil and grease and bits of rubber and metal—and heaven only knows what else, and it was all frothy as well from what must obviously have been a harsh detergent—straight down the driveway into the gutter and into the stormwater drain. It was because of those types of practices that the previous Government introduced the licensing of businesses which have the potential to cause harm to the environment.

Businesses that are licensed are required to submit an annual return in which they are required to answer questions about any pollution prevention measures they were required to implement and whether or not they have done it; whether they have voluntarily installed any pollution control equipment and a number of other questions relating to a management program. The return also offers the opportunity for people to seek further advice from council if they are unsure of what they should be doing. The return is submitted with the fee and that is then followed up with a visit from an officer from council to the premises where that officer will assist with that business's requirements for environmental management practices. So they have tried to make it as easy on business as possible.

In his second-reading speech, the Minister claimed that the proposed changes are not weakening the Government's ability to achieve better environmental outcomes in Queensland. However, I would hope that the Minister will carefully monitor the extension of the length of an environmental management program to five years before public notice is required and ensure that businesses are honouring their obligations and are not merely using the extension of time as a delaying tactic.

Mr HEGARTY (Redlands) (3.21 p.m.): It is with pleasure that I rise to speak on the Environmental Protection Amendment Bill (No. 2) 1996. In doing so, I commend the Minister on the initiative he took last year when

joining the coalition Ministry to respond to the needs of small business in this State.

Those on this side of the House and, I am sure, the majority of members on the other side of the House are all very keen to ensure the best possible outcome for the environment. I recognise that the previous Government was taking steps in that direction and had implemented certain measures to ensure that a positive outcome was sought for businesses that were polluting and were not acting in the best interests of the State's environment. However, in doing so the previous Government may have been a little hasty in not recognising that, in order to comply with some of the provisions that businesses will now be required to implement, they would have suffered a severe financial impact. The intensity of businesses' potential to pollute will range fairly widely. For a number of years larger businesses have been doing certain things to comply with the legislation because they have been financially able to do so. However, some smaller businesses, even though they may have been willing to do so, have to a certain extent turned a blind eye to the legislation. The Bill will focus their attention on the need for everyone to be conscious of the environment, to play their part and to be responsible for its maintenance and management.

Mr WELFORD: Madam Deputy Speaker, I draw your attention to the state of the House.

Quorum formed.

Mr HEGARTY: As I was saying, upon coming into Government the Minister recognised the plight that a number of businesses would face if they were to comply with the new regulations within the time frame laid down in the 1994 Act. The moratorium in response to their financial situation created a few administrative problems which it is in the best interests of all parties to amend.

Firstly, the Minister very sensibly established a ministerial advisory committee to which he invited representatives from local government authorities, industry, environmental groups and so on to put forward their views on how the Act could best be implemented and managed. As a result, the Minister is now working through the 103 recommendations put forward by the committee to ensure that the very best positive outcome will emanate from the study. I am pleased to say that, to date, 33 of those recommendations have been implemented and the remainder are steadily being worked through.

I will touch on a couple of the sections that are proposed to be replaced or amended. Obviously, as I said before, some of the clauses deal with purely administrative matters, such as section 35. Proposed new section 65 essentially gives an applicant an extension of time to have his application reviewed. In other words, it ensures that the applicant is not breaking the law if his application is not considered and approved within the statutory time. Proposed new section 70 provides for prosecution for breaches of approvals and contravention of conditions of licences. Prior to this legislation, only licensees would be prosecuted for contravening the Act, which covered major offenders involved in major environmental disasters. However, as I said before, small businesses, especially cumulatively, also have an effect on the environment and can cause considerable degradation. Therefore, under the Bill, people with approvals will be liable to prosecution in the same manner as licensees. That is a very positive change, despite the questions raised by the member for Everton about the changes to the Act.

Members on the opposite side of the House should be very thankful for the opportunity for a review at this very early stage. In relative terms, this is new legislation. The previous Government passed the Environmental Protection Act in 1994. It granted businesses a three-year period within which to comply with its requirements. Therefore, by looking at this legislation now, we are widening the net for smaller businesses. The member for Currumbin used the example of a small business which washes waste down the pavement. Of course we do not want to see that happening. In the past, such a business may have escaped prosecution if it had an approval. I am not saying that it would have, but the Bill will pick up the smaller fish, which is a very positive outcome.

A couple of speakers have suggested that extending to five years the period for compliance before a business has to advertise is a bad thing. I do not see the time frame as being all that important in the sense that, when assessing an application for a management plan, the department or the council will determine a reasonable time within which the business will have to comply, and that may be 12 months or it may be three years. However, a business may have a particular problem or part of a problem which can be addressed within a certain time frame. It is a very positive thing that that business would be prepared to tidy up its act in order to

be a 100% environmentally clean business, even if that were to take five years or possibly even longer. For example, take the large, dirty industries that have problems because of ageing technology. As technology improves, their production methods and their disposal of waste methods improve. However, that improvement will not be achieved overnight. For that reason, the extension of the period to five years for particular situations is not a bad thing. If we had left the period at three years, that may only have necessitated extension. Why go to the trouble of going through all the extra administrative requirements to make a business lawful when we can simply extend the time frame from three years to five years. I am sure that the businesses which require such a provision will be in the minority, but they will be able to carry on their businesses knowing that they are complying with the legislation and are acting within the law, as most businesspeople wish to do. I believe that most small-business people are only too keen to be environmentally responsible.

However, as with all activities, the problems come down to the dollar. Unless Government, local councils or whoever assist businesses to become environmentally responsible, they are left to their own resources. If they are pushed into a time frame that is unachievable, they may well be an irrelevant environmental polluter because they will go out of business. The whole thrust of the amendment and the moratorium that the Minister initiated last year is to give those people a break.

Members on the opposite side of the House have spoken fairly strongly about the unacceptably high unemployment levels in recent years. I certainly support the view that those levels are unacceptably high. The Government is doing all that it can to reduce those levels.

Had we forged ahead with the Environmental Protection Act as conceived by the previous Government, we might have had a lot more people in the unemployment queues. Opposition members should be very conscious of that. I appreciate their interest in the environment. I am as conscious of the environment and as concerned about it as anyone. However, at the same time, since the First Fleet arrived in this country, people have been carrying out activities that have had a detrimental effect on the environment.

Mr Welford: Don't blame Captain Cook.

Mr HEGARTY: I am not blaming Captain Cook. I am just giving a chronological sequence of when the environmental

problems started. The Act came in in 1994, because we had only just realised that things were getting a little beyond the pale and that we had better start doing something about it. That is good to see. However, in the time frame that I have given as an example, these minor extensions of time and the moratorium given to business are minuscule. The main object of the legislation is to get it right for the future. I think the Minister has been very judicious in the cautious way that he has approached this issue. He did not race into it in the early stages. He took it on board and quite carefully considered the ministerial committee's recommendations. Now he is putting forward those recommendations, and the amendments before us today will enable those recommendations to be implemented.

I turn to proposed section 94A, which covers procedures and criteria for assessing environmental management plans. Again, we need to have in place something which will stand up to scrutiny and pass the test of whether it is a reasonable plan. Again, that comes back to making sure that businesses are making the best effort within the time frame and within their financial and physical capabilities to minimise the effects of their practices to a point at which they are nearly 100% environmentally friendly.

Proposed section 236B overcomes a technical hitch to avoid categorisation of a deemed refusal by way of a time delay. In other words, if the licence or approval could not be met within the time, it would be a deemed refusal and obviously that business would be acting illegally. The proposed section prevents the need for an application to be resubmitted outside that time frame. Very importantly, it avoids the extra cost of reapplication incurred by businesses.

We are all for reducing red tape, particularly in respect of small business. This Act probably impacts on small business more so than large business. As I said, large businesses have always been conscious of their activities and have taken appropriate steps in the majority of cases. But small businesses find this a new impost on their day-to-day activities while trying to survive in a very competitive and tough business sector. This is a commonsense amendment enabling businesses not to be overcome by bureaucratic red tape and the imposts of further reapplication fees.

I wish also to speak to proposed section 236C, which concerns protection from prosecution where no licence or approval is given. Again, this is a technical provision to

make sure that a person is lawful. Even though the licence was not issued, we do not want to see people being considered as being outside the law. Again, this is a means for people to feel warm and fuzzy. Even though their intent was good, we still have to make sure that it complies with the letter of the law.

Finally, I turn to the amendments to Schedule 1, which insert about 10 or 12 clauses, providing for an applicant to lodge an appeal. In other words, if the demands by the department or the local government authority for a business' environmental management plan seem excessive, instead of having to comply with the requirements verbatim, this will enable it to appeal and ask for a review of those requirements. These provisions are not unnecessary; similar to any regulations, we have to cover all bases. In this instance, we want to make sure that we can skip the odd section that is irrelevant to a particular business and move on to the area which needs addressing for the environmental activity concerned.

I fully endorse the Minister's initiative in amending the Environmental Protection Act. I commend his thorough motives and procedures in undertaking this amendment, which as always primarily has the environment in mind but also recognises that this cannot be done at the expense of the business community and those who may be caught up in the web involuntarily and for no good reason.

Mr ARDILL (Archerfield) (3.37 p.m.): I was appalled by the attitude expressed by the previous speaker in relation to the protection of our environment. I was absolutely appalled at the lack of imagination of speakers on the Government side of the House. This matter is urgent. The past 200 years have seen the terrible degradation of the environment of Australia and seen species wiped out by our attitude to the environment, yet the previous speaker said, "We can continue on for a while yet." Like St Augustine, he says, "Let us continue to sin for a while longer."

Mr Santoro: Who wrote this?

Mr ARDILL: Who is speaking it? Had I had more time to write this speech, I would speak for 20 minutes, but this is a fairly flimsy Bill and it does not require a 20-minute speech. Unfortunately, it is a flimsy Bill from a lightweight Minister who does not have the confidence of his own Government and party to do what is necessary for the environment of this country and this State. That is the problem.

The present Minister for Environment—whether he is for or against it we are not quite sure—was an adequate Education Minister when in that role. I thought that he was a Minister who could right the wrongs of 32 years of National Party neglect and destruction of the environment.

Government members interjected.

Mr ARDILL: If Government members wish, I can continue this speech for 20 minutes; I do not wish to. Unfortunately, the Minister is not able to show his mettle in relation to the protection of the environment simply because of the attitude of the National Party and even more so that of the Liberal Party and its economic rationalist lunacy.

Mr Welford: They're vandals.

Mr ARDILL: That is right, and they were vandals for very many years. They even sent the chief vandal over to Rio to prevent any sort of environmental protection being undertaken in this country.

No provision was made in our Act for proper advice to be given to small-business operators. That is something for which I criticise my own party. That was a feature sadly lacking in the legislation, and it is quite okay for me to say so with hindsight. I did not raise it at the time, but I am aware of the fact that much better advice should be given to small-business men who are caught in the net of environmental protection. The Minister does not have that excuse. With the benefit of hindsight of three years, he should have included a provision in this flimsy Bill that adequate advice be provided to people who need help in deciding what is necessary to protect the environment. In many cases, business operators are willing to undertake the required measures. The majority of small operators have not applied for environmental management practices to be adopted in their small workshops. The way in which most councils around Queensland are picking up this fact is by checking advertisements and by following up what is in the Yellow Pages. There are many hundreds of operators who have not been picked up, and it is not too late to include a provision in the legislation which would require the Environment Department to provide adequate advice to those people. I urge the Minister to consider that suggestion.

One of the environmental problems encountered in this State is water pollution caused by the run-off from roads and industrial areas which carries untreated waste into our streams and rivers. That is a problem that this Bill does not tackle. Again, with hindsight, it is an issue that the Minister should have looked

at. I agree that we cannot do much about roads, but we certainly can do something about industrial operations. Much better protection from water pollution should be afforded to our environment. The problem of water pollution is quite evident in streams throughout the length and breadth of this State. Insufficient funding has been allocated to tackle this issue. In the last Budget that we brought down in May 1995, \$160m was dedicated to environmental purposes, but that funding disappeared. This Government has not allocated sufficient funding to carry out the necessary pollution controls throughout the length and breadth of the State which the degradation of our environment demands.

One positive feature of this flimsy Bill is that amended management programs are catered for and that these will not be at the expense of the small operator. I congratulate the Minister on that. It is a worthwhile goal. When new technology is implemented the opportunity must be afforded for adjustment of management programs, and that certainly should be done without cost to the small-business operator. I do not see that large industrial concerns should be able to escape their responsibilities, particularly their responsibility for funding the environmental laws of this State and providing the necessary environmental protection measures.

Another issue is the difficulty currently being experienced by the public in accessing noise and air pollution control authorities. Even under Minister Tenni there was provision for people to contact a noise and air pollution control centre in Brisbane. The number was freely available. The officers who were there at the time did their level best to take action. However, when it came to the Government of the day undertaking the necessary prosecutions, that was an entirely different matter. I believe that until the Labor Government came to power only two people were prosecuted over air pollution and nobody was prosecuted over noise pollution. The officers of the department at that stage were able to do something through suggestion, coercion and bluff. In many cases, that approach was effective. These days some of the officers in the department do give out their numbers so that the most extreme cases can be attended to after hours, and it is after hours when the real problem exists. According to the people who contact me, it is very difficult to reach officers after hours if noise and air pollution problems come to their attention. It is time that the Minister took action to make sure that after-hours phone numbers are available so that complaints can be attended to.

The last matter that I want to talk about is the problem of liquid waste disposal. The State Government should be responsible for liquid waste disposal, not local councils. As the Minister well knows, the problem at Willawong has gone on since 1982, when the Brisbane City Council attempted to close that facility, and nothing has been done about it. Nothing has been done about it and nothing is being done about it, except that the treated waste now goes to Gurrulmundi. The facility at Willawong must be closed and the Government must take responsibility for setting up new treatment plants, not only in Brisbane but also in other areas of the State, where toxic waste can be dried and solidified and disposed of in safe burial areas.

Mr Palaszczuk: Not at Pialba. The students from Pialba are here today.

Mr ARDILL: I certainly would not suggest that. I do not believe that anywhere close to the coast would be suitable, quite frankly. It does not have the stability to allow that.

The problem at Willawong must be attended to. The Lord Mayor of Brisbane had a proposal to transfer the treatment plant from Willawong to a safe site at Pinkenba, where most of the waste is generated, but he was torpedoed. He was torpedoed by a number of competing interests, none of whom had a real appreciation of what the treatment plant was about and talked of it as a dump and as a pollution area. In point of fact, Willawong is not a suitable location for that sort of treatment plant. Willawong is too far removed from the generating sources of liquid waste. In addition, the site needs to be rehabilitated. What is under the ground there needs to be treated, and that cannot be done until the treatment plant is removed totally from that site to another site somewhere in the vicinity of our industrial areas. Other areas of Queensland should be treated in the same way. There should be toxic waste treatment plants in other industrial areas such as Townsville and Gladstone, and possibly the mining areas. Proper disposal methods must be introduced by the Government throughout the State. It should not be the responsibility of a local government in one area to treat the waste of 100 surrounding councils and even those interstate.

I urge the Minister, as I have done in the past, to look at the problem at Willawong and to do something about it urgently. That festering sore cannot be allowed to stay out there. It is time that he solved the problem. I thought we had the solution with Pinkenba.

Wherever the treatment plant is situated, it has to be removed from the present site at Willawong to enable rehabilitation of that area to take place.

The previous speaker talked of imposing costs on industrial concerns which would put them out of business. That could be so for a very small operator. As I have said, the department should provide specific assistance and advice to small operators. As a member of the free market forces in this House, he shows a great lack of confidence in the marketplace to look after the problem of treating the waste which that marketplace generates. It should not be the responsibility of the general public to do that; it should be the responsibility of the industry that generates that waste and uses the material that is produced. It should not be the responsibility of the general public.

Mr Hegarty: What is the time frame you are talking about?

Mr ARDILL: The time frame is now. Not only have we gone 200 years too long; in the short term we have gone about 50 years too long. A lot of these problems were known for a long time and nothing was done about it until the Labor Party came to Government in 1990. It is up to members opposite to take over what we started and to do something about it. To say that the marketplace cannot handle the problem is wrong; it is its responsibility to handle the problem.

Mrs Wilson: They can in the long term, but not in the short term. It means increasing prices if they have to do it straightaway. We're just saying they need more time.

Mr ARDILL: I am not saying that it has to be solved in a specific way; I am saying that it is the responsibility of those industries to come up with schemes to combat the problem. Those industries have had three years and, prior to that, they had four years of warning. Since the introduction of the Act they have had a further three years to do something about it. Surely any firm with any degree of technological expertise should by now have been able to solve most of its problems. That is what Government members have not come to terms with. It is too late to keep on procrastinating and saying that we can go on until these organisations feel so disposed to do something about it. The time is now. As I said, they have had seven years to do something about it. It should have been done by now. It is time to demand that Government members come to terms with it immediately.

As I said, it is okay where organisations' management plans can be updated by better technology or because existing technology has been found not to work. We have to give them a little bit of time to do something about it and, as I said, I am happy that the Government is doing that without cost—certainly to the smaller firms. But can it please get on with the job? This is Australia today; it is not back in the times of Captain Cook and Arthur Phillip when there was so little knowledge of the damage that we could do to our environment. This problem is subsequent to the Industrial Revolution when this earth began to be destroyed by industry and technology. It is now time to reverse the process and get on with the job urgently.

Mr ROWELL (Hinchinbrook) (3.54 p.m.): I rise to join the debate on the Environmental Protection Amendment Bill No. 2 1996. Business recognises it needs to play a role in maintaining sound environmental standards. Criticism of the Act stems from the additional cost imposed on enterprises by the administering authority. But the heaviest burden on business is the compliance that has to be adhered to by many operators who are almost on their knees.

In areas of the State that have been affected by drought or where there has been a serious downturn in their economies, businesses are battling to survive. It was the former Government that brought in conditions that were too rigid to comply with and many industries had to call on their meagre resources to carry out the necessary changes. It is important that these small businesses continue because they provide an essential service to these communities that often cannot be replicated. I think a number of speakers from both sides of the House have spoken on that issue. Sometimes 100 kilometres separates towns and the loss of any service is unacceptable.

In an effort to alleviate some of these pressures, the Minister appointed a ministerial advisory committee to address a range of concerns with this unreasonable legislation. This took place in March 1996. The problem that the current Government had to address was the inflexible aspects of legislation that had no respect for small business. There was not a great deal of consideration at all, particularly in the time constraints under which they had to act. The recommendations that were suggested by the advisory committee reflected difficulties being experienced with the legislation. One of the proposals considered by the committee was for an amendment to the environmental management program to

allow business to overcome temporary inabilities to comply with the 1992 Act and the licensing conditions.

There may be cases where improvements in technology could improve business viability, as well as improving the environmental aspects of the operation. I noticed that the member for Everton was speaking about that, as did other members on the Opposition side of the House, and certainly those on this side. Consideration needs to be given to the way business finances are arranged, and their ability to finance changes. The taxation aspects of these demands should be altered to make it attractive for business to implement the necessary changes. It would be in the interests of the Federal Government to provide incentives that make it acceptable to business to put in place measures that would benefit the environment. If tax incentives are provided, it makes it more feasible to adopt environmental measures to reduce the impact on business activities.

It is difficult for these people to pay for the levy and the variety of changes required while at the same time they have to maintain their viability. We have heard people talking about the onus that is on business as far as workers' compensation, superannuation and all those sorts of things that they have to comply with when they are employing people are concerned. Larger organisations may to some extent be in a better position because their throughput would cover the cost burden much more easily. The ministerial council recognised that a public notice of an application for an environmental management program should not be required unless the period of the program exceeds five years. This gives a better opportunity for planning, as the current Act only allows for three years. I think that is a very worthwhile move. I was pleased to hear the Opposition spokesman supporting this initiative. If changes are required then it is reasonable that the program could and should be altered.

Some authorities found it difficult to process the applications by the due date. It was deemed necessary to institute a moratorium—which the Minister did—from 1 March to 1 July 1996, but more confusion between business and the administering authorities increased the number of applicants who were not eligible. Had the existing Act remained in force, another application would have been required and additional fees paid, but the amendment allows for an extension of time for new applications since 1 March 1996. A date of 1 January 1997 was nominated to allow administering authorities time to tidy up

the dealing with applications to make them lawful. This period has now been extended to June 1997.

