

## TUESDAY, 7 OCTOBER 1997

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

### ASSENT TO BILLS

**Mr SPEAKER:** Order! I have to inform the House that I have received from His Excellency the Governor a letter in respect of assent to certain Bills, the contents of which will be incorporated in the records of Parliament—

Government House  
Queensland

9 September 1997

The Honourable N. J. Turner, MLA  
Speaker of the Legislative Assembly  
Parliament House  
BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty on the dates indicated:

"A Bill for an Act to amend legislation about local government"—25 August 1997

"A Bill for an Act to amend the Professional Engineers Act 1988"—25 August 1997

"A Bill for an Act to amend legislation about natural resources, and for related purposes"—25 August 1997

"A Bill for an Act to amend the Land Sales Act 1984 and the Land Title Act 1994, and for other purposes"—25 August 1997

"A Bill for an Act to amend certain Acts administered by the Treasurer"—25 August 1997

"A Bill for an Act to provide for the formation, registration and management of cooperatives, and for related purposes"—25 August 1997

"A Bill for an Act to amend the Weapons Act 1990, and for other purposes"—29 August 1997

"A Bill for an Act to amend the Dental Technicians and Dental Prosthetists Act 1991"—29 August 1997

"A Bill for an Act to amend the Corrective Services (Administration) Act 1988 and the Corrective Services Act 1988 and for other purposes"—29 August 1997

"A Bill for an Act about the James Cook University"—29 August 1997

"A Bill for an Act to facilitate certain aspects of an agreement about the

establishment of a mine and other facilities on certain land in north-west Queensland"—8 September 1997

"A Bill for an Act to amend the Electricity Act 1994 and another Act and for other purposes"—8 September 1997

"A Bill for an Act to amend the Racing and Betting Act 1980"—8 September 1997.

I hereby transmit the Bills to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

(Sgd) Peter Arnison

Governor

### PRIVILEGE

#### Attorney-General and Minister for Justice

**Mr SPEAKER:** Order! I wish to advise the House that I have referred the matters raised by Mr Foley on 21 August and 27 August concerning the Attorney-General to the Members' Ethics and Parliamentary Privileges Committee.

### PRIVILEGE

#### Life Education Foundation Qld Inc.

**Mr SPEAKER:** Order! I also wish to advise the House that I have referred to the Members' Ethics and Parliamentary Privileges Committee the matter raised by Mr Jon Sullivan on 28 August concerning the Life Education Foundation Qld Inc.

### PRIVILEGE

#### ALP Rail Journey

**Mr SPEAKER:** Order! I further advise the House that I have referred to the Members' Ethics and Parliamentary Privileges Committee the matter raised by the Honourable the Premier on 18 September concerning the ALP rail journey.

### PRIVILEGE

#### Dr P. Reynolds

**Mr SPEAKER:** Order! I refer the attention of the House to a matter of privilege raised by the Honourable Leader of Government Business concerning Dr Paul Reynolds on 21 August 1997. I wish to advise that I will not be referring the matter to the Members' Ethics and Parliamentary Privileges Committee in view of an explanation and apology with which I have been furnished by Dr Reynolds.

## QUEENSLAND AUDIT OFFICE

### Annual Report

**Mr SPEAKER:** Order! I have to advise the House that today I received from the Auditor-General the annual report of the Queensland Audit Office for 1996-97. I table the said report.

## MOTION OF CONDOLENCE

### Diana, Princess of Wales

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (9.32 a.m.), by leave, without notice: I move—

"That this House desires to place on record its sorrow and distress at the death of Diana, Princess of Wales."

Diana, Princess of Wales, captured the imagination of people around the globe, far beyond the Crown's realms and, indeed, the English-speaking world. Queenslanders, in particular, remember with fondness her visit to our State in April 1983. Sadly, that was her only visit here, and it included only Brisbane and the Gold Coast. Her untimely death and the circumstances of it generated extraordinary publicity. Her funeral in London was truly an occasion for the people's homage. She was, as others have said, the people's princess. But her death was essentially a family tragedy. I am sure all Queenslanders would join me in offering heartfelt sympathy to those closest to her, in particular to her sons Prince William and Prince Harry.