This amendment should rectify the unrealistic expectations when businesses made application during last year. The whole aspect of dealing with waste is an extremely contentious issue. As closer settlement occurs and towns and cities get bigger, the problem will escalate. Businesses have been required to improve the manner in which they deal with their waste and provide safeguards in relation to noise and drift from businesses such as spray-painting. There is a problem in that, in the past, a mixture of residential and business workshops were considered to be compatible. I am aware of an engineering works in Townsville that was established at some distance from any other buildings except for a house, the occupants of which had no concern with the engineering works' activities at the time. However, the business's interest grew and the style of work taken on involved more noise to a point where, over a number of years, friction occurred between the engineering works and the adjoining residence. To resolve the issue it was necessary for the business to erect a wall that would cost in the order of \$250,000 to abate the noise and other activities being conducted. The other alternative was for the business to relocate, at some considerable expense, at a time when limited work was available for that particular business.

There are other examples of how home-grown businesses have sprung up in backyards and run into problems with neighbours complaining about their activities. I have been made aware of this situation quite often. Many of them are only part-time operations, but they depend on their activities to supplement a wage. As I indicated earlier, in the smaller towns throughout the State many of the small enterprises provide a worthwhile service to the community but have difficulty complying with the requirements of the current Act.

In the past we have been dependent on landfill operations, but it is evident that, as a society, we are generating increasing volumes of waste and that other solutions for its disposal have to be considered. Recycling has been seen as a panacea to the problem and, in some instances, it has assisted in turning unwanted products into useful entities. The cost of collecting, and the viability of producing a product that can be sold, is an issue that business has to deal with. With material such as chemical plastic containers, the volume for weight makes it unattractive to transport them

any distance. There are proposals for a transportable unit that could shred these containers to overcome this problem with their volume.

Paper is a product that has quite successfully been recycled but, when this continually occurs, the fibre shortens and new fibre has to be introduced to maintain the strength of the article. Plastics are being recycled to a point where, if the specification can be met, the material can be incorporated in high-quality piping. Low-grade material can be used in a range of polythene products. So there is a range of variations that we can consider when introducing these plastics into different products.

One of the main problems with recyclable material is the cost of freighting it from the collection point to the recycling operation. Some time ago, I approached the railways to consider low-priority freight on empty wagons returning to Brisbane, where most of the recycling occurs. I hoped that a considerable concession could have been provided to make the recycling operation viable. The material could have been left stored in railway yards until empty wagons were available. This initiative did not receive a favourable response.

There is increasing difficulty in finding sites for landfill operations. In some cases the rubbish may have to be transported some distance for disposal. Members have been talking about Willawong. The Brisbane City Council and the Government of the day really did not have any qualms about making a decision to take hazardous waste out to Gurulmundi just out of Miles. They considered it to be appropriate to send it to an area that was well out of sight. The Murilla Shire was heavily pressured to accept the treated material for a landfill operation which was close to catchment areas of the town water supply and at the headwaters of the Great Artesian Basin. There now seem to be problems with the design of the evaporation ponds, which is causing concern to the community.

In the future, it will be necessary for Governments to make the generators of waste responsible for the disposal of their waste products. I believe that that has been confirmed by most members of the House during their contributions. It will have to be a cost and an initiative that is built into products to ensure that solutions are found to this escalating problem. Technology will assist with the separation of effluent substances from sewage. Settling ponds, extraction of methane gas and biological assistance are measures

being used to purify water before entering waterways throughout the State. In many cases this water is being used for irrigation, which is proving a benefit where water is in short supply.

Private enterprise is providing services to pick up waste oil, acids and a range of waste products generated by business. Materials such as waste oils are being used for bunker fuel, which benefits the firing of boiler stations. Many machinery repair based industries are using a dry management technique of dealing with oil rather than allowing this oil to be carried away to the pits by water, then having the waste separated into its respective substances before being removed from the premises.

It is important that the Government provides the framework in the form of legislation that places no greater burden than is absolutely necessary on business. I believe that members have covered that in a number of their speeches. At present, businesses are finding it difficult, particularly small business. They are the generators of wealth, providing a range of jobs for the community at large. So if we stifle their activities and make it too difficult for them to operate, we will find that we have many communities that have lost job opportunities. It is necessary for the Government to monitor waste management to ensure that the relevant concerns are addressed. I believe that the Minister is making every attempt to do this in this legislation. It is a difficult area to work in. It is a very necessary area. I am certain that, as we go down the track in the future, changes will be required and adjustments will have to be made to ensure that we have good, safe environmental policies for the State.

Mrs BIRD (Whitsunday) (4.08 p.m.): I rise to raise a couple of issues within my electorate which have been of some concern for some time and which, quite seriously, could have been attended to had we had people in the field who were not only dedicated to their jobs but, indeed, had the time to peruse the situation and determine the real issues. The first, of course, is the issue of black plastic at Bowen. As members may well remember, black plastic is used for water retention, as a weed inhibitor and to increase the value of crops. It gives a better colour to the tomato and a better type of crop.

Mr Rowell interjected.

Mrs BIRD: No, it does not. It makes the tomato shiny and red. It does create a better quality fruit. As members can imagine, farms have tonnes of black plastic which they lay on

the ground throughout the season. At the end of the season it is stockpiled and dispersed in a number of ways, firstly, into fills at the local council. Some has recently gone to Collinsville. However, the problem arises when farmers become so upset about the amount of black plastic on their properties that they start to burn it. It burns for some time and causes all sorts of health problems with the inhalation of fumes. It also causes discomfort for those people who suffer from asthma.

The problem has been dispersal of the black plastic. The previous Government did set up a committee within the department to investigate that. I am not so sure of the status of that committee now. The proposals that were put forward in the earlier stages when I attended the first few meetings were that a way be investigated for dispersal perhaps through recycling, burning off in incinerators or bulking it to some place other than where it was. The issue of bulking it and sending it to Collinsville was a very expensive one and one that the farmers were forced to pay. It became a burden for them. In the end, it was unable to be used. Occasionally a truck takes a load to Collinsville when otherwise it would return empty. The incineration at the coke works was also an issue in terms of fumes, and the workers became concerned about what was in the plastic.

It was not until large streams of black plastic were picked up at the mouth of the river heading for the Great Barrier Reef that serious concern was expressed by the local community, particularly by people in Merinda. It was then also becoming an environmental hazard to the reef. The issue still stands. We are not able to do anything with the plastic. It is time to look at recycling. As the Minister says, the committee is still investigating. It is my view that the distributors of the plastic have an enormous role to play in recycling, or at least picking up the used plastic and then disposing of the plastic themselves. Currently, mounds of it are all over the area of Bowen. It is also a problem for cattle. Graziers will be aware that bits of black plastic do rot and get into the grass, which is ingested, and the plastic finishes up at the now-redundant Borthwick meatworks. We have to consider what we are going to do with the black plastic, and we need to do that fairly quickly.

The town of Proserpine has a sugar mill and a sawmill. In 1990-1991 the Goss Government asked the sugar mill to install some inhibitors in its chutes. That has been done at a cost of \$1m. The black grit that was pouring over Proserpine for years and which was part of the charm of Proserpine has now

ceased. The mill no longer causes a problem in that respect. However, the sawmill is causing a problem. With the cancelling of the sawmill contracts for hardwoods earlier in the nineties, the mill switched over to pine processing and gluing. That meant a whole new process. The mill had to install other sorts of equipment. The mill is right in the town of Proserpine. Of course, it was there before the residential area built up around it. Now people have to cope with glue fumes coming out through the incinerators, the smell of the waste pine pieces being burnt and the drying equipment pouring out fumes into the air.

I have had people from the department down there to investigate those circumstances time and time again. They have come back with stories such as, "There ain't no problem; the noise isn't bad." I spent a weekend of complete horror at the home of an elderly couple who are residents in Telford Street. The driers were in use for the whole weekend. The stench and the sore eyes made it almost unbearable. As a result of the noise from the sawmill, the elderly couples who live in that street have to keep their windows closed constantly to keep the noise out. Previously, they suffered from the sawdust problems. Now they have stinging and sore eyes from the glue. Eventually, we will have to give consideration to moving that mill. The residential area around it is growing very, very quickly and we will have to move the mill. There is no other option, because people cannot tolerate what is happening, despite the fact that the department continues to say that there is not a problem. Of course there is a problem.

This morning I had a call from residents who live near the Aspley East State School. Their concern is mostly noise pollution. Apparently the school is having some extensions built and the operators of jackhammers and dozers are working from 6 a.m. seven days a week. That is causing a headache for the residents whose properties are adjacent to the Aspley East State School. I have contacted the Department of Public Works and asked them to do something about that. That is just an indication of what happens when legislation is in place that is not pursued or enforced.

I have outlined three problems: the burning of black plastic, and the legislation is quite clear that that is illegal; a mill sending out unhealthy fumes and smoke, and quite obviously that is illegal; and a company not complying with the restrictions on noise, especially for Sunday and Saturday afternoons, yet the legislation is not enforced.

I point out to the Minister that these amendments to the legislation are all very well and it is very good to have matters spelt out in black and white, but if regional Queensland does not have people with qualifications, time, space and energy to fulfil their obligations under the Act, he might as well not have this legislation. I appeal to the Minister to ensure that rural and regional Queensland in particular have access to people who have skills to assess circumstances correctly, to look at them from the perspective of the people who live in the region and to implement some solid enforcement of the legislation that the Minister introduces.

Mrs CUNNINGHAM (Gladstone) (4.18 p.m.): I will make a couple of comments on the intent not necessarily of the amendment only but also of the Bill. The electorate that I represent is in a heavily industrialised area. Waste and waste management are very important issues. We have a mix of products. Some of them could be a feedstock if we could get the right mix of industry into the area in the future. One of the wisest environmental management tools for our region would be to have good synergies in terms of industrial siting and development.

I listened to the comments of one of the previous speakers in relation to Willawong and Gurulmundi. I have visited both of those sites. If honourable members want an experience in waste management sites, they should visit Willawong. It is an eye-opener. The Gurulmundi site is very clean and very sterile, but it depends on the process that is carried out at Willawong to remain as clean looking as it is—on the surface at least.

I believe that we have a push in my electorate to have an additional waste disposal area established. I have opposed that in the sense that the Gladstone City Council is pursuing fairly strongly a landfill. I believe that at this stage in the technology of this State we should have gone past that. At landfills we bury the stuff for somebody to try to fix in 20 years. I would hope—and I believe that we have the technologies—that we would deal differently with waste.

When Molly Robson was the Minister for Environment she did quite a lot of work with the CSIRO on waste technologies—plasma technologies and other transportable technologies. She had almost reached the stage of developing a pilot program for a mobile plant that would go across this State and dispose of certain waste streams. That could be done environmentally safely. The initial plan was to go up Mount Isa way. As

there was no set spot for the plant to stay, obviously it would attract transportation of toxic waste. As the plant was to be mobile, it could visit a region for three to six months, dispose of the accumulated waste and then press on. That was an excellent program. It was a shame that when Molly Robson met her Waterloo, that program appeared to have also met its Waterloo. I would certainly encourage the Minister to see where that program is at. The CSIRO was actively and very progressively involved in that program. As I said, in 1997, when our communities are aware of such things as leachates and the cocktailing effect of chemicals, we should not be considering any new waste disposal methods that involve the burying of toxic waste.

I can understand the concerns that the Minister is trying to address with this Bill, particularly considering the impact that the Bill had on small business when it was first introduced. At that time, some of the small businesses in the Gladstone/Calliope area just did not know what to do. The financial impost on them to comply in a relatively short period was more than their businesses were worth. Many people said to me, "I am considering closing the door." Subsequent to that, there was a moratorium and those small businesses received some breathing space to comply with some of the requirements. However, the Bill was a huge impost on people.

In relation to this Bill particularly, I would be interested to know whether any of the major environmental groups were involved in the consultation. Perhaps the Minister could tell me that in his reply. Those groups are not included in the organisational list. It would be interesting to hear what those groups had to say about the proposal. When it comes to the extension of time for deciding an application from the environmental authority—again, administratively, that is understandable. Some of the submissions are very complex. I hope that in authorising an extension there will be a requirement to justify that extension. The risk will be that the more complex or difficult issues will be pigeonholed so that the department or the officers could feel some justification in procrastinating. So the Minister is indicating that there will be some guidelines as to how and why applications or decisions on applications can be extended.

I commend the Minister for the proposal to create an offence to breach the conditions of the approval. That does not relate necessarily to small business or large business, but human beings have a failing in that once they are over the hill of the initial

compliance, they can get a little bit tardy. So if there is a policing mechanism in the legislation to ensure that compliance continues, that is of great benefit to the community.

My only continuing concern is one about which I believe the Minister has had some dialogue with the shadow Minister, namely, the change from three years of advertising to five years of advertising. I have some concern about that. In an industry that is creating environmental emissions, whether they be airborne emissions, liquid emissions, or whatever, five years is a long time. I would be concerned that that extra two years could still be granted but in a more public manner. I am concerned about that extension. Three years is still four budgets to be able to get funding to do the retro-fitting or whatever is required. Just because it is three years does not preclude the fit out taking longer; the Bill is just saying that if it is longer than three years, then it requires public advertisement. There is a great positive to that. The community is its own watchdog. I do not mean that in the excessive sense but in the sense that if companies know that the people of the community—the surrounding neighbours to that industry—are watching, they will tend to get on with the job. There are those business—not many—that would, given an extension to five years before public notification was required, perhaps be a bit tardy in turning their attention to the EMP.

However, I think generally small business in particular will welcome some of the relief that the Minister is offering through this Bill. For a long time now environmental issues have been of primary concern to people. I think that people are weighing up the difference between the ability for business to succeed and the requirement on business to be environmentally responsible. I think that the expectations of the community are becoming very, very reasonable. I would hate to see the extension of that three-year period to five years encourage a more lax attitude towards environmental responsibility. I thank the House for the opportunity.

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (4.26 p.m.): The Minister for Environment prides himself on having established a ministerial advisory committee under the chairmanship of his then acting director-general not long after the change of Government in February 1996. In the Minister's second-reading speech on this Environmental Protection Amendment Bill (No. 2), he took further pride in enshrining the recommendations of that committee in legislation.

That is all very nice, but unfortunately it is just not the case. We know that the committee, to its credit, thwarted the worst excesses the Minister and his Government wished to inflict on the Environmental Protection Act. The Minister set out to gut this legislation. He made it known to all his business cronies that he intended to neuter this legislation so thoroughly that it would never trouble them again. During the run-up to the July 1995 election, the Minister sold his message so well that he even had coalition candidates putting in their election hand-outs the claim that a coalition Government would go as far as to "scrap this Act". And scrap it the Minister tried.

Mr Littleproud: Before when?

Mr BEATTIE: The July 1995 election.

Mr Littleproud: I wasn't the shadow Minister then.

Mr BEATTIE: I am talking about the Minister's party. I assume that the Minister does not disown totally the Honourable Doug Slack, who at that time was the relevant Minister.

Mr Littleproud interjected.

Mr BEATTIE: I see, the Minister wants to disown him. He wants to stab him in the back because he is not present in the Chamber. That is fine. I thought there was some consistency. I knew there was a split between the National Party and the Liberal Party, but I did not think that there was a split within the National Party. I thank the Minister for informing the House of the split. I assure him that he will hear more of it.

Scrap the Bill the Minister tried. He tried to pare back the environmentally relevant activities that under the Act require licensing to virtually eliminate a whole raft of polluting industries from environmental scrutiny. Thanks to the more level-headed members of that committee and their desire, unlike the Minister, to drag Queensland into an environmentally aware 20th century before we move into the 21st century, he did not get away with it.

The Minister has a hide to continue trumpeting the achievements of this committee when it is common knowledge that it would not do his dirty work for him. Quite rightly, the committee did not give the Minister what he and the National Party wanted. The Government has been blasted from pillar to post throughout Queensland for failing to deliver on its ill-conceived election promises.

Recently in Pine Rivers, meetings of small-business operators continued to criticise the Minister for not getting the EPA off their

backs, yet the Minister has the hide to come into this place and speak glowingly of the work of this committee. I saw the notice the Minister sent out about the meeting. The Minister could not lie straight in bed on this issue, and he knows it.

That is not the end of it. Having failed to gut the EPA through this committee, in an attempt to deliver a commitment to his polluting mates the Minister cooked up a whole new scheme called "conditional approvals". That particular scheme was not much better than his attempt to reduce the list of environmentally relevant activities, and it did not fare much better. The same level-headed members of the ministerial advisory committee took to it with gusto and have again curbed the Minister's worst excesses. What a ridiculous idea that was. All the applicant had to do was make a statutory declaration on a piece of paper that the business referred to did not cause pollution, sign it, add an address, a cheque for \$100, and post it off to his or her local authority and, hey-presto, a licence—not for a year, not for 10 years, not for 20 years, but a licence for life. There were no inspectors, no monitoring, no auditing, no enforcement and no reporting.

The Minister is supposed to be interested in the environment. If that is not a doozey, I do not know what is! It is like saying to anybody, "You just choose your own licence. It does not matter whether you can drive a vehicle or a D10. You just grab hold of it, send in a cheque, say you can drive it and, hey-presto, down the road you go." The sheer audacity of this move defies belief. It is no wonder that the conservation movement, the Greens, the Local Government Association of Queensland and the Brisbane City Council took to it with a big stick. If I am wrong, why have all those groups come out and attacked the legislation in the same way that I am attacking it today? If I am wrong, why do they agree with me and disagree with the Minister? Perhaps in his reply, the Minister will be kind enough to tell the House why.

The Bill deserved to be belted, and belted it they did, yet what did we get from the blundering, blithering Environment Minister? Another backdown, and he has had a few! This is another one to add to the ever-growing list that includes Park Pass, kangaroo shooting and oil and tyre levies. Now we have a new one: conditional approvals. The Minister does have a fine record. I think that he leads the Ministry when it comes to backdowns. I think he is a neck ahead of the rest, and I have to say that that is some achievement because he has a lot of clowns behind him.

Thankfully, we will now see the requirements of the Local Government Association of Queensland and the Brisbane City Council such as incentive licensing, risk assessment, on-the-spot fines, compliance guidelines and, hopefully, environment protection policies or EPPs put in place before conditional approvals become law. While on the subject of EPPs, I make an impassioned plea to the Minister. While there are sections of the Bill that we can live with, the precious time of the Parliamentary Counsel could be much better spent finalising these policies, which were well advanced at the time of the change of Government but which have languished ever since to the environmental detriment of the State. These policies have languished so badly that we now have highly experienced officers of the Division of Environment tendering their resignation in disgust at the Government's inability to get even one of these policies to Cabinet. When is there going to be some priority about environmental issues from the Government? The best we have seen so far is a National Party policy committee sidetracking the water EPP for further consultation. Would you not love to be a fly on the wall at those meetings! The National Party debating an environment protection policy—the National Party would not be capable of spelling the words let alone comprehending their content and, indeed, intent and need! Queenslanders need environmental standards spelt out, and spelt out clearly.

I cannot understand where the Liberal Party is in relation to these environmental issues. At least in the last 20 years the Liberal Party has sometimes raised concerns about environmental issues and not often, but occasionally, even heritage issues. I recall Terry Gygar, a former Liberal member for Stafford, had a view on the demolition of the Bellevue Hotel. However, it is only an occasional interest. Under the leadership of the Deputy Premier and Treasurer, Joan Sheldon, we get no leadership from the Liberal Party on environmental heritage issues at all.

Queensland needs the three basic environmental protection policies of air, water and noise. Without them, both industry and local authorities are operating in a vacuum. They need the direction that these EPPs will give. These three basic EPPs are needed most, not the EPPs on oil and mining, not the EPPs on the Brisbane River and not the EPP on waste. Without these three basic EPPs, the Minister is not going to get the support of industry to enter into EPPs on other subjects,

a role these EPPs were clearly designed for when Labor drafted the Environmental Protection Act in 1994.

To give the House an example, in our negotiations with Mount Isa Mines over the proposed amendments to its special agreement Act the company stated that had it examined the use of the EPP provisions of the Act to achieve the certainty that it needed. However, in all fairness to its shareholders, it could not do this due to the fact that the provisions were an unknown quantity. Not one was in place and, as such, no critical assessment could be made of their capability, effectiveness or limitations.

Industries' use of the EPA is being severely limited by the Minister's inaction. Whilst the Minister continues to delay the introduction of these measures, the more requests he is going to receive for special legislation to give industry the certainty it needs to invest and expand. What needs to be remembered in terms of the debate about Mount Isa Mines is exactly where the negligence and problems started and where responsibility rests; it rests with the Minister.

Similarly, the Minister must make far more use of the environmental management plan provisions of the Environment Protection Act. These plans give industry the breathing space it needs to move from a position of non-compliance to one of compliance by giving it time to do so with the required protection from the punitive provisions of the EPA. These plans, like the EPPs, have the ability when properly used to again give industry the certainty it needs in meeting the environmental requirements of the day while maintaining its operations as an ongoing financial entity. That is important to industry if we are going to have growth, development and jobs.

The Minister's plans to extend the public scrutiny provisions of the EMPs from three years to five years requires a proclamation of the third-party, appeal-rights provisions in the EPA to make them fully effective. I call on the Government to do this as soon as possible, both as a sign of good faith to match the two-year time extension and to give environment protection in the State the added impetus that will further protect our internationally evolving clean, green image.

I note the Minister's need to amend the EPA to rectify the mess he created when he placed all environmental authorisations on hold for a four-month period from 1 March 1996 to 1 July 1996 while he set about his devious plan to dismantle this most important

piece of legislation. The Bill is more about the Government's inability in the dying years of the 20th century to grasp the realities of modern-day environmental thinking. It is more about an admission by the Government that it cannot meet the rabid calls of much of its consistency, but the environment is no passing phase. It is now mainstream thinking in Australian society and it is here to stay, and industry and business are part of that mainstream thinking. Businesses want industry to grow, they want jobs and they also want to be environmentally friendly because it is good for their corporate image. We do not need to turn back the clock, as the Government is intent on doing in so many areas simply to please a few white-shoe brigade mates. Mainstream industry does not have a problem with sensible environmental regulation, provided there is some certainty, guidance and direction, and they certainly have not got that. The Government is going to have to accept that and learn to live with the need for environmental protection, and it needs to learn to live with it politically.

In the area of the environment the Government has nothing short of a disgraceful record. Bearing in mind the role played by the former shadow Minister for the Environment, Doug Slack, who went out and deliberately wooed particularly the Greens and also the environment movement prior to the 1995 election, those groups have got nothing out of the commitments that were given by members opposite when they were in Opposition. The Government has betrayed the people who supported it or who believed that it had a commitment to the protection of the environment. They were betrayed in a most shameful way by the Government when it came to office. The Premier did not allocate the portfolio to Doug Slack who had given many of the commitments; it was allocated to this Minister, Mr Littleproud. That was a betrayal of faith. The Government then very deliberately moved away from the commitments that were given; it also removed funding from the Environment Department. The Government has set about neutering the department.

If the Minister thinks that the environment has disappeared as a political issue, he is wrong. If he believes that in the lead-up to the next State election his failure to deliver on policies will be ignored and will not be followed up by environmental groups or the Opposition, he is wrong. If the Minister believes that he will not lose votes because of his behaviour in Government, he is wrong. This is all about a sensible balance to give not only protection to

the environment but also some lead to industry about growth and development. It is about a sensitive balance. We can have a sensitive balance. The Minister does not simply have to kowtow to every one of his white-shoe brigade mates simply to please them.

I urge members to think carefully about an amendment that will be moved at the appropriate stage by the Opposition spokesman for the Environment. When he becomes Environment Minister, I look forward to seeing some sensible environmental policies.

Hon. B. G. LITTLEPROUD (Western Downs—Minister for Environment) (4.41 p.m.), in reply: I wish to make a couple of general comments about the debate before I talk about some of the specific issues raised. Firstly, it is pretty apparent from the contributions of members that, with the exception of one issue, there is general support for the three issues in the legislation.

I have already spoken privately with the Opposition spokesman, the member for Everton, about the point that he raised about public disclosure. I am sure that that was never the intent of the ministerial advisory committee. The recommendation came from it, and most of those people who are now members of the Environment Protection Council representing industry were members of the ministerial advisory committee. I have given an assurance to the Opposition spokesman and the member for Gladstone that I am prepared to go back to the Environment Protection Council of Queensland with the concerns raised.

I wish also to refer to the notes provided to me by my staff. Regardless of this amendment, the environment management programs have always been able to be approved for longer than three years. There was no maximum limit on an EMP's length in the legislation that the previous Government introduced in 1994. Secondly, the public notification provisions applied only to the length of time that a proposed EMP was to run, and that is what has been changed. Thirdly, if a proposed EMP is to extend for longer than five years, it will undertake public consultation on the draft EMP.

Having said that, I will make another general comment. I have noticed that the debates we have had in relation to legislation under this portfolio in the last 12 months have become much more mature. Rather than having a slanging match, we have tended to get down to finite things that need to be

addressed, as opposed to taking extreme stances. One exception was the Leader of the Opposition's reading from a prepared text. The person who prepared that text was obviously more on about theatre than fact. That did not do much for the debate. However, some points raised by members on both sides of the House were very relevant. Some touched on matters other than those contained in the Bill. I will make some brief comments about those matters, but I think I owe it to the House to talk mainly about the comments on the Bill.

The member for Everton mentioned that 103 recommendations were made by the ministerial advisory committee. He said that the ministerial advisory committee refused to depart from the real intent of the Environmental Protection Act. That is quite so. I wrote down a set of guidelines for it and, above all else, the first was that it should have regard to the Act and its integrity. Members on both sides of the House recognise that it is necessary; it was just a matter of making it practical and fairer. That would also negate the comments made by the Leader of the Opposition, who came in here and treated us to a lot of theatre. It was never the case that I tried to gut it.

The first term of reference was to maintain its integrity, or words to that effect, and to go about making changes that were fair and equitable. The member for Redlands said quite correctly that 33 of the 103 recommendations have been implemented. This Bill brings in another two and, of the balance, quite a few are already being implemented. By their very nature, they will require further negotiation with various bodies and other Government departments. It is an ongoing process. To state that nothing has been done since the committee reported at the end of May last year is quite fallacious.

It is also unfortunate that, because of the amount of legislation that the Government wished to bring into the House, although the legislation before us was introduced in 1996, it could not get onto the agenda to be debated and we have had to come back to make some alterations to the Bill, for example, changing dates. It has been acknowledged by the member opposite that he understands why that is the case. However, I can assure him that progress is still being made.

There was also comment about the environmental protection policies on water, air, noise and waste. I want the member to understand that in the six months prior to the last general election there was enormous angst in the business community about the

impact that the licensing provisions of the Environmental Protection Act were having on the business sector. When we came to power in February last year the phones rang hot, because on 1 March these provisions were to be fully implemented and literally hundreds and hundreds of business people across the State were knocking on the doors of local government. Local governments rang up and said, "You have to give us some relief. We cannot possibly process these people. Give us some relief." It was not a matter of confusion; it was a matter of answering a cry for help.

I then received pretty good advice that we should create this ministerial advisory committee. It served a great purpose. Probably the best thing that has been done in respect of the environment in Queensland for many years was the introduction of the Environment Protection Council of Queensland, which consists of people from the conservation side, the business side and the Government, all of whom are working together. It is a real clearing house of ideas. It is because of those people that we are taking these proposed EPPs.

When the issue of the EPP licensing provisions came up and I received 102 recommendations for change, I clearly got the message that there was something wrong with them—a lot wrong. Bearing that in mind, when the issue of EPP Water first arose and we started to read through it, we could understand straightaway that, while it was very good in concept, applying it would be a nightmare, just like the licensing provisions under the Act.

Similarly, when the issue of EPP Noise arose, we had people from north Queensland pointing out that the household airconditioner of the next-door neighbour was going to be in violation, and all sorts of things. The same thing happened in respect of EPP Air. However, in the next couple of weeks the EPP Water will be delivered. It will take a little longer than that to get EPP Air and Noise through. We are progressing with EPP Waste, which is also needed desperately. I would surmise that, while the concept of the Environmental Protection Act and the whole suite of subordinate legislation that hangs off it is a good idea, it is a matter of taking the public of Queensland step by step so that they can digest and live with it, having due regard to environmental responsibilities and social and economic considerations at the same time.

In his concluding remarks, the member for Everton said that the Environment Department no longer has the right of veto. That is one of

the main things that was wrong with the Goss Government. There was an excess of power and things were viewed more in terms of the environment rather than in terms of a whole-of-Government approach.

Mr Welford: What rubbish!

Mr LITTLEPROUD: My word it was! I defended my Premier this morning when he was saying that we have every right to implement the policies that we went to the people with. Those policies are whole-of-Government decisions. There are still excesses in my portfolio. For example, I refer to what would seem to be the right of veto of these people who are singularly interested in a certain issue without giving due regard to others. When we sit around the Cabinet table, my fellow Ministers and I give due regard to environmental matters and my colleagues will back me up. However, the decision we make in the end is a considered one which takes far more than that into account.

The point was raised that the Opposition would call for a consolidated Act. I am advised that on 6 June 1996, not long after we debated the last Bill in May, a consolidated Act was put together and on 27 September a reprint of the regulations was made available. For some reason or other, the Opposition does not have them, but they have certainly been available.

Both the honourable member and the Leader of the Opposition spoke about conditional approvals. Conditional approvals are one of the recommendations put in place by the ministerial advisory committee, along with others. I was attracted to that recommendation because in Queensland about 15,000 businesses are caught up in the licensing provisions of this Act, whereas in Victoria, under somewhat similar circumstances, about 5,000 or 6,000 businesses have to carry a licence. Surely there had to be some imbalance. It was worth while giving consideration to a recommendation from the ministerial advisory committee to look at that.

I can advise the House that one of my officers who would normally be sitting in the advisers' box today is chairing a meeting with the Brisbane City Council, other local governments and my department to consider the implementation of incentive licensing and conditional approvals. It will probably be somewhat of a hybrid of the two, because the Brisbane City Council already has what it calls green licences under which there are incentives for those people who perform best. But it is a long process. What appeals to those

large local authorities across Queensland—the 15 big ones, which are already geared up under a budget because we paid all the licence fees for them in the first year to give them funding to get up and running—in terms of incentive licensing does not appeal whatsoever to many of the small communities west of the range or the small towns up and down the coast.

I take my hat off to the many local authorities which recognised just how much impact this was going to have on the viability of their local economies. They took advantage of the provisions included in the Bill by the previous Government which allowed for the waiving of fees in circumstances of hardship. They have been lowering the fees so that they do not impact unfairly on local small businesses. In some places there is a licence fee of \$80. That is accepted by the people paying it and the local authority, and they are budgeting accordingly. However, there are some other councils in Queensland which did not fully understand or investigate the Act. They imposed the maximum fee prescribed by the Act, and that is what has caused the angst.

It has been mentioned by various people that there has been a lack of information going out to the community. I wholeheartedly agree. When I inherited the Act, it was pretty obvious that many people did not know enough about it, especially the local authorities. Something like \$300 per council was spent on putting together a training kit. There have been various seminars going on. Depending on the size of the local authority and perhaps on the commitment of the local authority, there are varying degrees of understanding of how best to apply it. That is an ongoing issue that has to be addressed. There was also some misunderstanding on the part of the business people themselves. The larger firms which have an environmental division or office within their enterprise very quickly came up to speed. As various people have said, it is in their corporate interest to do the right thing, and they are willing to do it so long as they have certainty. They appealed, though, for an extension of time to better fit in with the taxation provisions. I think that is covered in this particular Bill. On the other hand, there is the small bloke out there who works six days a week, 10 hours a day and then goes home and starts to read all the red tape coming from Government on Saturday night and Sunday morning and tries to understand it. He got a bit uptight when he found the part at the bottom that said, "You may be up for a fee of \$500." That is where

the angst has come from, and it is still out there. I am going through the process to overcome it. This will not be the last time we come back to shape up this Act.

The previous Government took a pretty brave step. It tried to encompass all the controls we had on noise and air and water pollution under a brand new Act in this suite of conditions. It was put together, but it still needs refinement. I have made a statement saying that I am trying to be a practical sort of Minister. We will eventually achieve it. The EPPs for water, air and noise pollution are almost ready now. Something like nine months have passed. We have been backwards and forwards talking to the Environment Protection Council of Queensland and taking its advice. It is not the case, as the Leader of the Opposition would insist, that we have tried to gut the Act. We have been talking to those people who are representative of all the stakeholders. We have been talking to my departmental people. Yes, we talked to my policy committee, because we are the Government and we promised the people of Queensland we would do it our way. I hope that the versions of these three EPPs that we put out in the next month or two will be in a far more acceptable state than those proposed by the previous Government. We will still probably find some hiccups and a few sore points, but I think they will be in a much more acceptable state than the licensing provisions that were introduced by the previous Government in March last year.

I have spoken about the sleeper clause. The member for Whitsunday referred to black plastic.

Mr Palaszczuk: Let's vote on it now.

Mr LITTLEPROUD: She has left the Chamber, but I can inform the House that we have been working on that. There is a committee headed by the DPI which has to come up with a proposition on how to better handle waste plastic. It is a big issue environmentally and it is a big issue in terms of cost of production. We have to do something about it. A line has been drawn in the sand. The committee has to come up with a proposition a bit after halfway through this year. Trevor Perrett will be reporting back on that in his own way, but I was given an undertaking by the fruit and vegetable growers that they would comply with that.

The member for Gladstone and the member for Archerfield referred to liquid waste and Willawong and Gurulmundi. I will not go

into lengthy details on that issue now, except to advise those members that there is a realisation now that Brisbane City Council has carried probably an unfair burden for quite a number of years. I am well aware of its request to close Willawong. The Lord Mayor and I spoke about two weeks ago. We are going to have further talks to work out where we can go. The move now is towards regional land fills and regional waste management. South-east Queensland ROC is one of those. Far-north Queensland ROC is probably the best organised to date. But certainly we are moving on that. Gurulmundi and Willawong have to be tied together. The private sector is playing a bigger role all the time. More and more of them now recognise that it is a business. Those who generate the waste know that it is costing them money and they are reducing the amount of toxic waste and regulated waste they generate, but there are still some at the hard end who generate excessive quantities. The private sector knows it can make a quid out of it if in fact it learns how to destroy it or convert it or reuse it.

Mr Ardill: Or tip it down the drain.

Mr LITTLEPROUD: We have to catch those sorts of people. But there is still something at the top end, the hard end, that is the really difficult part for both the Brisbane City Council and myself to address. I am out there consistently asking for updated advice. Sometimes I get conflicting advice because some people in the private sector will promise you the world; when you ask other people who do not have a commercial interest about their capacity, they express some doubt, and so I have to be rather careful as to what can happen. I have some sympathy for the Lord Mayor, Jim Soorley, and the Brisbane City Council, and I have a lot of sympathy for the people of Gurulmundi in the Murilla Shire who have had the Gurulmundi toxic dump foisted on them. It is an issue that needs careful consideration. I am on record—and I will say it here again—as saying that I will close that dump when I am satisfied that I no longer need it and that I can do everything else responsible as the Minister, but until that time arises I just have to keep it going but make sure that it operates correctly. There was some sort of concern in January and February because of the heavy rain, but I was given assurances both by the Brisbane City Council and my staff that it did not fail. The facility is not operating to the optimum level because there is an argument over the capacity of the evaporation ponds and their capacity to deal with heavy rain over a prolonged period, but that is still subject to negotiations.

The member for Archerfield commented on after-hours contacts. Yes, they are still out there. Quite a few of those officers who were operating in that way under the previous Government are still in our department and they are still out there, and I would hope that they are active. There was comment made by the member for Bulimba earlier today on the same issue. I am having that investigated.

The issue of third-party appeals was raised by the member for Currumbin. The third-party appeals still have not commenced. The previous Government did not commence them because it thought it would wait until such time as its PEDAs Bill came in. We think it might be wise for us to hold off until an integrated planning Bill comes through. It is still under consideration, but we are following the same things members opposite—

Mr Welford: You promised to introduce that, didn't you?

Mr LITTLEPROUD: We did not say when—as did the previous Government. If the Labor Party can defer under the PEDAs Bill, I can defer under this.

Mr Welford: We were open about it.

Mr LITTLEPROUD: There is nothing more open than saying it now.

In conclusion—I thank members for their contributions. I say sincerely that it was a better debate because we talked about the substance rather than extremes. We got down to the substance of the issues, except for the Leader of the Opposition, who came in with prepared text and presented a bit of theatre.

Mr Welford: Excellent speech, by the way.

Mr LITTLEPROUD: Presentation—10; material—about 4. He was lacking on real facts. But I would hope that the spokesman for the Opposition understands my assurance that I will take the issue of public disclosures back to the Environment Protection Council and my department for consideration. There is certainly not an intent on my part to weaken the public disclosure provisions, and I do not believe that was the intent of the ministerial advisory committee which made the recommendation. I give the member that assurance. I recommend the passage of the Bill to the House.

Motion agreed to.

Committee

Hon. B. G. Littleproud (Western Downs—Minister for Environment) in charge of the Bill.

Interruption.

DISTINGUISHED VISITORS

The CHAIRMAN: Order! I would like to acknowledge the presence in the gallery of a visiting delegation from the Nanjing Polytechnic.

Honourable members: Hear, hear!

ENVIRONMENTAL PROTECTION AMENDMENT BILL (No. 2)

Committee

Clause 1, as read, agreed to.

Clause 2—

Mr LITTLEPROUD (5.01 p.m.): I move—

"At page 4, line 6, 'January'—

omit, insert—

'June'."

Mr WELFORD: There are two points I want to raise about this clause. Firstly, during the second-reading debate I raised the query about what this clause is supposed to do. The Minister will recall that I referred to the Explanatory Notes, which seem to suggest that this clause was supposed to refer to the commencement of the Act. It talks about, in fact, the commencement of the operation of clause 13. Of course, clause 13 relates only to the transitional provisions. It certainly makes sense that those amended transitional provisions should take effect from 1 June, as it is now if these amendments go through, but it is not clear when the Act itself will come into operation. What is supposed to be a commencement clause does not make any reference to when this amending Bill will take effect. Normally, in a commencement clause or a clause headed "commencement", some reference is made to the Bill commencing on the day of proclamation, assent or whatever. There is no reference in this Bill at all about that. I assume it will commence on the date of assent, but that needs to be clarified.

It also needs to be reiterated that the six-month change resulting from the amendment which the Minister is now moving is a further delay in the finalisation of approvals, whether they be licences or other forms of approval. Notwithstanding the attempt by the Minister to dismiss the comments of the Leader of the Opposition as being theatre, the reality is that the moratorium that the Minister conjured up on first coming to office has come back to haunt him and has caused not only the confusion out there in the business community, about which the Government members so loudly crowed before the last

election and on which they went to the election seeking political kudos on the basis that this wretched piece of social engineering would be brought undone, but also the moratorium was used as a device to try to buy time to work out how the Government would meet the unrealistic commitments it gave to certain sections of the business community.

This has now caused the Government even worse problems with the business community and administering authorities because it has had to make repeated amendments to allow repeated extensions of time within which to consider applications for various approvals. It needs to be recognised that, although we will not divide on this particular clause, this clause in the amending Bill and the amendment to the clause that the Minister has now moved have occurred only because the Minister has been party to his Government's attempt to find ways to undermine this legislation—an attempt which has failed precisely because anyone seriously concerned about the environment, including those people who have a genuine approach to the issues in business, has told him that the legislation should continue to operate fully and effectively.

He should not try to water it down; he should not try to cut out ERAs, but still the Government continues to try to find ways to achieve what it says is a relieving of the burden, but which, at the end of the day, will achieve one of two things. It will either result in more environmental harm going unmanaged and the environment remaining unprotected or result in the department and other local government administering authorities not having the resources to properly ensure compliance with the legislation which this Minister says—now that he is the Government spokesperson—that he actually supports. His problems started with the previous spokesperson, Mr Slack, and his problems are continuing in his attempt to try to patch over the gaping hole in the credibility of the promises that Mr Slack made to everyone before the last election.

Mr LITTLEPROUD: I have to say again to completely refute the accusation made by the spokesperson of the Opposition that the coalition is not trying to water down or discard the Environmental Protection Act. I summed up the second-reading debate by saying that the terms of reference insisted that the integrity of the Act should remain. I was trying to make it equitable, fair and practical, and that still remains the case.

With regard to claims of confusion, I can tell the honourable member that I have got people in that Environment Protection Council of Queensland who represent small business and big business, and they are not expressing to me any concern about our intent to make the legislation more workable, neither are they expressing concerns that they are confused; they just understand the process I have to go through and the process of this House. The Bill was before the Parliament before Christmas. We have had to make some amendments because it is now after Christmas. That is why the date has gone from January to June. The Opposition understands that process. Regardless of what the Opposition says, it well understands where we are at and what we were doing.

With regard to the wording and lack of clarity, the Parliamentary Counsel and my department say that clause 2 indicates that the Act commences on assent, except for clause 13 which now commences on 1 June 1997. If that was not clear, I can tell the honourable member those are the words coming from the Parliamentary Counsel, which comes from looking at the Bill itself plus the amendment.

Mr WELFORD: I thank the Minister for that clarification in respect of clause 2 and acknowledge his current commitment to the Environmental Protection Act, which the previous Government introduced. The acknowledgment of the Minister is somewhat belated because, before the last election, it was the then Opposition's position that it would not have a bar of this legislation. It ran up and down Queensland criticising, bagging and bucketing this legislation and all its ramifications. I acknowledge that the Minister—and I hope he is genuine in his assertion—now supports the central tenets of this legislation. He would be absolutely mad not to because, without this legislation, without heading down this path of improved environmental management and protection, all the things that underpin the quality of the life of Queenslanders are put at risk. It is a pretty vain attempt by the Minister to say that the Government somehow was always in support of the legislation.

I knew that the terms of reference of the ministerial advisory committee said that "the committee will have regard to the legislation". The terms of reference did not say that the committee must maintain the integrity of the legislation or had to guarantee the integrity of the legislation. I noted specifically what the wording said at that time early last year; it was cast in the broadest possible terms so as not

to give any indication to anyone who might read it that the Government was, in fact, behind this legislation. The Government was still out there bucketing the legislation as an evil piece of social engineering established by the Labor Party which it was going to do something about! What did it do about it? It established a committee which came back and advised it to keep the legislation! That is the basic fact.

I think a body such as the Environment Protection Council of Queensland, which has now been established, has some merit and I do not criticise the Minister for establishing it. But, because of the feedback that I am getting, I think he had better have a close look at it. Because of the body's size apparently the Minister, his staff or his department will not allow any representatives of the nominees to come along on their behalf so, if someone cannot make it to a meeting, they are locked out of the process. That and the size of it may have meant that, in some of its deliberations, it has been unwieldy, cumbersome and very difficult in actually providing the Minister with prompt advice.

When one looks at the agenda of issues that the council dealt with in its report, one cannot say that it is a heroic list. In principle, I am not criticising the council or any of its members. However, I would be careful about crowing about how brilliant an operation or outfit it is, because it does have its own problems at the moment. But otherwise, in respect of clause 2, I thank the Minister for the clarification.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 9, as read, agreed to.

Clause 10—

Mr WELFORD (5.10 p.m.): Clause 10 is the clause to which I paid most attention during the debate on the second reading of the Bill. That was quite deliberate, because I have significant concerns, which the Minister acknowledged, in relation to the effect of clause 10. The Minister advises me that although he is not aware of the basis upon which the first ministerial advisory committee recommended this change, he will take the issue back to the Environment Protection Council of Queensland, given that a number of members who were on the previous MAC which reviewed the Environmental Protection Act are now on the Environment Protection Council. I thank the Minister for doing that. I believe that it is appropriate to have the council review precisely what was the

motivation behind this. As I pointed out, the report of the previous committee gave us no guidance as to the basis upon which that recommendation was made.

As I mentioned during the debate on the second reading of the Bill, there may well be sensible and powerful reasons for the amendment. However, although the amendment is there, on its face it does present potential problems in terms of the extent of environmental harm that is being tolerated. On its face it provides for a weakening of the existing legislation, a weakening of a kind which the Minister says he would not in general principle support. So I believe that it is appropriate that it go back to the Environment Protection Council. But if it is going back to that council for its consideration, why are we proceeding with it now if, as a result of the council's advice, we have to come back with another amendment to remove it?

My suggestion is that we should not proceed with this amendment pending the council's advice. If the council confirms the advice and comes up with appropriate reasons for it—reasons which would satisfy both sides of this Parliament that it is an appropriate amendment—then we could all agree on it. But given that it is going back to the Environment Protection Council, it does seem to be premature to opt for the amendment before the council has a chance to deliberate on it. For that reason I believe that the Minister should take on board my suggestion that this clause be held over until the council has had a chance to consider it.

Mr LITTLEPROUD: I will refer again to comments provided by my staff. In relation to section 85 (1), we are making the alteration from three years to five years. So the only thing in contention is that period from three years to five years. With anything over five years, the person or public authority must give public notice. So it is only that small period that is of concern. I ask members to bear in mind that, regardless of this amendment, environmental management programs have always been able to be approved for longer than three years. There is no limit on the length of an EMP under the Act which the previous Government introduced in 1994. The public notification provisions apply only to the length of time that the proposed EMP is to run. This is what has changed. Probably more importantly, if a proposed EMP is to extend longer than five years, it will require the applicant to undertake public consultation. So if it is over five years, that provision is going to apply. The EMPs are already out there on public notice, and people always have access

through the department or the licensing authority to look at the EMP. I believe that the intent is still there and there is no need to delay it, because it would detract from the impact of the Bill.

Mr WELFORD: There are two points that I should make. Firstly, I understand what the Minister's adviser is saying in respect of the length of EMPs. During this debate there was a bit of confusion amongst other members who thought that we were allowing what was previously a maximum three-year period for EMPs to be expanded to five years. I accept that that is not the case. EMPs can be any length one likes. They can be for 10 years, or whatever is appropriate. That is why I have supported in this amending Bill the proposition that we allow the amendment of EMP approvals. Obviously, the longer the period of the EMP, the more appropriate it is likely to be that there be an amendment halfway through as technology and practices change.

I have no objection to the proposition that EMPs can be any period one likes. That is accepted. However, what I am saying is this: there must have been some reason for the advisory committee—the first MAC—proposing that the length of EMP for which notice was not required to be made public should be extended from three years to five years. That means that there may well have been a whole batch of environmental management programs which needed to have periods longer than three years—perhaps five years—which previously would have required public notice to be given of them. We do not know what proportion of all EMPs that particular batch of EMPs represents. The Minister says that it is only a short period: between three years and five years. However, we do not know what proportion of all EMPs that period represents. For example, it would be very unlikely that we would have an EMP over one year. If that was the case, we could just about have a licence with an appropriate condition.

If the EMP is going to be worthwhile at all, it is going to be at least two or three years long. Previously we said that, if it is over three years, public notice of it should be given—everyone should get that. The advisory committee has said, "Let's make it five years." Maybe we can make it five years, but we do not know how many EMPs of a length exceeding three years but not more than five years should be given public notice of. What sort of EMPs are we talking about? What sort of activities are we talking about? What level of risk are we being exposed to by the length

of these EMPs? What sort of environmental harm is being allowed to occur without public notice as a result of this extension? None of that information is available to us.

If we agree to this amendment, we are agreeing to the denial of public notice of potentially significant environmental harm without any basis for making that decision. All I am saying to the Minister is: I will give him a rails run on every clause in this Bill because, after all, they are only amending clauses, and missing one is not going to make an enormous difference. If the Minister says that he has a powerhouse future program of reform of the environmental protection laws of the State, then he can bring them on as soon as possible. However, if any change is going to the Environment Protection Council—a course which I wholeheartedly support—then I see no reason to rush that change right now.

Mr LITTLEPROUD: For the benefit of the Committee I will read MAC recommendation 76, which states—

"That the Act be amended to require the public notice for Environmental Management Programs to be changed from three years to five years and that changes to Environmental Management Program conditions be allowed to take advantage of processes that will enhance environmental outcomes."

In the second-reading debate today it has been stated that that relates to taxation depreciation schedules and similar benefits. The advice coming to me from my department is that the legislation remains unchanged in that the administering authority has criteria that must be assessed in granting any EMPs—I mentioned before that there is still disclosure; it will not be a public notice, but people will have access to it—to ensure that environmental harm is minimised during that period of the EMP. I ask honourable members to be supportive of this provision. Further legislation will be introduced into the House in terms of other matters relating to the Environmental Protection Act. Subsequent to the discussions that I have with the Environment Protection Council, we will correct it then. In the short term, I can assure honourable members that we are out there monitoring it. The advice is that the legislation remains unchanged.

Mr WELFORD: The Minister needs to understand the distinction between having EMPs publicly available for scrutiny and anyone knowing about them. It is one matter to say that all EMPs are available for scrutiny at the relevant administering authority if

people want to go along and comb through the hundreds or thousands of them that there may be in some of the larger local authorities; it is quite another matter to say that anyone knows about any particular one or two that might be problematic. The whole point of inserting the notice provision was to give some protection to communities. It was not just a case of Big Brother, a big stick, coming down heavy on business or imposing an unnecessary burden, it is about letting local communities have a right to know. I am concerned as a matter of principle that, if one or two larger polluting industries located in a community apply for an EMP, that is now going to be for a period of five years. They will not have to come up to standard in three years; they are going to be given more time to pollute before they meet the required standard than they might otherwise be given under the existing law. We are weakening the public notice requirement for them. They are getting a better deal in terms of their EMP and the community's awareness of it than they would if they were complying with the existing law.

Obviously, some of the polluting industries have said, "We don't think we can get up to speed in three years. We want to get up to speed in five; but hell—if we have a five-year EMP we will be exposed to public scrutiny, and we don't want that, do we?" Perhaps that is precisely the principle of the legislation: the community's right to know and the protection of the community depends on notice being given after three years. I think there is a question of principle here. Either the Minister accepts it or he does not. He seems open to accepting it if, after reviewing it, the Environment Protection Council says, "Yes, anything longer than three years probably should be subject to public notice." It is not a public appeal process; it is not necessarily a public review: it is just a notice. That is all it is. While I thank the Minister for his proposal to refer it to the council, I must press ahead with my suggestion that he retain the current status quo pending the review that he proposes.

Mr LITTLEPROUD: It comes down to a degree of public disclosure. At the one end there is a public notice. At the other end there is always the right for the person who has a distinct interest to have public access to the information. It is not denying public knowledge. Perhaps those people who have a distinct interest in an issue will have enough gumption to make inquiries, whether it be a competing interest as was suggested by one of the previous speakers or some of the conservation groups who have a long-felt interest. They are not being denied. It is the

method by which they are accessing it that is in question. I am prepared to stick with what I have. If a change is recommended by the Environment Protection Council—and I have taken on board what the member has said—I will amend the legislation next time round.

Question—That clause 10, as read, stand part of the Bill—put; and the Committee divided—

AYES, 42—Baumann, Beanland, Borbridge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Turner, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

NOES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, Cunningham, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Roberts, Sullivan T. B.

Pair: McCauley, Livingstone

Resolved in the **negative**.

Clauses 11 and 12, as read, agreed to.

Clause 13—

Mr LITTLEPROUD (5.31 p.m.): I move the following amendments—

"At page 8, line 1, '236B and 236C'—

omit, insert—

'235 and 236'.

At page 8, line 2, 'After section 236A'—

omit, insert—

'Chapter 8, part 2, division 6'.

At page 8, line 5, '236B'—

omit, insert—

'235'.

At page 8, line 13, 'January'—

omit, insert—

'June'.

At page 8, line 16, 'January'—

omit, insert—

'June'.

At page 8, line 18, 'December 1996'—

omit, insert—

'May 1997'.

At page 8, line 21, '236C'—
omit, insert—

'236'.

At page 8, line 25, '236B'—
omit, insert—

'235'.

At page 9, line 4, 'January'—
omit, insert—
'June'."

Amendments agreed to.

Clause 13, as amended, agreed to.

Clause 14, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

LEGAL AID QUEENSLAND BILL

Hon. D. E. BEANLAND (Indooroopilly—
Attorney-General and Minister for Justice)
(5.33 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to establish Legal Aid Queensland, to provide for legal assistance for persons throughout the State, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. E. BEANLAND (Indooroopilly—
Attorney-General and Minister for Justice)
(5.34 p.m.): I move—

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

This Bill is about maintaining the delivery of legal aid services throughout Queensland under new funding arrangements and the management of a restructured legal aid organisation. It is not about downsizing legal services on State law issues for Queenslanders, or about abolishing the role of the current Legal Aid Commission as a community service provider of legal services in this State.

All members would be aware that the Commonwealth Government has given notice of its termination of the Commonwealth/State legal aid agreement on 30 June 1997. As a result of this action considerable controversy and disquiet has been reported in the Australian media and is clearly evident in negotiations that have taken place to date between the Commonwealth and Queensland Governments on the provision of funding for legal aid after 30 June 1997.

Negotiations between officers of the Commonwealth Attorney-General's Department and this State's equivalent—the Department of Justice—have continued since approximately September 1996. No definite offer was made to Queensland until February 1997. Offers were subsequently revised and received in April 1997. To date, no agreement has been reached with the Commonwealth.

Notwithstanding these late negotiations on the part of the Commonwealth Attorney-General's Department, it is the Government's intention to maintain a continuing and more effective involvement in the delivery of legal aid services throughout this State.

I shall now turn to the Bill. The two main objects of this Bill are—

- (a) to provide for giving legal assistance to financially disadvantaged persons in the most effective, efficient and economical way; and
- (b) to pursue innovative commercial arrangements, including legal assistance arrangements, for giving legal assistance at a reasonable cost to the community and on an equitable basis throughout the State.

These objects are to be achieved mainly by establishing Legal Aid Queensland.

This Bill is an example of the Government's announced policy to provide services more economically and efficiently throughout Queensland by using a restructured legal aid body which is able to enter into innovative commercial arrangements for giving legal assistance to the community. Fundamental to achieving this objective, the Bill provides for the establishment of "legal assistance arrangements" which will form the basis of an innovative funding mechanism in "purchaser/provider arrangements". The Bill will enable the restructured legal aid body to enter into legal assistance arrangements with the Commonwealth, the State and other entities.

All members would be aware that the current legal aid system is a cooperative scheme in which all States and Territories through a single independent Legal Aid Commission under relevant State/Territory legislation provide legal aid services in their respective jurisdictions. The role of the Commonwealth to date has been to provide funding, albeit significant, for the operation of these Legal Aid Commissions throughout Australia. Since the 1980s, this cooperative scheme has been underpinned by negotiated agreements on similar conditions with the other States and Territories.

The Queensland Government in its submission to the Senate Legal and Constitutional References Committee inquiry into legal aid in January of this year stated it would prefer to deliver legal aid services in its jurisdiction under a cooperative arrangement amongst the Commonwealth, States and Territories. It considers the Commonwealth's decision to terminate the current arrangements and renegotiate on a much lower funding formula to be unacceptable and untenable.

Nonetheless, the Queensland Government recognises the ongoing need to provide legal assistance to financially disadvantaged persons in the most effective, economic, commercial and efficient way throughout the State. In this regard, as I have publicly mentioned in the past, it will be business as usual for the provision of legal aid services to Queenslanders in relation to State law matters from 1 July 1997. If the Commonwealth has not entered into a legal assistance arrangement with the new legal aid body by 1 July 1997, then it will be the Commonwealth's responsibility to ensure that those persons requiring legal assistance in relation to Commonwealth matters are catered for by making appropriate arrangements.

This Bill gives legislative form to a restructured Legal Aid Commission by establishing a new legal aid body to be called Legal Aid Queensland. Included among the main functions of Legal Aid Queensland are that it manages its resources so as to make legal assistance available at a reasonable cost to the community and on an equitable basis throughout the State. Legal Aid Queensland will also control and administer amounts given to it by the State or the Commonwealth under a legal assistance arrangement or otherwise.

This Bill also provides for a better and more rational approach of operation by establishing a Legal Aid Board which is much smaller than its predecessor and which has

the functions and powers to provide legal assistance to financially disadvantaged persons pursuant to various legal assistance arrangements that it may enter into with the Commonwealth, State and other entities. Management of Legal Aid Queensland will be carried out by this board and its statutory officer—the chief executive officer.

Under the new scheme, legal assistance will be provided throughout Queensland by Legal Aid Queensland. As is the case with its predecessor, Legal Aid Queensland will decide whether legal assistance may be given to an applicant only if the applicant meets relevant criteria. These criteria shall be determined by Legal Aid Queensland in accordance with its functions and the content of the legal assistance arrangements which it will enter into from time to time with the Commonwealth, the State and other entities.

The independence and autonomy of Legal Aid Queensland are preserved by providing it with extensive powers in order to manage the restructured body and to determine applications for legal assistance. The ability of Government to interfere in the operations of Legal Aid Queensland is constrained by limitations placed on the nature of directions given by the Attorney-General to the board. Any such directions are to be tabled in Parliament.

At my instructions, the Bill has been set out in such a way so as to be user friendly. That is why the process of application for legal assistance is contained in earlier parts of the Bill and the managerial and machinery parts are contained in the latter parts of the Bill. The Bill also enables Legal Aid Queensland to refer a matter to alternative dispute resolution if it considers it appropriate in the circumstances.

In addition to establishing the new restructured legal aid body, the Bill provides for significant transitional provisions so as to ensure an easy transition for the operation of the new Legal Aid Board. It preserves the existing rights of legal aid applicants under the current scheme.

Importantly, this Bill is not directed at diminishing, eroding or removing the existing rights of the employees of the current Legal Aid Commission. In fact, a person who was an assistant director of legal aid or an employee of the current Legal Aid Commission is taken to be an employee under this Bill and the person remains entitled to all existing and accruing rights of employment. In other words, this Bill is not about downsizing current staff levels or the sacking of those dedicated and

industrious employees who have given loyal service to the current Legal Aid Commission.

During the development and finalisation of this Bill, there were consultations with the State Public Services Federation Queensland which resulted in the revision of some provisions in the Bill. Another aspect to the transitional arrangements is to ensure that there is a timely and effective mechanism which ensures that the assets, rights and liabilities of the current Legal Aid Commission are vested in the new legal aid body.

Overall, this Bill will enable Legal Aid Queensland to deliver legal aid services throughout the State in a more efficient and effective manner by preserving its autonomy and by expanding its powers to deliver these services under various legal assistance arrangements. Moreover, the Queensland Government has not forgotten its commitment to providing legal aid services as a social/community service obligation.

I also encourage the Commonwealth Government to finalise its negotiations with the State with a view to entering into a satisfactory legal assistance arrangement with this new legal aid body. In doing so, the Queensland and Commonwealth Governments will be in a position to ensure the continued delivery of legal aid services throughout this State to all Queenslanders no matter what type of legal matter is in issue, that is whether it is a Commonwealth matter or a State matter. I commend the Bill to the House.

Debate, on motion of Mr Foley, adjourned.

COURTS REFORM AMENDMENT BILL

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (5.41 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend various Acts to change the jurisdiction of the Supreme, District and Magistrates Courts, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (5.41 p.m.): I move—

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

The purpose of this Bill is to introduce a number of significant reforms to the Queensland courts system. The major reforms are designed to—

restore authority to the Chief Justice of Queensland;

correct anomalies in the Supreme Court of Queensland Act 1991;

provide for greater independence of the judiciary; and

abolish the Litigation Reform Commission and transfer the Commission's main functions to the existing law reform commission.

The coalition policy on the administration of justice, released before the general election in July 1995, undertook to "ensure a Supreme Court judge is domiciled in Cairns". This Bill lays the legislative foundation for the delivery of that election commitment by including amendments to the Supreme Court Act 1995 to create the position of far northern judge.

The Bill will enhance the jurisdiction of District and Magistrates Courts and enable courts to make greater use of the alternative dispute resolution services offered within the Department of Justice.

The Supreme Court of Queensland Act 1991 was introduced by the previous Government. Amongst other things, that Act made provision for the introduction of two new bodies into the Queensland judicial system, namely the Court of Appeal and the Litigation Reform Commission.

The effect of the Supreme Court of Queensland Act 1991 in introducing the Court of Appeal was to substantially diminish the role of the Chief Justice of Queensland as the head of the whole Queensland judicial system. Whilst the position of Chief Justice was retained, that position was given only nominal status.

Conversely, the President of the Court of Appeal was vested with substantive powers in respect of the administration of the Court of Appeal. Furthermore, the powers vested in the President of the Court of Appeal as regards access to consolidated revenue funding, employment of staff directly by the Court of Appeal and control of the precincts of the Court of Appeal were unprecedented in Australia.

If the House is agreeable, I am happy to incorporate the rest of the speech in Hansard.

Leave granted.

The Supreme Court of Queensland Act 1991 also created the position of Senior Judge Administrator. Under that Act, this office was given statutory responsibilities for administration of the Supreme Court, separate from and overriding any responsibility possessed by the Chief Justice. The powers given to the President of the Court of Appeal and to the Senior Judge Administrator resulted in a significant diminution of the role, function, status and responsibilities of the Chief Justice of Queensland. Other States, such as New South Wales and Victoria, have introduced Courts of Appeal into their judicial system without in any way diminishing the role, function and status of their Chief Justices. Instead of the Chief Justice being merely the nominal head of the Supreme Court, as is the case under the 1991 Act, this Bill will reinstate the Chief Justice's powers and responsibilities. The 1991 Act also introduced a unique body in the Litigation Reform Commission, whose function is to make recommendations on:

- (a) the structure of the court system of Queensland;
- (b) court practices and procedures including the law of evidence;
- (c) the administration of the courts of Queensland;
- (d) simplification and modernisation of all Acts and Statutory Rules relating to matters mentioned in (a), (b) and (c) and also the common law generally;
- (e) as well as other matters referred to it by the Minister.

In respect of all of the above matters, except for the reform of the common law, the Act provides that it is mandatory to obtain a report and recommendation from the commission before taking any action regarding those matters. In effect, the Litigation Reform Commission represented intervention by a body composed of judges in the executive process of Government and in particular the development of legislation.

The previous Government's legislation required that all proposals emanating from Government as regards amendments to the law in these areas, have had to be submitted to the Litigation Reform Commission. This represents a gross breach of the principle of judicial independence and separation of powers. The justification for the existence of the body as well as an independent Law Reform Commission is difficult to see.

Essentially, the purpose of the Litigation Reform Commission was to reform the legislation and rules relating to the courts which were considered to be in urgent need of review. Uniformity of the rules is an issue which the National-Liberal Coalition Government believes is pivotal to meaningful reform of the court system.

However, the commission's work in this regard has been limited. Over the last four and a half years, although the commission has been responsible for various piecemeal reforms, the Rules of the three courts in Queensland have not been made uniform or simplified. The function of reviewing court practices and procedures is vitally important. Although under this Bill the Litigation Reform Commission is to be abolished, its central function of reviewing court practices and procedures will continue to be performed by the existing Queensland Law Reform Commission, which already has the statutory function of reviewing all the law applicable to the State. The effect of the amendments contained in this Bill is, therefore, to restore an appropriate balance in the Queensland judicial system, protect judicial independence and re-establish the position of Chief Justice as the head of the Queensland judiciary.

The civil jurisdiction of the District and Magistrates Courts was last increased in 1989. It is appropriate that the jurisdictional limits of both courts are increased to take into account the effects of inflation, and to maintain the balance in the number of matters commenced in the Supreme, District and Magistrates Courts respectively. The civil jurisdiction of both courts will be increased, so that the jurisdictional limit in the District Courts will be \$250,000 and the jurisdictional limit in the Magistrates Courts will be \$50,000. The Bill also enables all appeals from decisions of Magistrates in relation to criminal offences dealt with summarily to be determined by the District Courts.

A significant part of the Court of Appeal's criminal case load has consisted of appeals from Magistrates Courts. However, the offences which are determined summarily by a magistrate are generally at the less serious end of the scale. It is appropriate that the limited resources of the Court of Appeal are confined to more serious cases, and those involving significant questions of law, and that all appeals from orders of Magistrates Courts in exercising criminal jurisdiction should be dealt with in the District Court, with a further right of appeal available with the leave of the Court of Appeal. This reform will enable appeals relating to indictable and simple offences arising from the same set of facts to be dealt with together.

The Bill requires that video link facilities be used in criminal appeal proceedings. This will extend the efficiencies gained by use of these facilities in bail and remand matters. The use of the facilities will also reduce the security risks posed to the community in the transport of prisoners to the courts for the hearing of appeals. The diversion of appeals from Magistrates Courts to the District Court, and the use of video-link facilities in criminal appeals are reforms discussed in the 1994/95 annual report of the President of the Court of Appeal.

This Bill demonstrates that the Government is willing to listen to the concerns of the judiciary, and implement measures which will enhance the effective operation of the Queensland judicial system. The Bill also includes amendments to the Dispute Resolution Centres Act 1990 to enable dispute resolution centres established under that Act to conduct mediations which are referred from the Supreme, District and Magistrates Courts. These amendments are necessary because the Dispute Resolution Centres Act 1990 presently provides that mediations conducted in dispute resolution centres must be voluntary. This excludes court ordered mediations. The Government has embarked on a significant restructure of the way in which it delivers alternative dispute resolution services. One of the principal objectives of the Government's reform is to enhance the ability of the lower courts to provide alternative dispute resolution services both before and after legal proceedings are commenced.

These amendments will facilitate greater use of the services of the dispute resolution centres by the courts. I commend the Bill to the House.

Debate, on motion of Mr Foley, adjourned.

ELECTRICITY AMENDMENT BILL

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (5.44 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Electricity Act 1994 and another Act and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (5.45 p.m.): I move—

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

I am pleased to introduce this legislation to the House. Last December I announced a strategy for reforming the State's electricity industry to return the industry to its place at the forefront of efficiency and effectiveness within Australia. Essentially, these reforms will deliver lower electricity prices to Queenslanders, increase the State's economic competitiveness and enhance Queensland's

attractiveness for industry development. All of this means more employment throughout the State.

The Electricity Amendment Bill is the first of two branches of proposed amendments to the Electricity Act 1994 necessary to deliver these reforms. The Government's electricity reform agenda, which I announced in December 1996, has as its blueprint the recommendations of the Industry Structure Task Force. This reform agenda is necessary to equip the Queensland industry to compete effectively in the national electricity market, which Queensland will physically join following interconnection between the New South Wales and Queensland electricity systems in 2001. There are five major elements of the reform agenda—

an interim Queensland electricity market commencing in the last quarter of 1997;

large electricity customers becoming contestable from 1 January 1998, with all customers eventually having the option to shop around for electricity supply;

establishing effective competition in generation by splitting AUSTA Electric into three independent and competing Government-owned generators, which will prevent the incumbent monopoly generator from using its market power to manipulate the market and will also provide maximum opportunity for privately owned generators to enter the industry;

creating three new retail corporations whilst retaining the seven regional electricity corporations as distributors; and

providing price protection until such time as the benefits of competition take effect, as well as the long-term protection of those customers who, because of their location, may not be able to gain from the impact of competition in the industry.

I emphasise that these reforms do not involve the privatisation of any of the Government's existing electricity industry assets. Rather, as the owner of these significant assets, the Government must, in the face of not only national but also worldwide electricity reform, restructure the industry to ensure that Queensland is able to deliver low cost electricity as well as a commercial rate of return to Government on these assets. This Bill seeks to achieve this outcome.

The Queensland Electricity Reform Unit which has responsibility for implementation of the reforms is progressing the reform agenda on a staged basis: first, the restructuring of the

existing industry; second, the establishment of an interim electricity market in Queensland; and, third, the phasing out over three years of the customer franchise arrangements. It is important for the industry restructure to be completed sufficiently in advance of the commencement of the electricity market in the last quarter of 1997 to enable industry participants to undertake the necessary planning and development. Accordingly, it is proposed that the restructuring be in place by 1 July 1997. The Queensland Electricity Reform Unit, working in conjunction with the industry, has been undertaking the necessary work to ensure this timetable is met. The purpose of this Bill, therefore, is to provide amendments to the Act to enable the restructured industry to operate the electricity system within the current regulatory framework pending amendments to industry governance arrangements later in the year.

A number of the amendments within the Bill provide interim arrangements only, until such time as the industry reform process is complete. It is proposed that a second series of amendments to the Act be submitted to the House later in the year which will primarily focus on industry regulation and also market arrangements. In view of the lateness of the hour, I seek leave to incorporate the remainder of my speech in Hansard.

Leave granted.

I will now comment on some of the proposed amendments in the Bill.

In the Act, the obligation to supply now covers the distribution of electricity through the wires network and the sale of electricity to final customers.

The Act currently establishes supply entities, who receive their authorities from the Regulator, and authorised suppliers, who receive their authorities from a supply entity. This supports the Queensland Transmission and Supply Corporation as the holding company for the seven electricity corporations that distribute and sell electricity. QTSC has a supply entity authority and has issued authorised supplier authorities to these subsidiaries.

This arrangement within the Act is suited to the current system where there is no retail competition.

The electricity strategy provides for the abolition of the QTSC holding company structure, which has clearly not worked. In the competitive market, the natural monopoly distribution and contestable retail sectors will be separated so that effective retail competition can be established.

The Bill therefore separates the concept of supply into two new concepts: distribution and retail.

The Bill proposes to replace supply entities and authorised suppliers with distribution entities and retail entities. The Bill also provides for distribution and retail authorities (that is, licences).

The Act imposes on supply entities and their authorised suppliers an obligation to supply electricity to customers within their supply areas, who request to be supplied.

The introduction of the concepts of distribution and retail requires the obligation of supply to be separated into two obligations.

The first, an obligation to connect and supply, is to be imposed on distributors. It should be noted that, in "connect and supply", "supply" refers to the conveyance of electricity through the wires of a supply network and the physical delivery of electricity to a connection point. The second aspect an obligation to sell, is to be imposed on retailers.

Mr Speaker, these obligations mean that service quality to customers, wherever they are, will not be diminished.

The obligation to connect and supply requires distributors to connect to the network any person within their distribution area who requests to be connected, and whom it is technically and economically feasible to connect. In remote areas, where the cost of connection is prohibitively high, the Government may choose to provide a connection subsidy through Community Service Obligation payments. This means that remote customers will have, at the very least, the same level of service in relation to network connection that they have now.

The obligation to sell will require retailers to sell electricity to non-contestable customers within their retail area who are connected to the network and who request to be sold electricity. This obligation will also maintain the status quo.

In addition, the Bill requires distributors and retailers to develop standard customer contracts for providing services. The Bill protects consumers by enabling regulations to be made that set down required terms for standard contracts. Customers will not need to formally sign a contract with an electricity corporation. Rather, the standard contracts, which will be public documents, are to be developed for oversight and enforcement by the regulator as a means of protecting customers and heightening service levels within this important industry.

Mr Speaker, whilst most customers will continue to do their business with one company, providing customers with the option of choosing their electricity retailer is an important element of achieving competition within the industry and lower prices to consumers.

The Bill therefore provides for customer choice that is appropriate in a competitive market. While most customers will use a retailer to access all distribution and retail services under a standard contract, they may also choose to deal separately with distributors and retailers and to negotiate non standard contracts with each. Larger businesses will, in particular, avail themselves of this opportunity.

Currently the Act provides for electricity entities (which may be Government or privately owned) to operate in each sector of the industry. To be an electricity entity, an organisation must obtain an authority from the regulator permitting it to operate in a particular sector of the industry. For example, an organisation wanting to generate electricity must hold a generation authority to be classed as a generation entity.

Upon the industry's restructuring, the relevant authorities from the regulator will not have been issued. The Bill proposes to overcome this problem by inserting in the Act transitional provisions which provide that each corporation is deemed to hold an authority until issued with one by the regulator on terms approved by the Minister.

Under the Bill, the Minister may choose to set conditions for the initial authorities issued by the regulator. This will ensure the co-ordinated application of new regulatory criteria to be set by the Government prior to the start of the market. It would not, of course, be appropriate for such Ministerial control of the industry's regulatory arrangements to be maintained for more than a short term. Therefore, this Ministerial power will expire after twelve months. Once the reforms are implemented, there can be no actual or perceived political intervention in the regulation of the market.

The existing State electricity entities are established by regulations made under the Government Owned Corporations Act 1993. However, while the regulations under the GOC Act establish their corporate powers, the Act sets out the functions of the corporations.

The functions of State electricity entities in the Act are inconsistent with the new industry structure. The Bill therefore provides for the repeal of the sections of the Act which set out the existing corporations' functions.

The new corporations will be established with their functions and powers entirely under GOC Act regulations. This arrangement will clearly establish the Act as the framework through which any public or private entity must seek authority to participate in the electricity industry. Moreover, it is consistent with corporatisation policy by promoting competitive neutrality.

The House should note that this arrangement will bring the Government owned electricity corporations into line with other GOCs, which, in the main, do not have powers and functions

in enabling legislation but, rather, under regulations to the GOC Act. The accountability of the electricity corporations to Government and the Parliament will in no way be diminished.

The Bill provides shareholding Ministers to direct a State electricity entity in regard to the restructuring of the industry and implementation of reform. This power will ensure that the reform process continues smoothly once the new corporations are established, and in accordance with Government policy.

The power is to be used solely to facilitate the reform process. It is not to be used to interfere in the general commercial operations of the electricity corporations.

The Act will continue to provide for a range of matters in respect of State electricity entities, but this does not conflict with the policy of separating GOC governance arrangements from the electricity industry legislative framework.

Mr Speaker, the Bill contains a number of wide transitional powers. In particular, proposed section 305 in the Bill provides for a broad ranging transitional regulation making power.

These powers have not been put in the Bill without due consideration. The need for the powers has been balanced against the need to maintain fundamental legislative principles.

The significance of the complex electricity industry reforms to the people of this State means that, on balance and over the short term, it is prudent to provide these powers. They will enable the Government to ensure that, during the period up to and after the first round of contestability, the delivery of electricity services to Queenslanders is business as usual. It should be noted that the regulation making power will expire twelve months after it is brought into force.

The operation of the electricity transmission grid is vital to the integrity of the electricity system of Queensland. With this Bill, we have moved to safeguard the operation of the transmission grid and guarantee reliability of supply throughout the State.

Finally, Mr Speaker, an objective of this Bill is to address difficulties faced by Powerlink Queensland in securing land tenure for transmission lines traversing State Forestry land. In some cases the use of Crown land, specifically forestry land, minimises the adverse impacts of routing transmission lines over private holdings.

Currently, neither the Forestry Act nor the Electricity Act provide any mechanism for creating easements over forestry land.

The Bill does not give electricity entities any more power than previously. It simply allows the consideration of an additional option for determining the route of transmission lines.

The route selection for transmission lines through State forests will be negotiated with the Department of Natural Resources and the

Department of Primary Industries in order to minimise:

- any loss of productive resources on which the timber industry depends;
- any adverse environmental effects on natural areas of high conservation status; and
- any social and economic impacts on the immediate community.

Compensation for the use of forestry land will be paid to the Department of Natural Resources.

Mr Speaker, I commend the Bill to the House.

Debate, on motion of Mr McGrady, adjourned.

ELECTRICITY—NATIONAL SCHEME (QUEENSLAND) BILL

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (5.48 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to make provision for the operation of a national electricity market, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (5.49 p.m.): I move—

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

I am pleased to introduce this Bill to the House. The Governments of eastern and southern Australia have agreed to establish a National Electricity Market in which the supply of electricity will be open to competition. The objective is to improve the allocation of national resources and deliver cheaper electricity to consumers in Queensland and the other jurisdictions that are participating in the national market: New South Wales, Victoria, South Australia and the Australian Capital Territory.

The operation of the National Electricity Market is to be governed by two instruments. The first instrument, the National Electricity Law, gives force and support to rules contained in the second instrument, the National Electricity Code. The National

Electricity Law will ensure that the rules of the market are consistent and enforceable across all of the participating jurisdictions. In turn, this will optimise the National Electricity Market's efficiency and effectiveness and, particularly, assure market participants that the market has a stable governance regime. Therefore, on 9 May 1996, I signed the National Electricity Market Legislation Agreement. This agreement commits the Government to seeking the enactment of legislation to apply the National Electricity Law in Queensland. The Bill provides for the Parliament to give effect to the Government's commitment. Application of the National Electricity Law will allow Queensland, after interconnection, to participate directly in the National Electricity Market that will operate across South Australia, Victoria, the Australian Capital Territory and New South Wales.

The Legislation Agreement provides for the enactment by the Parliament of South Australia of legislation to establish the force and effect of the code. To ensure the code's consistent application across the market, the Legislation Agreement requires Queensland and the other jurisdictions to give force to the relevant South Australian legislation through the enactment of application of laws legislation. In June 1996, South Australia enacted the National Electricity (South Australia) Act. The National Electricity Law forms a Schedule to the South Australian Act. The Electricity—National Scheme (Queensland) Bill 1997 is in a form nearly identical to Part 2 of the National Electricity (South Australia) Act 1996 which provides for the law's application in South Australia. The draft application Bills of the other jurisdictions are also in this form.

I now turn to the major points of the National Electricity Law and the code. Part 2 of the National Electricity Law provides for the approval of a National Electricity Code by the relevant Ministers of each participating jurisdiction. The law also provides that certain constitutional provisions of the code, which are classed as protected provisions, can be amended only with the unanimous approval of the jurisdictions' relevant Ministers.

The code will define the terms of participation in the market for generators, transmission and distribution network owners, service providers, system operators, retailers, other market participants and customers. Specific chapters of the code will deal with connection and access to networks, rules for the operation of the wholesale electricity market, the provision of network services, metering, the security of the interconnected

power system and the administration of the code itself through enforcement, dispute resolution and, importantly, a process to change the code. The code will be a living document subject to some degree of change as the market evolves.

Part 3 of the National Electricity Law provides for the regulation of relevant activities in the market. These activities will be the ownership, control, or operation of generation systems and transmission or distribution systems, the administration or operation of wholesale market for electricity by a person other than the purposely established National Electricity Code Administrator and the National Electricity Market Management Company, and the purchase of electricity from a wholesale market. A person will be able to engage in such an activity only if the person is registered or authorised by NEMMCO to do so, or is exempt from that requirement.

Part 4 of the National Electricity Law contains provisions governing the enforcement of the National Electricity Code. Part 5 creates a scheme for the review by a National Electricity Tribunal of decisions by NEMMCO and NECA. The tribunal's jurisdiction and powers to deal with breaches of the code and the procedures to be followed in proceedings before the tribunal are described. Part 5 also describes the process of appointing the members of the tribunal and the terms of their appointment. Appeals from decisions of the tribunal may be made to the Supreme Court. Mr Speaker, I seek leave to incorporate the remainder of my second-reading speech in Hansard.

Leave granted.

Part Six provides for the establishment of statutory funds by NEMMCO and NECA. NEMMCO's and NECA's funds cover, respectively, the receipt and payment of monies incurred through the management of the Market, and the receipt and payment of civil penalties imposed under the Code.

Part Seven of the National Electricity Law provides for the issue of search warrants in limited circumstances and for NEMMCO to have certain powers of intervention in respect of the power system for reasons of public safety or security of the system. A provision of this Part also creates a rule to apply uniformly in the participating jurisdictions that governs liability for failures of electricity supply. Under the provision, a Code participant will not be liable for failure to supply electricity unless the failure is due to an act or omission by the Code participant in bad faith or the negligence of the Code participant. This rule may be modified by contract.

Schedule 1 to the Law sets out provisions relating to the interpretation of the National Electricity Law to ensure that it is given consistent meanings across the jurisdictions participating in the Market.

The Code is now being considered by the Australian Competition and Consumer Commission for authorisation and approval as an access regime under the Trade Practices Act 1974. The Commission has advised that it expects to make a decision on the Code by August this year. I will table the Code after it has been cleared by the Commission and approved by the Government. I also undertake that the tabling of the Code will be prior to the proclamation of an Electricity - National Scheme (Queensland) Act 1997.

Mr Speaker, it is proposed that Queensland proclaim its application legislation when it commences an electricity market that utilises that the National Electricity Market arrangements. However, the House should note that, unless jurisdictions agree otherwise, each jurisdiction is required by the Legislation Agreement to apply the Law by June 1998.

Victoria and New South Wales are planning to enact their application legislation in their autumn parliamentary sittings and to proclaim it in early 1998.

Mr Speaker, participation in the National Electricity Market will complement the reforms to the electricity industry that the Government is currently implementing. This Bill should be enacted as far as possible in advance of the market's commencement. This will give to potential market participants and major customers clear signals about the Government's commitment to the National Electricity Market and a sound investment and operational planning basis.

There are potential, significant advantages to be gained for Queensland in enacting this Bill. The Government is seeking to adopt the National Electricity Market arrangements from the Queensland market's commencement to ensure that the industry's transition following interconnection with New South Wales is seamless.

Queensland experience of the National Electricity Market before interconnection with the other States that will be vital for the industry because of the experience other jurisdictions have gained already through less sophisticated market systems.

The use of the National Electricity Market arrangements from the outset will also free Queensland industry participants and consumers from the burdens experienced by their southern counterparts in moving first to an interim market system then to the National Electricity Market systems.

The House should be aware that, if the Bill is enacted, upon its proclamation a law will apply in Queensland that has not been passed, and

will not be amended, by the Queensland Parliament. The view might be expressed that the Bill therefore has insufficient regard for the institution of Parliament.

However, there are precedents for this form of legislation. In particular, the Corporations Law and the Australian Financial Institutions Code operate under applications of laws schemes.

The application of law regime is essential to ensuring the nationally consistent operation of the electricity industry which is central to the strength of the economy. Further, the establishment and maintenance of a consistent and stable legislative regime is necessary for the efficient operation of, and sound investment decisions in, the National Electricity Market.

Mr GILMORE: I commend the Bill to the House.

Debate, on motion of Mr McGrady, adjourned.

PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL

Hon. T. J. PERRETT (Barambah—Minister for Primary Industries, Fisheries and Forestry) (5.54 p.m.): by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend various Acts administered by the Minister for Primary Industries."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. J. PERRETT (Barambah—Minister for Primary Industries, Fisheries and Forestry) (5.55 p.m.): I move—

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

This Bill brings before the House a number of small, but significant amendments to three Acts in the Primary Industries portfolio. The first of these is the Forestry Act 1959. These amendments address the high levels of theft of sandalwood timber from Crown lands, especially in western Queensland.

This valuable timber product is exported to Asian centres, mostly for production of joss sticks. At past peak rates, green logs have returned about \$2,000 per tonne. Sandalwood trees growing on Crown lands can only be harvested with appropriate authority under the

Forestry Act. However, over the past five years significant areas of Crown sandalwood have been cut illegally, often without regard for the environmental sustainability of the resource.

Legitimate harvesters sample the tree by cutting a branch and inspecting the end grain, so the tree can stand if it is not suitable for harvest. Illegal harvesters cut the whole tree down, leaving it to rot if there is too much sapwood, and sometimes cut trees less than 12 cm in diameter, the minimum size allowed for legitimate harvesting operations. As honourable members will appreciate, this is irresponsible both in environmental and economic terms.

The environmental importance can be appreciated when one considers that sandalwood is an important part of the riverine environment in western Queensland, growing frequently along creeks and gullies of the Channel Country. Illegally felled trees are frequently left in watercourses, adding to the environmental vandalism.

The illegal harvesting of Crown sandalwood trees has also depressed the market for this timber. In the Richmond/Hughenden area, around 30 sandalwood industry workers have been laid off or cannot operate because of the downturn in prices caused by the black market, and lost revenue to the State is estimated at more than \$1m annually.

These amendments to the Forestry Act aim to protect this valuable commercial forestry by strengthening forest officers' powers, significantly increasing penalties, and providing for seizure of plant and equipment used for illegal activities. The Bill also amends the Grain Industry (Restructuring) Act 1991 to extend the current "sunset" date by 12 months from 30 June 1997 to 30 June next year.

As members are already well aware, there is a review of this legislation in progress following our agreement to extend the legislation for 12 months last year. That review includes national competition policy imperatives and is expected to be completed within the next month or so and the Government will consider its report at that time.

If the amendments were not made as proposed, the industry would be deregulated by default on 30 June next. This is clearly an undesirable outcome, particularly in the light of the timing of reviews by other States of their similar legislation. For instance, New South Wales will not have completed its review before the end of 1998. Victoria and South

Australia have just commenced theirs, while Western Australia is not expecting to commence its review in the foreseeable future.

This Government does not want our grain industry deregulated thereby exposing it to risk of loss of business to other States or possible predatory practices by other State authorities in the marketplace, hiding behind legislation. Consequently, these amendments are not intended to pre-empt the review committee's findings, but rather to keep all options open for the Government in considering its recommendations and to provide flexibility to Government in managing the timing and extent of any changes it considers desirable as a result of that review.

The final Act amended is the Sugar Industry Act 1991 to implement some of the key recommendations of the Sugar Industry Review Working Party report "Sugar—Winning Globally". The report addresses the main National Competition Policy issues in the sugar industry, and was accepted by both the Queensland and the Commonwealth Governments, with some minor adjustment to the recommendations.

This Bill implements a number of the key recommendations, particularly those about the composition and management of the Queensland Sugar Corporation and the Bureau of Sugar Experiment Stations. Both organisations are to be governed by a board of directors.

The corporation's board is subjected to statutory duties and liabilities similar to those imposed on the directors of other trading entities such as public companies and State and Commonwealth owned corporations. Mr Speaker, I seek leave to have the remainder of the speech incorporated in Hansard.

Leave granted.

I will bring further amendments to the House later this year or early next year to implement other recommendations about the Corporation, possibly including the acceptance by the board of a full range of duties and liabilities akin to those under the Corporations Law.

Those future amendments will also separate the administrative functions from the trading functions, so the Corporation can focus on its primary role as single desk seller of Queensland sugar in both export and domestic markets.

In the meantime, the new structure for the board of the Corporation, with an independent chairperson, 3 directors chosen for their expertise in cane production, 3 for their expertise in milling, 2 for their wide commercial expertise, and including the chief executive, will prepare the Corporation for its more focused role.

The BSES is reformed from the very vague structures that exist under the present Act, to provide a clear line of management from the board of directors, through the Director of Sugar Experiment Stations as chief executive, to the sugar experiment stations and other units of the Bureau.

Directors will serve because of their expertise, and the old representative and ex officio method of selection will be discarded as recommended by the Working Party.

This new structure is clearly more workable than the present one.

I am pleased to commend the Bill to the House.

Debate, on motion of Mr Schwarten, adjourned.

LEADING SCHOOLS

Mr BREDHAUER (Cook) (6 p.m.): I move—

"That this House condemns the Borbidge Government and the Minister for Education for their incompetent handling of the restructure of Queensland's Education system 'Leading Schools'.

We note that the Minister has caused deep divisions within the education community as he has deliberately sought to fragment and isolate key stakeholders in education to the long-term detriment of the relationship between parents, teachers and the Education Department.

We call on the Government to halt the implementation of 'Leading Schools' and to negotiate with all education stakeholders before implementing any of the proposed changes."

Tonight the Opposition moves this motion out of a deep sense of concern for the future of our education system. The proposed restructure of Queensland's education system poses a serious threat to the standard of Queensland's public education and to the equitable distribution of educational services and resources across Queensland.

Much of the rhetoric surrounding this debate over the past three months has been couched in terms of an accelerated move towards school-based management and the establishment of school councils to give parents greater input into decision making at schools. But Leading Schools is much more than just school-based management. The Labor Party supports moves to give schools greater say over resource allocations within their school community where there is a demonstrated educational benefit to be

derived. Devolving responsibilities to schools should only occur, however, at a rate which parents and teachers can accommodate at their own school and only with guarantees that sufficient resources are provided to deal with the added workload. We also support parents being given greater input into those decisions. However, the role of school councils must be negotiated with the stakeholders. Importantly, however, the Opposition does not believe school councils should be mandated for any school. Leading Schools will force all band 8 to 11 schools to form school councils and deny band 4 to 7 schools the opportunity. School communities must be provided with options and given the opportunity to decide for themselves, not forced into it by this Minister or this Government. The Opposition does not, however, support changes which will entrench and exacerbate existing resource inequities between primary schools and secondary schools, between large schools and smaller schools, between schools which suffer high levels of socioeconomic disadvantage, ethnic and cultural diversity, geographic isolation and children with special needs and those schools which are better off.

Let us make no mistake: the Borbidge Government will not spend one extra cent on Education to fund Leading Schools, and for most schools very little, if any, of the additional funds will be discretionary. This is the central issue at stake in Leading Schools. The question is whether all Queensland State schools will continue to be properly resourced to provide for the high standard of public education which both parents and the community expect that Queensland's education system will deliver. Leading Schools is about whether we deliver to some schools an opportunity to enhance their resource base and become better equipped to meet the educational needs of their students while other schools are left behind.

The very notion of Leading Schools has caused considerable concern among parents and teachers throughout Queensland. What the Government is saying is that there will be an elite group, initially only 100 schools, within Queensland's education system which are entitled to call themselves "Leading Schools" which may benefit from the allocation of some additional resources, but that other schools will be marginalised and residualised by the process, both in terms of public perception and in terms of actual resource allocation. The Labor Party will ensure that all Queensland schools continue to provide equitable access to educational services for all Queensland students.

The Opposition is committed to ensuring that the appointment and transfer of principals and staff, the determination of staff levels for schools and the conditions of employment for teachers and other education employees are core functions of the education system which should be determined at a central level. We do not support allocating schools a notional staffing budget and allowing schools to trade off teachers to fund other resources. We regard guarantees from the Education Department over class sizes, access to specialist teachers and the transfer system as worthless when it is allowing schools the opportunity not to fill vacancies which arise as a result of transfers, resignations or retirements. Class sizes will rise and teachers will refuse to transfer to rural and remote areas as a result of this Government's policies. We also believe that the State Government has a primary responsibility to maintain the standard of our social infrastructure in school buildings and other school assets.

Last week the Courier-Mail reported on a speech by the Queensland Director-General of Education to a conference of principals on Leading Schools where he said that State schools need to reinvent themselves to become market driven to compete more effectively with non-Government schools. What Government schools need is a fundamental commitment by Government at State and Federal levels to provide a quality public education system. Typically, this Government seeks to blame the victims—to blame the schools for their supposed failures which allegedly causes the drift of students to non-Government schools. This demonstrates another of our fundamental concerns about Leading Schools. What Leading Schools is all about is providing a mechanism for this Government to shift responsibility for resource inadequacies onto schools and school communities and away from the Governments which make the decisions about funding.

But paramount among our concerns at present in relation to the implementation of Leading Schools is the climate of dissension, of confrontation and of recrimination which this Government has generated by its failure to consult stakeholders over the implementation of Leading Schools and by its deliberate attempts to divide and fragment the education community over its implementation. These reforms will not succeed in an environment where teachers, principals, parents and the department are in disarray and fundamentally disagreeing on the direction of the changes.

Whatever happened to Partners in Excellence? Will the Minister accept schools

into his pilot program where the teachers have overwhelmingly rejected participating in the pilot? What is needed in this debate is a circuit-breaker. If the Government refuses to support the motion before the House tonight, which would provide that circuit-breaker, then the Opposition has determined that upon coming to Government it will halt the implementation of Leading Schools.

Opposition members: Hear, hear!

An incident having occurred in the public gallery—

Mr SPEAKER: Order in the Chamber and in the gallery!

Mr BREDHAUER: We will halt the implementation of Leading Schools and we will go back to the process that this Government should have put in train before it embarked upon these changes. We will consult and negotiate with the key stakeholders. We will seek common ground and we will build on only those areas where there is a demonstrated educational benefit to be derived from change.

On 9 April the Minister for Education distributed a letter to all Queensland schools titled "Then and Now". In the opening paragraphs the Minister confesses to the world that 30 years ago he became a teacher because he wanted to make a difference. The Minister says his purpose in life remains the same today. Since 9 February 1997, there can be no doubting that the Minister certainly has made a difference! Never in my 20-year association with Queensland Education has the education community been so deeply and bitterly divided. The Minister's deliberate attempts to divide and isolate stakeholders in education have successfully fragmented and torn apart the key stakeholders in a way few would have thought possible and in a way which will have lasting consequences for the education of all Queensland children.

When the Minister reads the newspapers and watches the news at night and as he drops off to sleep, how reassuring and satisfying it must be for him personally to know that his campaign strategy is working. He has successfully wound back the clock and set the department against the QTU in a way not seen since Bjelke-Petersen was Premier of Queensland. Tonight I predict that the Minister will seek to escalate his dispute with the QTU over enterprise bargaining. Labor opposes enterprise bargaining being dependent on teachers giving an open-ended commitment to the Leading Schools process. The Minister has successfully set teachers against teachers, parents against parents, principals

against principals and school sector against school sector. He personally has torn the fabric that wove our system into a cohesive unit working cooperatively for the benefit of Queensland students and schools. The Minister has replaced cooperation and harmony with division and recrimination where teachers, parents, principals and bureaucrats criticise each other's motives and engage in heated debates across the spectrum of the media.

The Minister must sleep well at night in the knowledge that he deliberately set out to divide and conquer, especially to isolate the QTU, and that his campaign is being successful. But has the Minister ever stopped to ask himself what is happening in his schools? While all this energy is being dissipated arguing, campaigning and debating, who is teaching our kids? What sort of a debilitating effect is it having out there in our schools? I will tell the Minister. It is affecting the long-suffering teachers of Queensland—the same teachers who go to P & C meetings and run stalls at the school fete; the same teachers who are members of the local sporting and service clubs; the same teachers who take the musical, coach sporting teams and take kids away on weekend camps. Notwithstanding the additional pressure and anxiety and uncertainty the Minister personally has created, those teachers will be at school in the morning doing their best for our kids in their classrooms.

The Minister should have a look around the gallery. Maybe those people came here to thank the Minister for turning the system on its head once again. Maybe they came here to thank him for creating yet another rod for their backs. But maybe they didn't. Just for once, why doesn't the Minister go and ask them? Just for once, why doesn't the Minister listen to them?

Hon. D. J. HAMILL (Ipswich) (6.09 p.m.): I rise to second the motion moved by the member for Cook. In doing so, I want to recall some words that I spoke in this place when we debated the issue of Leading Schools not so long ago. At that time, I expressed my concern at the impact that the Minister's policy was having in relation to employment in my local area—the closure of the regional office and the loss of the school support centres. At the time, I mentioned that the Minister, in his promotion of his Leading Schools proposal, had been seeking to clothe it in the words or the language of "school-based management". He knows and I know—and I think most interested parties in the education community know—that Leading

Schools is much more than school-based management. I think it is about time the Minister exercised a bit of honesty in relation to his proposal and told people exactly and really what Leading Schools is all about.

For some time, the Liberal Party and particularly this Minister have held the view that the model that has been applied in places like Victoria is the way we should be going in terms of school governance: that we should have school boards, that we should have a lot of autonomy vested with respect to those school boards and that that autonomy should extend to a whole range of areas that have traditionally been responsibilities of the Education Department here in Queensland.

I am talking here about staffing, about curriculum and about making decisions in relation to capital works needs of that school. I state again: I support school-based management but I also support equity within our school system. I also support the maintenance of standards and I am appalled that any Minister for Education would be promulgating a policy which is all about eroding standards and breaking down the education system in our State. That is the fundamental difference between what this Minister is advocating in terms of Leading Schools and what we, in Government and in Opposition, believe to be an appropriate policy—and that is appropriate school-based management.

There are a number of issues that I want to canvass in relation to this proposition. As I said, there are certain matters which I believe should not be left to the province of a local school council or school board. One such matter is a school's curriculum. Certainly, not every school offers the same subject range. Obviously, decisions are made at a local level based on the resources the school has and, indeed, the demands of the students within that school for certain subject choices but the selection is from a Statewide curriculum—and so it should be if we are going to maintain standards.

We should not fall for the trap of devolving staffing matters to schools. Once we do that, we will strike the final blow against any equity in our education system. It should not matter one jot whether a student is in Birdsville, Brisbane, Cairns or Caboolture: that student is entitled to the same quality staffing in our State schools. By breaking down the system to undue local decision making and local recruitment, we will undermine that fundamental principle of equity. Schools should not have to manage major capital

works, but that is the logical extension of a totally devolved educational system.

A lot of schools in my area have major capital works needs: the schools that were thrown up—the egg cartons of the 1950s and 1960s—to accommodate the baby boomers. They have particular capital works needs which will not be met if we devolve the capital works Budget around the State. In my view, a Statewide standard needs to be maintained in relation to issues such as class size and certain aspects of behaviour management. We should not be allowing schools to have devolved decision making on suspension or exclusion policies. We should not have schools making decisions about whether or not there should be corporal punishment, for example.

But there is a proper role for local decision making in terms of issues relating to behaviour management within the schools, but within those broader guidelines. There needs to be local decision making in terms of minor works and maintenance and the resources in the school, but one does not go down the path that the Minister is taking to achieve those goals. One does not achieve cooperative schools and collaborative decision making in schools by setting staff against staff, principals against parents, parents against parents, which is exactly the outcome of the policy which this Minister has pursued. He has struck a dreadful blow against the cohesiveness in our schools and, consequently, his policy should be halted forthwith.

Hon. R. J. QUINN (Merrimac—Minister for Education) (6.14 p.m.): I move the following amendment—

"Omit all words after 'That' and insert the following—

this House notes the support for school-based management expressed by the Queensland Teachers' Union in their Enterprise Bargaining Agreement, struck with the previous Labor Government in 1994;

the House also notes the support for the Leading Schools program expressed by the Presidents of the Queensland Association of State School Principals and the Queensland Secondary Principals' Association, in their joint statement at the recent Leading Schools Conference;

the House also notes the support for Leading Schools by Queensland state school parents, as stated by

the Queensland Council of Parents' and Citizens' Associations;

the House also notes the Executive of the State Public Services Federation, Queensland has recommended that its members vote to accept the Enterprise Bargaining Agreement which includes a commitment to support the implementation of Leading Schools;

all education stakeholders will be provided with the opportunity to be involved in the implementation of the Leading Schools Pilot Program; and

all education stakeholders will be provided with an opportunity to be involved in the ongoing monitoring and evaluation of the Leading Schools pilot program."

We have heard tonight the greatest lot of humbug and hypocrisy ever visited upon Education in Queensland. The enterprise bargaining agreement struck with the QTU and the previous Labor Government in 1994 specifically says in detail in a number of places that the QTU would commit itself to school-based management all the way down the line. The sticking point of all of this is the flexible staffing arrangements. That is the only one point that the QTU refuses to sign off on. We have had negotiations with the QTU over the enterprise bargaining agreements; we have given them five pages of guarantees and right at the very last point it withdraws its support. The EBA signed by this mob on the other side of the Chamber and the QTU in 1994 says—

"The parties agree to advance this departmental priority"—

it is talking about school-based management—

"through the implementation of pilot projects covering:

flexible staffing arrangements . . ."

The QTU put its name on the dotted line and it took the money. The problem with the QTU is that it has not had the courage to tell its members that it signed on the dotted line for them to implement school-based management—Leading Schools. That is the problem. It has not had the courage to tell its own members that it took the money; it got the pay rise for them; and now it has to deliver what it signed them up for. What do we have? We have had this greatest campaign of misinformation, lies, innuendo, personal attacks—everything the QTU could throw at this Government in order to disguise its own deceit towards its own members.

The QTU stands condemned; it is the only organisation that will not come to the party. It has isolated itself. It is the one that is going around to schools pitting principal against principal, teachers against teachers, parents against teachers all the way down the line. Its tactics have been the most despicable in the industrial history of this State. It is going into schools where the principal has gone away on a conference and calls meetings, poisons the staff so that, when the principal comes back, he has to sit down and explain the situation again.

I have news for the Opposition and I have news for the QTU because when there is a meeting with the QTU agenda on the line, the teachers are putting up their hands and voting the party line. When the QTU goes away, the principal is sitting down with the staff and they are voting to come into Leading Schools. I repeat: they are voting to come into Leading Schools. Last night, there was a meeting of teachers at Mountain Creek State High School on the Sunshine Coast. Forty to 6 they voted to come into Leading Schools.

Mr Bredhauer: That is one.

Mr QUINN: That is one, and there are a lot more. I repeat: there are a lot more. This has been the greatest deception campaign mounted by the QTU in order to disguise its own deception, its blatant and outrageous campaign, to secure a wage rise in the order of 10% per annum for three years. Who has ever heard of getting a 30% pay rise?

Time expired.

Mr SPEAKER: Before I call the next speaker, I would like to inform members that lift No. 1 in the Parliamentary Annexe is not operating. I say this because I know that there will be a division later on.

Mr RADKE (Greenslopes) (6.20 p.m.): I second the amendment moved by the Honourable the Minister for Education. There has been widespread support from school communities for the Leading Schools Program. There is no doubt that the campaign of misinformation which has been conducted by the executive of the Queensland Teachers Union has made the decision-making process more difficult for school communities.

Mr Schwarten interjected.

Mr SPEAKER: Order! The member for Rockhampton! If the member wishes to remain in the Chamber to speak later, he will desist from his persistent interjections.

Mr RADKE: Even though the Queensland Teachers Union executive has maintained considerable pressure on

principals and has deliberately attempted to disrupt particular schools, there is significant support from school communities and principals for the Leading Schools Program. More than 200 primary and secondary schools indicated that they were interested in participating in the pilot of the Leading Schools Program. These schools are representative of all regions of our State.

The president of the Queensland Secondary Principals Association issued a position statement on 15 March 1997 which indicates that the association supports the Leading Schools Program. It states—

"The Queensland Secondary Principals' Association supports the concept of Leading Schools and School Based Management."

Queensland State schools have been gradually implementing school-based management over many years.

The previous Government was responsible for devolving many responsibilities to schools. But this was done in an uncoordinated, ad hoc fashion which caused much dissatisfaction among teachers and parents. On the other hand, the Leading Schools Program provides school communities with a framework for how school-based management will operate in Queensland schools and then invites school communities to be involved in determining the details of the model. This was recognised by secondary principals in the position statement which I mentioned earlier. It states—

"There is a belief that Leading Schools is simultaneously a culmination of where many schools have been heading over the past several years, and confidence that the project will resource the continuation of School Based Management."

Principals have continued to show their support for the Leading Schools Program even though the Queensland Teachers Union executive has run an aggressive and misleading campaign against those school communities and, in particular, the principals of those schools which have indicated an interest in participating in the program.

The principals of more than 170 schools recently attended the Leading Schools conference. The principals who attended the conference expressed unanimous support for the Leading Schools Program. Both primary and secondary school principals issued a joint media statement which included this statement—

"Primary and secondary principals at the Leading Schools Conference fully endorse the move to school based management through the Leading Schools Program. We see this in the best interests of those children who attend our state schools."

While these principals were attending the conference, the Queensland Teachers Union continued to attempt to undermine their position by holding sub-branch meetings. In many schools this was done in the principal's absence. This could be interpreted as a cynical attempt by the executive of the Queensland Teachers Union to ensure that, in the principal's absence, the other side of the argument could not be provided to teachers.

The Leading Schools Program is all about trusting teachers, parents and other members of the school community to make local decisions to achieve the best outcomes for our students. The leadership of the Queensland Teachers Union continues, through its actions, to prove that it does not trust teachers and principals to make appropriate decisions in their schools. The Queensland Teachers Union executive seems to be unable to change its old-world view. The leadership of the Queensland Teachers Union believes that it should be making decisions centrally on behalf of thousands of teachers and principals throughout the State. The Queensland Teachers Union executive believes that it was born to rule school communities. This Government will continue to support the leadership role of principals in our schools and will continue to maintain the right of school communities to be involved in school decision making.

Mr T. B. SULLIVAN (Chermside) (6.23 p.m.): The ALP supports appropriate school-based decision making. For decades local decision making has evolved to give principals, staff, parents and, in more recent years, students a greater say in the running of our State schools. But Leading Schools, as proposed by this Minister and this Government, is not the appropriate way to lead to this. Leading Schools is a flawed, imperfect vehicle to deliver additional school-based decision making. This Minister and this Government have discarded cautious, measured evolution and have proposed a radical revolution in this particular case. For someone who proclaims himself to be part of the conservative forces of politics, the Minister has even betrayed his side of politics. Even if, for the moment, we disregard the divisions that this Minister has caused and the Minister's linking of this to industrial issues,

there are major problems that have occurred, and his words do not match his actions.

The Minister says that Leading Schools is the way that will further strengthen the bonds between members of the school community. The Minister has divided everyone. Where the Minister says that teachers will be better able to effectively exercise their professional judgment and skills in the classroom, read that they will be smothered by reports, snowed under with paperwork and attending endless meetings. Where the Minister says that the principals will become true educational leaders in the schools, read that they will become full-time financial managers with less time for the classrooms, the students and their staff. Where the Minister says that the local community will have a greater say in the present and future progress and direction of the school, read that there will be more jobs thrown onto the local school, the P & C will be doing more fundraising for the basics and they will be giving more administrative support to principals and teachers.

I agree with the goals or aims as espoused on page 4 of the Leading Schools booklet. That is where the QTU could agree with the Minister. But do not equate the goals of better educational outcomes through local decision making with this particular program. It is this particular program and the way in which the Minister has gone about it that is the problem, not the general direction of wanting to go to greater local school-based decision making. We support that; most people would support that. I have heard very little criticism of it. But the way in which the Minister has chosen to do it is the problem. Leading Schools is not going to achieve what the Minister set out to do. He invites people to take account of the experience in other States and overseas. Let us do that, and we see that the Victorian scheme has now collapsed. Let us have a look at the United States where they are appointing accountants to run schools—people who have no educational background. The students and teachers are suffering because those people do not appreciate what schools are about.

At a P & C meeting that I attended recently, the principal said, "Look, I do not care what job I am given, but I have not been trained to be a financial manager. I have been trained to be a teacher, to work with kids and curriculum. I am spending more and more of my time doing paperwork on finances." That principal criticised the Labor Government in previous years and was very loyal to the department. What we are going to find is that

there will be more work and less time for teachers to spend with the kids.

Consideration of the partnership agreement, the annual operation plan, the annual report and the requesting and receiving of periodic reports from the principals reveals that we are going to see a huge amount of time of the principals and administrative staff devoted to developing and writing reports. There will be endless meetings for the consultation process that is required for the budget and the various working parties to which the Minister refers. According to the annual report, there will be levels of satisfaction surveys. I am sure that parents will really enjoy getting more surveys and other forms coming home to them to add to their financial reporting and level of students' achievements, as shown in both State and local data. This is great. We are not having just one level of reporting on students; the Government has now given them another pile of work. The Minister says that there will be more funds through the school gate, but what he has not said is that the funding will not be accompanied by administrative support. A perfect example of that is the selection of staff. That work, which was being done by the HR section of the department, will now be done by principals and parents at the local school.

The Minister has stated that Leading Schools will be expected to demonstrate their commitment to initiatives proposed by the department. That will lead to the ambitious bureaucrats within the department setting their own agenda and, therefore, piling extra work onto principals and staff. It is a great way to divide the department. But it is not a department now, is it? It is Education Queensland, which has been segregated into 36 districts. In addition there will be hundreds of school councils. The Minister is fragmenting the department which will not lead to better educational outcomes for schools.

Time expired.

Mr HEGARTY (Redlands) (6.28 p.m.): In rising to take part in this debate, I reject outright the hypocritical stance that the Opposition has taken by moving this motion. Firstly, I fully endorse the statement by the Minister about the QTU and its deceitful dealings—allegedly on behalf of its members—over the enterprise bargaining agreements. Is it not ironic that the inclusion of school-based management and enterprise bargaining occurred under, and was endorsed by, the previous Labor Government? Those

members sitting opposite are the ones who did it.

The Queensland Teachers Union, the State Public Services Federation of Queensland and the Australian Liquor Hospitality and Miscellaneous Workers Union signed an enterprise agreement with the Department of Education in 1994. This agreement included a commitment for a 9% increase in salaries over a period of two years and four months. It is worth noting that this increase is actually less than what the QTU is rejecting as unsatisfactory in the current round of enterprise bargaining negotiations.

In accepting the 9% salary increase, the parties to the agreement committed to advance school-based management as a departmental priority through the implementation of pilot projects covering a variety of flexible arrangements. The most recent claim by the Queensland Teachers Union to support school-based management but not the Leading Schools Program is arrant nonsense. Leading Schools is the phased implementation of school-based management that delivers what the parties, including the QTU, committed to in November 1994.

What does Leading Schools involve? It involves a volunteer pilot group of 100 larger schools, each of which will receive significant financial support. A second and third phase will allow time for the majority of schools to reap the benefit of the experience of those involved in the pilot and greater flexibility and responsiveness, which is controlled by parents, teachers and other staff at the school and not in Mary Street. I repeat: Leading Schools is the progressive and phased approach to school-based management to which the QTU committed itself and its members under a Labor Government in 1994.

Current enterprise bargaining negotiations with all unions commenced in 1996. An offer of a 12% salary increase over three years was made in February 1997. Unlike New South Wales where \$55m had to be found from within school budgets to fund the latest salary increases for teachers, the Queensland offer will be fully funded by Treasury. I would hope that that would be accepted and received well by the Opposition at least. The Leading Schools initiative was approved by the Government in February 1997. The department sought an ongoing commitment from the unions through the current enterprise bargaining negotiations.

The QTU has maintained a constant and misleading media campaign in support of a significant salary increase for its members and

in rejection of certain aspects of the Leading Schools initiative. The union's ambit claim of 10% per annum was moderated on 19 March 1997 to a claim of 6% for the 1996-97, 1997-98 and 1998-99 financial years—effectively a claim of 7.7% per annum over 28 months. In late March, an agreement that included a commitment to implementation of the Leading Schools initiative was reached with the State Public Services Federation of Queensland. That union's executive had recommended that members accept the 12% salary increase. Subject to the outcome of the members' ballot, which is currently under way, members of the SPSFQ in schools, regional education officers and central office will receive their first increase of 4% backdated to 1 March.

In late March, the QTU issued an interim directive to members not to participate in the Leading Schools pilots. In spite of the interim directive, more than 170 schools formally expressed interest in the Leading Schools pilots. Another 60 applications were received after the closing date. That is the interest and support that the members opposite are not picking up. At all times, the department has continued to attempt to negotiate agreement with all parties to the agreement, other than suspension of negotiations with the QTU for a short period during the 24-hour stoppage. Concentrated negotiations with the QTU in early April resulted in the union being given a package of guarantees relating to the Leading Schools initiative. On 14 April, the QTU executive rejected those guarantees. Departmental negotiators believe that, by its actions, the QTU negotiating team engaged in deceptive behaviour and, in so doing, did not negotiate in good faith. I must reiterate that the QTU committed to school-based management pilots as a result of the last enterprise bargaining agreement. The potential benefit to schools—

Time expired.

Mr PEARCE (Fitzroy) (6.34 p.m.): I welcome the opportunity to support the motion moved by the Opposition as I am most concerned about the deep divisions within Queensland school communities and the impact they are having on the delivery of education to our State schools and in particular to rural schools. The silence of National Party members from country electorates in this place tells me that they do not understand, or perhaps they just do not care. I have 35 schools in my electorate. I am receiving a clear message, and the Minister should listen: pull your head out of the sand; it has been there for too long; you are starting to look like a sandcastle.

The Leading Schools proposal is an elite system and it is raising many concerns about the quality of education being maintained and improved for all students in State schools regardless of their location. I intend to put those concerns in simple terms. In talking with parents, teachers and school principals, one finds a consensus of opinion that the whole concept of Leading Schools is a shambles and a disgrace. It has turned into a political slanging match.

I point the finger of blame at the director-general of the department. Leading Schools is his agenda. The Minister must share the blame because he does not have the political know-how and strength to pull his DG into line. This morning in this place I saw that the Minister is being seen as Peachey's puppet. In a rush to push through his agenda, the DG has forgotten the principles of fair, open and accountable consultation. The Minister should call his DG in and say, "Listen here, mate. The system is falling apart. The teachers don't like me. Parents don't like me. No-one out there trusts me any more." He should fix it or else. Of course, the DG would have kittens because he would have in the back of his mind the performance clause in his contract. If he does not deliver, he has real problems—and he knows it. But who cares? Surely the smooth running of Queensland's education system that is providing education to our children is far more important.

If the Minister wants to get out of this predicament with any credibility, he must, as a matter of priority, stop the process; halt the implementation of Leading Schools; consult with the stakeholders in an open and accountable way—no backdoor deals; be honest with the stakeholders; stop the propaganda and the misleading, dishonest, divisive approach that he has; and show some respect for teachers and principals who have genuine concerns and want answers. I say to the Minister: look at those teachers in the gallery tonight and show some expression of sorrow on your face for the way that you have targeted them in an effort to sell your agenda.

He should stop claiming that he has the support of P & C associations when, in most cases, they do not understand Leading Schools. He should tell school communities the facts. He should put his guarantees in black and white on the table in front of them so they can ask questions and be told the truth. He should answer their concerns, such as how they will benefit from Leading Schools, what power the school council will have, what relationship that council will have with the P & C and the local community and what costs

will be handed back to schools. With the additional money provided, will it be necessary to employ additional administration staff? What formula will be used to guarantee that schools receive additional funding to meet their fluctuating needs? Will they be required to seek out corporate funding? In the future, will students be told that the next half hour is sponsored by McDonald's or KFC? Will the department give consideration and approve additional funding for rural schools to meet the ongoing costs of professional development for teachers?

The Minister may not realise that rural schools contribute more to the professional development of teachers than regional schools or those in the south-east corner. The same cost burden on an ongoing basis does not apply to those schools in regional centres or in the south-east corner, because in most cases teachers come to them with training paid for by country schools. Rural schools put in dollars to provide the training and the teachers then move on. Graduates and incoming teachers who need the professional development get it at the expense of country schools, but the Minister does not cater for that. Those costs are not factored in.

How will Leading Schools address those types of problems? There must be clarification on how schools will be staffed. Teachers want answers. The Minister has a real problem: teachers do not trust him. I do not know how he feels about that, but there is nothing worse than not being trusted. Teachers have seen the untruthful and misleading statements on their salaries. It has been a laughing matter in crib rooms that I go into. How will the school-based selection process affect the Statewide transfer system? Teachers in my area have no confidence in what the Minister is saying—no confidence at all. How will he get the best teachers into rural schools—he keeps forgetting about rural schools—if they have no guarantee about how long they will have to put up with the posting?

Time expired.

Mr TANTI (Mundingburra) (6.39 p.m.): I wish to thank Minister Quinn and his office contact, Mr Ben Myers, for the way in which they have communicated with me about this issue. I would like to thank the Minister for the literature, booklets and seminars that were provided in Townsville. I can say in this Chamber that many schools in the Townsville region are lining up for the Better Schools trial. This Government is fully committed to the restructure of Queensland's education system through the Leading Schools Program. The

implementation of school-based management in Queensland through the Leading Schools Program is all about school communities making the best decisions possible regarding teaching and learning in the local context for the benefit of our students.

Not even the Opposition will argue that parents and other community members do not have a right to have a say in how their schools will be run. This belief in the right to have a say is borne out by the high degree of school community support for devolving greater authority, responsibility and accountability to Leading Schools.

Rather than causing divisions in the school community, as is suggested in the Opposition's motion, this Government believes that the Leading Schools Program and its inclusion of such school councils will bring together parents, teachers and other school community members to create workable, cohesive and effective partnerships in our schools.

The Queensland Council of Parents and Citizens Associations, the peak body representing over 1,200 State school P & C associations, has been consulted from the very beginning of the implementation of Leading Schools and is very supportive of this program. On numerous recent occasions the QCPCA and its members have reinforced the benefits of Leading Schools for all students and the wider school community. In a media release on 19 March, the QCPCA President, Sarah Nelson, stated—

"The State Government's decision to introduce the Leading Schools program into our State School system will give parents a greater role in the management of their children's schooling and will lead to better student outcomes."

Importantly, she went on to state—

"The QCPCA, a long time supporter of the value of the Leading Schools concept, believes direct parental involvement on school councils . . . is a major step forward for the Queensland education system."

This level of support from parents indicates clearly not only the educational worthiness of the program but also the strong level of agreement between the Education Department and the QCPCA. In addition, the QCPCA's policy on the decentralisation of schools supports the Government's position on the introduction of school councils in Leading Schools. The policy states the following—

"The Queensland Government should provide for the establishment of representative . . . school councils."

Last week both the president and vice-president of the QCPCA attended the Leading Schools principals conference, at which the Minister reinforced this Government's deep commitment to the introduction of Leading Schools. The QCPCA's attendance at this importance conference indicates the general level of support that this important stakeholder has for the Leading Schools Program.

It seems obvious to all that the only peak body within the education community that is currently misrepresenting and misinforming its members regarding the implementation of the Leading Schools Program is the QTU executive. All the other representative school community groups have come out in favour of the program. And why would they not? Ultimately, school-based management is about improving student learning outcomes for all Queensland students.

A key issue on which the QTU leadership has blatantly misrepresented the department's position to its members is the issue of flexible staffing. Unlike the QTU executive, the QCPCA is clearly supportive of the ability of Leading Schools to determine the resourcing mix. The QCPCA policy states—

"Flexible staffing decisions should be made in a consultative forum within the school community."

It is obvious to this Government that the QTU executive's current refusal to engage in meaningful dialogue with the department over the Leading Schools Program is just a cheap tactic to obtain increased teacher salaries. The QCPCA seems to agree with this interpretation. In a media release on 16 April, the QCPCA president stated—

"The collapse of the current negotiations would seem to have very little to do with improving student learning outcomes. . . A dark day indeed Mr Mackie!"

That demonstrates clearly the QTU executive's self-imposed isolation from other key stakeholders over this valuable and important program. Once again, I stress this Government's real commitment to the introduction of the Leading Schools Program and condemn the Opposition for initiating this motion in the House. This motion serves only to create a division in the educational community which, apart from the QTU executive, is totally supportive of the Leading Schools Program.

Time expired.

Mr SCHWARTEN (Rockhampton) (6.44 p.m.): Before we get too far into this, let us just clarify one point, and that is that there was no mention of Leading Schools in 1994. I challenge the Minister to table any reference to Leading Schools. It is something that the Minister has dreamt up himself. He should not try to blame the Teachers Union for his incompetence and bad handling of this whole pathetic issue. The way in which it has been sold in the community is just absolutely hopeless. Out there among the public, the Minister has shrouded it in deceit—among the teachers, among the kids, among all the people to whom the Minister has spoken.

Let us look at what we have: a Minister who could not teach a pig to be dirty and a director-general who could not lead a choko vine over a fence. The result of that is what we have tonight—the necessity to move this motion about this whole hapless and pathetic shambles called Leading Schools.

If teachers wanted any clarification on Leading Schools, they were told, "It is all in the blue book." However, when the Teachers Union examined the blue book in fine detail, it found that there was no reference to the policy of, for example, trade a teacher for a tractor or get rid of a teacher to paint a wall. Somehow, that was left out. The Minister wonders why he has no credibility when he talks to teachers, yet the document that he has circulated throughout the teaching service in this State is completely dishonest and completely flawed.

Aside from the stealth of the Sunday night release of this marvellous project, what have the Government's efforts been so far? We have seen the Government trying to goad teachers into accepting it by flashing, of all things, a photo of the Minister with his class. Mind you, that class was standing with a slate, which demonstrates how far back the Minister had to go. That indicates the amount of credibility that the Minister has. So then the Government started dangling carrots in front of principals: "\$100,000 for your school"—where that comes from, heaven only knows; presumably from the poor old following schools—"We will take you on a bit of a holiday to the Marriott", and goodness knows what expense that would be; probably \$150,000 or so, "and a 5% pay increase." "And there is more", the Tim Shaw of the Education Department tells us, "\$2,000 into your kick for professional development. So bundle up yourself and your trusted staff and go for a little trip to New Zealand to see what a shambles they have made of their education system over there."

To cap it all off, we have the pièce de résistance. They cannot goad the teachers with a photo of the Minister and his slate, they cannot get them with the two grand in their kick, so what do they do? They get out the sledgehammer. Today, they went down to the Industrial Relations Commission and filed an action to bring the bargaining process to an end. Effectively, that takes away from teachers their right to enter into the dispute. I table the document. The Minister probably has not even seen it. That indicates how on top of the issue he is.

An Opposition member: "Backdoor Bob" again.

Mr SCHWARTEN: "Backdoor Bob" again. Let me say that not one teacher whom I have met supports this nonsense; not one parent whom I have met supports this nonsense—not one of them. Why not? This clown over here—

Mr SPEAKER: Order!

Mr SCHWARTEN: The Honourable the Minister says that they will accept the guarantees that he has given. They would rather trust a rabbit with a head of lettuce than take any of the Minister's guarantees. They recall the guarantees that the Minister gave to the school cleaners. What about when the Government had McHugh telling people that the transfer system was somehow going to be set in granite and could not be moved? When the QTU wanted to put that into the agreement, the Minister would not do it. Why not? Because down the track he intends to backflip on that. The Minister knows that damned well. That is why he will not put it in the agreement. That is why he will not show the colour of his money in that regard.

Mr Quinn: It's in there.

Mr SCHWARTEN: It is not in there at all. Tonight I challenge the Minister to table a document that shows that in an agreed statement between the Teachers Union and his idiotic department. The fact is that that is not the case, and the Minister knows that to be true. If he does not, he should not be sitting in that seat. In any case, he should not be sitting there.

The fact of the matter is that if the Minister had any political brains at all, he would scuttle this matter right here and now. Here is his chance. The Minister should do himself a favour and come over and vote with the Opposition on this motion. If the Minister really believes that teachers and parents support this project, then he should go to a P & C meeting.

Time expired.

Mr BAUMANN (Albert) (6.50 p.m.): The Leading Schools Program is the most exciting initiative in Queensland education in 20 years. As we have already heard, parent groups and school principals are in support of the program and have publicly expressed their support and enthusiasm for it.

Mr Ardill: How many?

Mr BAUMANN: The honourable member cannot count to that number. If he waits, I will let him know. These groups see that the Leading Schools Program promises real and educationally exciting long-term benefits for our schools and students. Schools and their communities can see through the misinformation being spread by the QTU leadership and are excited by the opportunity that is being offered to them. Some of the simple facts demonstrate this case.

For the benefit of the member for Archerfield, I point out that of the 608 larger schools in Band 8 to 11 that were eligible to join the pilot phase of the program, over 200 showed interest in the program. Well over 170 principals from these schools attended a four-day conference to find out more about the program. I am advised by the department that it anticipates that there will be no difficulty in reaching the target of 100 schools to undertake the pilot program beginning in July 1997. In other words, well over one-quarter of the eligible schools submitted an expression of interest about the pilot program to Education Queensland. The department will also have an appropriate number of schools to run the pilot phase. The Leading Schools Program has strong support among both primary and secondary schools. Over half of the more than 170 school principals who attended the recent conference were from primary schools.

It should be noted that these numbers were achieved in the face of virulent opposition from the QTU leadership which issued a directive banning schools from submitting an expression of interest to the Leading Schools Program. However, over one-quarter of eligible schools still decided to volunteer. The QTU leadership threatened a "deal" with schools that volunteered. That sounds familiar! Those schools persisted in their intention to become better informed about this great opportunity. The QTU leadership has continued to try to spread misinformation and fear among teachers and schools. Despite that, the department advises that it will easily achieve the number it needs for the pilot phase.

The QTU leadership has tried to mislead teachers by spreading rumours that the

Leading Schools Program will mean the end of the transfer system and will be a threat to teacher jobs. These inaccurate and incorrect statements have been effectively answered by the department.

Mr Ardill: When?

Mr BAUMANN: For the information of the member for Archerfield, I point out that Education Queensland has made it clear that current transfer and allocation mechanisms will remain in place. Schools can be given the necessary flexibility to implement school-based management within these frameworks. The QTU leadership has pointed to examples of school-based management in other States and overseas where there have been substantial cuts in resources and where teachers have been sacked. The QTU leadership has tried to pretend that our approach will have the same results.

I am proud to say that Queensland is different. Many of the other States did not have a sound budgetary position when they introduced school-based management. They had to make major cuts in budgetary allocations to deal with higher levels of public indebtedness. In Queensland, we have a long history of having a strong budget. We do not have to make budget cuts to deal with high levels of public indebtedness.

Unlike other States which have been making cuts in school funding, the coalition Government has increased funding available to education in the State to over \$3 billion. All of our schools are benefiting from increased funding, especially where there is increased provision for deputy principals, non-contact time for teachers, facility upgrades and a greater concentration on early literacy programs. Whereas other States such as New South Wales fund teachers' salary increases by making cuts of some \$55m from services to schools, the Queensland Government is committed to a fully funded pay increase for teachers of 12.5% over three years. Indeed, we can move into the Leading Schools Program with a clear commitment to push an additional \$150m per year through the school gate when the program is fully implemented.

The Leading Schools Program will involve school communities across the State. As I have said, there has already been a major conference for over 170 principals. The same conference was attended by representatives of principals' associations and the president and vice-president of the QCPCA. Further conferences will be held around the State to explain to representatives of leading school staff and P & C associations the opportunities

available to them. A Statewide consultative process is currently occurring on the proposals for school councils in leading schools.

Time expired.

Question—That the words proposed to be omitted stand part of the question—put; and the House divided—

AYES, 42—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Roberts, Sullivan T. B.

NOES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

Pair: McCauley, Livingstone

Resolved in the **negative**.

Motion, as amended, agreed to.

ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (7.02 p.m.): I move—

"That the House do now adjourn."

Mooloolaba Surf Life Saving Club

Mr NUTTALL (Sandgate) (7.02 p.m.): This evening it is a great pleasure for me to speak about the Mooloolaba Surf Life Saving Club and the 75th anniversary of its existence. The club is one of the biggest clubs in Queensland and, without doubt, it is one of the leading clubs in Australia today.

On Saturday, 7 December 1996, following extensions and renovations costing some \$1.7m, the club was officially opened by the Australian President of Surf Life Saving, Mr Alan Welpton, AM. That was a very momentous occasion indeed for the club. Approximately 500 or 600 guests attended the function and it was a great day.

The 75th Anniversary Committee comprises the club chairman, Mr Ted Turner, and the deputy chairman, Mr Bruce Pitman. Those gentlemen are also preparing a history of the club. If any member would like a copy of that booklet, feel free to give my office a call and we will make suitable arrangements.

The club has a great history. Being the 75th anniversary of the club, it was wonderful to see the great success that we had at the State titles which were held in Mackay this year. That was probably one of the best results that the club has had. I am proud to be an active member of the Mooloolaba Surf Life Saving Club, as I have been for some years. I consider it a great privilege to be a member of a club of this stature.

The committee of the Mooloolaba Surf Life Saving Club comprises Mr Doug Jewrey, the president, and his wife, Bev, who have been supporters and great stalwarts of the club over a number of years. Indeed, Mr Jewrey is a life member of the club. Mr Joe Western is the secretary of the club, and both he and his wife, Judy, are life members. Mr Jim Summers is the treasurer of the club. Much can be said about the great work that these people have done for the Mooloolaba Surf Life Saving Club over a number of years. Some time ago, when I first joined the club, it was in some financial difficulties. Those people took over the reins and have made it the great club that it is today. Much must be said of the great work that those people have done.

Mr Laming: Hear, hear!

Mr NUTTALL: I am pleased to hear the honourable member for Mooloolaba endorsing my comments, for which I thank him. The managers of the club are Reg and Rosalyn Cannon—a well-known name in Rugby League circles for people of my era. Reg and Ros are well respected at Mooloolaba for the great work they have done. I take this opportunity to congratulate them on the work that they do at the Mooloolaba Surf Life Saving Club.

The club continues to have strong support in its local community. It has never lost sight of the purpose for its existence, that is, to save lives on beaches. Indeed, it contributed greatly to the establishment of an additional tower along the strip at Mooloolaba and has also contributed towards the running costs of not only the tower but also the lifeguard who is stationed there permanently during the life-saving season.

The tie that I am wearing this evening has been made as a memento of the 75th year of the club. In particular, I thank Mr Barry Munro, who presented me with the tie. Barry is a long-serving member of the club. He is both an active member and a life member of the supporters club at Mooloolaba. I congratulate everybody involved with the Mooloolaba Surf Life Saving Club on a great milestone in its 75th year.

Papaya Fruit Fly

Mr ROWELL (Hinchinbrook) (7.06 p.m.):

The papaya fruit fly is a major threat to horticulture in not only north Queensland but also the rest of Australia. In recognition of that threat, the papaya fruit fly eradication campaign is a national effort managed by Queensland on behalf of the Commonwealth and the other States. To date, more than \$19m has been expended on control of the papaya fruit fly under the Commonwealth/State cost-sharing arrangement. The Queensland Government has contributed an additional \$4.5m on infrastructure costs and direct industry subsidy by way of waiving inspection fees.

Encouraging success has been achieved towards eradicating the papaya fruit fly. Monitoring results indicate that the population of papaya fruit fly is now low enough to allow the introduction of sterile insect technology—SIT—to mop up the remaining hot spots. SIT uses sterile insects to suppress or eradicate populations of insect pests. Mating between a sterile male and a fertile female results in infertile eggs. SIT involves mass rearing, sterilisation, and release of flies, and has great environmental advantages.

Last February, the Commonwealth and other States approved a budget of almost \$24m for the papaya fruit fly eradication campaign in 1997-98, including \$9.95m for the construction and commissioning of a SIT facility for papaya fruit fly. Planning of the SIT facility is proceeding well. The chosen site is on the Department of Primary Industries Walkamin Research Station, midway between Mareeba and Atherton in north Queensland.

As part of the planning process, the DPI is following Queensland Department of Environment requirements to assess the environmental impact of this development. This will ensure that all necessary approvals are given before the construction begins. The facility will have a production capacity of 125 million sterile flies per week from a breeding colony of more than 20 million flies. The facility will operate three shifts per day, seven days a week to achieve this target.

However, because SIT is a complex development, the release program is not expected to be at full strength until late 1998 or early 1999. In the interim, existing eradication methods must and will be continued to maintain the papaya fruit fly population at low levels. The release program is planned to continue until at least the year 2000 to ensure the eradication of the papaya fruit fly. The facility will remain functional for

some time after that to guard against and ensure the detection of flare-ups.

The key benefit of the SIT project will be the eradication of the papaya fruit fly. It will also reduce the need for chemical controls on commercial horticultural crops, ease interstate and overseas market restrictions and allow travellers to freely carry all varieties of fruit and vegetables out of north Queensland. The facility will return a substantial benefit to the local economy through the hiring of local construction, transport and supply contractors and employment opportunities for process workers in the facility.

The DPI is proud of the success achieved in the papaya fruit fly eradication campaign. The staff have worked closely with industry and the north Queensland community, and I look forward with optimism to the continuing collaboration as we enter Stage 3 of the eradication campaign to release sterile flies and finally bring the papaya fruit fly pest to extinction. This has been a long program, it has involved a lot of people and it is a very wearing process for the farming community. The final process that we are now entering—the sterilisation—with the flies being bred up in the tablelands should overcome the difficulties that we have faced with the papaya fruit fly.

Base Funding for Outside School Hours Care

Hon. T. McGRADY (Mount Isa) (7.11 p.m.): A lot of rhetoric is spoken in this place, and people often stand up and simply recite speeches which have been written for them by ministerial staffers or departmental officers. But members must feel sickened to defend policies which they know themselves are totally wrong and are going to have an adverse effect on the people and the communities which they represent. Tonight I want to say a few words about the Federal Government's decision to drastically cut funding for the Outside School Hours Care Program.

In my home city of Mount Isa, the local police and citizens youth club runs a service whereby they take their bus around the various schools and collect those children who participate in their scheme. These are the children of working parents or single parents. The club provides afternoon tea and organises interesting activities for the students. Under a scheme which was initiated by the former Keating Government, the club receives about \$2,000 a month to assist in this program—a program which attracts some 80 students per

day. This scheme has a staff ratio of one person to 12 students, and there are approximately five full-time staff working to provide this much-needed service.

In a circular dated 8 April 1997 from the Commonwealth Department of Family and Children's Services, the club was informed that the funding is being reviewed, and the chances are that the funding will be suspended. This will mean that the police and citizens youth club has to increase the fees which it already charges, which would possibly mean that many of those children who participate in the scheme will not be able to continue and will become latchkey kids. The worse scenario, of course, would be that the scheme simply winds up.

How can any Government which calls itself a caring Government preside over the removal of such funds? How can any member of Parliament who cares about the family support such a policy? All too often we hear of the problems facing youth. Here we have a program in existence which gives practical support to our young people, yet the Federal Government is trying to wind it back and, indeed, abolish it. I appeal to the members of the coalition to put as much pressure as possible on their mates in Canberra who have, over two Budgets, reduced the allocation to child care by almost \$1 billion—and, indeed, more cuts are expected in the coming Federal Budget. They should ask them to think again about the road they are going down.

There is one other issue which I want to bring to the attention of this House. It concerns the plight and the concerns of day care mothers. This system has been in operation in our State for a number of years and has proved to be of enormous value to parents who need child-minding facilities. Parents know that if they place their children in family day care, the premises and the day carers have all been checked out. There are standards with which they have to comply. There are conditions laid down. The premises are inspected and the carers require character references. Obviously, there is a cost involved. With the withdrawal of funding by the Government, the cost of family day care will rise, which will bring us back to more and more backyard operators.

Currently, backyard operators can place an advertisement in the local paper. There are no standards. There are no conditions. There are no checks on the premises or, indeed, the character of the people minding children. Because of the increased cost for professional family day care, the backyarders can often

mind children at a lower cost. In the present economic climate, there are many people who would feel forced into having their children minded by these backyarders.

I understand that mothers-in-law, aunts or close members of the family often mind children, and I am sure that nobody has much of a problem with that. But when people simply advertise in the local paper and set up a business, surely there should be some standards. There should be checks on the premises. There should be checks on the character of the individuals so that parents know that they are placing their children in safe hands when they go about doing their work trying to assist with the family budget. The backyard operators should have a register with their local council and meet any local laws such as those that apply to food handling and storage. Indeed, if it is a business, then they should be required to register with the council as a business before they are able to register at Medicare for the child care cash rebate.

I do not want to start imposing conditions and standards on people, but I think each and every one of us in this Parliament has a responsibility to ensure that those people who stand up and volunteer to mind our children at a price should have standards and should be compelled to meet some of those standards which are already forced on to day care mums. This is an emotional subject. There are many people out there who are——

Time expired.

Mobile Training Unit, Central Queensland Institute of TAFE

Mrs CUNNINGHAM (Gladstone)

(7.16 p.m.): The Central Queensland Institute of TAFE has extended its services to clients in the more distant parts of my electorate through the acquisition of a second mobile training unit. The mobile unit was the library for the Gladstone City Council. It was purchased by TAFE and refurbished by college staff to include desks, PCs, a printer and an area for books. The unit will ensure greater access to training by people in the more remote areas in our region. The mobile training unit will prove a successful and cost-effective means of delivering vocational training and education to isolated communities in central Queensland, particularly to those who wish to return to the work force or combine work and study.

The unit, worth more than \$200,000, offers a range of training, from computing and business studies to literacy and numeracy and engineering. Areas in our region already benefiting from mobile training include Boyne

Island and Tannum Sands, which is about 20 minutes from the Gladstone TAFE; Miriam Vale, which is about half an hour to three quarters of an hour away; and Calliope, which is another half an hour away. It is proposed to cover areas such as the town of Seventeen Seventy, which is a good hour's drive over some fairly rough road, Mount Larcom, Banana, Theodore, Moura and Springsure.

I had the opportunity to accompany the Minister for Training a week or so ago when he officially launched the mobile unit. We visited the unit when there was actually a class of computer students there. They were predominantly mature-age students, most of whom would not be able to access the TAFE in Gladstone because they had children at school. With the TAFE on site at the Boyne Island State School, these people—they were all women—were able to drop their children at school because the course started at 9 o'clock and was concluded by 3 o'clock, and they were able to pick up their children afterwards. Over a 10 or 12-week course these women were able to improve their own skills without greatly disadvantaging their responsibilities as far as home and family were concerned.

We had a break and posed for a photograph. We talked to the ladies. They were absolutely thrilled with the service that was being provided. They commented on its convenience. They commented on the fact that they could access the service, because there is no regular bus service to Gladstone to enable them to attend the TAFE campus. They commented on the range of courses that were made available. They commented on the tutor—in this case it was a business tutor. They commented on the facility generally. They were absolutely thrilled with the opportunity to expand their knowledge. With the mobile unit going to places such as Mount Larcom, Banana, Theodore, Moura and Springsure—and, I would hope, up the Boyne Valley—that will provide opportunities for women and men, particularly mature-age students, to broaden their skills base without imposing an unnecessary cost or an unnecessary impost on them.

I have to commend the TAFE college people in the Gladstone area for their initiative. They found out that the mobile library was going to be sold. They grabbed that opportunity and purchased it for TAFE. I commend them also for the refurbishment. It was all done in-house. The people in our region are certainly the beneficiaries of this initiative. Given its success to date—and it has been operating for only a very short period—I expect that that is an approach to remote

training that could be adopted by many communities across the State. The TAFE in our region is very innovative. Rather than having everybody rush up to the TAFE college, it looks at ways of providing training externally—going into the workplace with laptops and the like to provide training in computer skills. This TAFE mobile learning unit will provide yet another venue at which people can learn to improve their job opportunities and to improve their self-esteem.

Clunies Ross Centre, Brisbane Technology Park

Mr CARROLL (Mansfield) (7.20 p.m.): This week I inspected the new Clunies Ross Centre at the Brisbane Technology Park in the electorate of Mansfield, which I am pleased to represent. The centre has been established as an important part of the Queensland Government's commitment to innovation, research and development in this State and will have its soft opening this Friday with a formal opening later on. It represents a joint investment of over \$6m by the Queensland Government and the Ian Clunies Ross Memorial Foundation. It will provide a focus for the advancement of science, technology and innovation in Queensland. This was the ethic promoted by the man after whom the Clunies Ross Foundation was named.

Mr T. B. Sullivan: A great Australian.

Mr CARROLL: He was, indeed. Ian Clunies Ross was a great Australian, a champion of science in a country which has not always been as well focused on science and innovation as it should have been. He used his position as head of the CSIRO to great advantage for the promotion of science in Australia. In more recent years, many of this country's most eminent citizens have done an admirable job in honouring the memory of Ian Clunies Ross by conducting the affairs of the foundation in such a way to ensure that there is always private support for the great minds which Australia produces.

With the strong support of the Queensland Minister for Tourism, Small Business and Industry, the Clunies Ross Centre will provide a focal point for science and technology in Queensland. It contains a major conference facility equipped with state-of-the-art audiovisual and presentation tools. These are readily accessible to disabled folk and the facility can seat 600 people. This is quite an amazing addition to the electorate of Mansfield, which did not have a facility of that capacity. There is a licensed cafeteria and excellent catering facilities. It is near the

Sunnybank Star Motel and right across the road from the historic Hughsville Homestead, which is in the process of being redeveloped with the addition of 60 rooms of motel accommodation.

This will be an ideal facility in the electorate. It also houses serviced offices for small emerging technology firms, larger commercial office space for established firms seeking to associate themselves with this project and display space suitable for trade fairs and other expositions. The architecture on the building is brilliant. It is very well constructed and contains some interesting watercut marble work. It is bright and open with good access to daylight and has really attractive landscaping. I believe it will play a major role in assisting technology-based companies in commercialising their research and development.

Honourable members may be aware that the loss of innovative projects to overseas manufacturers has been a major problem for this country for decades, mainly because there has been a lack of expertise or will to commercialise those ideas here in this country. Our Government and the Clunies Ross Centre will work together to make sure that that is no longer the case in Queensland.

In September this year, the centre will play host to a major exposition. The International Association of Science Parks, known as IASP, will conduct its Asia-Pacific regional conference there. It will be held in conjunction with the Australia and New Zealand Association of Business Incubators Conference. This should attract both academics and a host of technology businesses to Queensland. The greatest feature of all this is the opportunities that that conference will provide for Queensland and Australian business. It will put Queensland businesses back at the cutting edge in advertising their products to the world. It will also give those overseas companies an opportunity to see what magnificent opportunities exist for investment in Queensland.

The Queensland Manufacturing Institute is right next door to the Clunies Ross Centre at the Eight Mile Plains Technology Park. In my view, the centre now caps off the attractiveness of that centre to innovative industry. The recent establishment of the nearby Silicon Works Centre has created new opportunities for design and manufacturing firms to have access to the best computer-aided design facilities in the world. I am proud of this leading edge activity taking place in the

constituency of Mansfield. It is right next door to the Upper Mount Gravatt regional business centre about which I have often spoken in this House. I am still keen to see that centre properly recognised and developed. It is near to the light industrial areas of Wecker Road, Mansfield and Kessels Road, Macgregor and the many commercial offices in Mansfield and Upper Mount Gravatt. The Clunies Ross Centre will certainly be a drawcard for my electorate and I am very pleased to see that our Government has seen to its development in the electorate of Mansfield.

Closure of Union Mining

Mr HAYWARD (Kallangur) (7.25 p.m.): Today, a significant Queensland based mining company announced that in the near future 40 of its workers would be heading for the dole queue. Union Mining today informed the Australian Stock Exchange that the Georgetown mine in north Queensland will close in early June 1997. That announcement brings home to this Parliament the demonstrated and absolute failure of the Borbidge Government to work for a solution to the Wik decision. But a worse tragedy is that the lack of Government action means that this tragic outcome for a little town such as Georgetown was preventable.

The background to this lack of Government action basically means that for Union Mining to viably operate the Georgetown site, around 10 new mining leases needed to be granted each year. In the past 18 months, only two mining leases have been granted to the company by the Mines Department. Of course, the Mines Department through the Minister and this Government imposed a freeze on the granting of mining leases which further delayed the opportunity for this company to continue its mining activity in Georgetown. This Government later relented and released that freeze, but the trouble is that time has run out and it is too late because the Georgetown mine has been working for the last few months on uneconomic quantities of ore. It has been forced to operate on low grades of ore.

The company wants—and I think all Queenslanders want and need—a Government that is willing to work to find a solution to the problem; a Government that is willing to resolve the issue, not simply go around inflaming it. All we have got from this Government and this Premier is plenty of talk and no action. Let us look at it in a practical context. Let us look at the overall impact on

Queensland. What sort of signal does this send to the mining industry in this State? In this case, we have an operating mine today notifying the Australian Stock Exchange that it is going to close. What does that mean for any future investment in Queensland? Surely we are going to see it stall.

The big picture, of course, is the focus for regional Queensland. For Georgetown, the closure of the mine will mean the loss of about 40 jobs in a town of only 300 people and a loss of significant income to local businesses. There will be in excess of \$1m less circulating in the town each year. Of course, a similar amount will be foregone by the Government in taxes and charges that were used to fund the operation. What will happen next in Georgetown? There will be a loss of a teacher; there will be the closure of another business; and the whole regional nature of that area will begin to collapse because this Government is doing nothing. It just concentrates on inaction. It spends its time grandstanding on the issue. We now have a major industry which has sunk into chaos with the loss of jobs and, most importantly, the loss of confidence that that brings. The Mayor of the Etheridge Shire, John Smith, has been quoted as saying that the closure of the town's major employer will have a major effect on the morale of the town's people.

When we talk about Union Mining and its activities in Queensland, we are talking about a Queensland-based public company—and they are rare enough as it is without this happening to them. What did the Australian Mines Handbook, which is generally known as the bible of Australian mining, say about Union Mining? It says under the heading of "operations"—

"UMG has the Georgetown gold project near Georgetown in Qld. The plant milled 120,000t ore averaging 2.76g/t gold for 8,332 oz gold to year end December 1995."

Under "development", it says—

"UMG has the Croydon gold project 150kmW of Georgetown, Qld, where a feasibility was underway based on a total resource of 0.74Mt @ 3.6g/t gold."

Under "exploration" it says—

"UMG explores for gold in Qld and PNG."

When the next edition of this handbook comes out, it is going to say that there are no operations in Queensland, no Queensland development—

Time expired.

Motion agreed to.

The House adjourned at 7.30 p.m.