Diana, Princess of Wales, worked tirelessly for the underprivileged and sick and must be remembered for her work. Accordingly, the Government has announced two major Queensland initiatives which will honour her memory. State Cabinet has approved that the main acute block associated with the \$25m redevelopment of the Royal Children's Hospital in Brisbane should be named in honour of the Princess of Wales. This block will include operating theatres, a transplant care unit, emergency department, outpatients, pharmacy and intensive care unit. In memory of the Princess of Wales, the Government will also provide \$100,000 to the Royal Children's Hospital Foundation for research into childhood diseases.

By honouring Diana in this manner, Queensland can provide a permanent memorial to her work. She touched the lives of so many across the world, particularly sick children, that the Government considers this to be a most appropriate way to honour her memory in Queensland.

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (9.34 a.m.): I rise to second the motion moved by the Premier and, in doing so, join with him in this condolence motion on behalf of my colleagues. In my lifetime, I cannot recall a similar outpouring of grief about the death of any world figure in this way, except perhaps one that comes close, and that was the tragic assassination of former US President John F. Kennedy. This outpouring comes at a time when cynicism has swept the world, when there is not a lot of faith in Governments and politicians, and people have looked for heroes whom they can respect. Princess Di was certainly one of those. It is worth remembering in a condolence motion like this that when she last visited Australia the respect with which she was held and the power of her personality helped raise around \$1m for the Victor Chang Cardiac Research Institute.

Princess Di was not a princess of fairy stories. She was a princess of the real world who wanted to change the world and make it a better place. She did that in a very courageous way. She campaigned vigorously to rid the world of landmines—something that Governments around the world had failed to achieve and, very disappointingly, was attacked by a number of Tory members of the British Parliament for her crusade. She was never put off by that criticism. On AIDS, she did not just work in the fight against AIDS, she was the first person not just to embrace the cause but to embrace the sufferers. I am sure all members would recall that vision of her on television when she held the hand of an AIDS sufferer. She actually touched him. It was a very difficult moment, and it was an important moment because, as health experts have stated since, it showed to the world that you cannot catch AIDS simply by touching someone. That image sent a powerful message via television which made the world of AIDS victims that little bit easier to endure.

And who will ever forget the scenes of the funeral? Young people, families, children and a cross-section of the community were there—young people who, when interviewed, stated that they did not support the monarchy—but Princess Di in some way had touched their lives. And who could forget the millions of bunches of flowers outside St James's Palace? From some of the reports that I have read coming out of Britain, it has had a profound impact on the British people and people who have not had that degree of unity since Dunkirk in 1940. And whereas people used to pass in the street prior to her death without saying "hello", people were

actually talking to one another. That probably explains partly why Elton John's single *Candle in the Wind*, that is, the Princess Di version, has sold 21 million copies and could well be the biggest selling record of all time, bearing in mind that *White Christmas* has sold 30 million copies over 30 years.

Who could forget Earl Spencer's funeral eulogy in Westminster Abbey on behalf of his sister, which struck a chord with the thousands of ordinary people standing outside in Hyde Park who were listening on broadcast as the earl spoke of his sister, her life and the role of the media and monarchy and, when he had finished, the ripple of applause that started in Hyde Park and spread to Westminster Abbey because he had struck a chord with all those who were listening to his eulogy? I guess Earl Spencer's eulogy sums it up in the most effective way. I intend to quote three parts of it in conclusion. He said—

"There is a temptation to rush to canonise your memory, there is no need to do so. You stand tall enough as a human being of unique qualities not to need to be seen as a saint.

...

But your greatest gift was your intuition and it was a gift you used wisely. This is what underpinned all your other wonderful attributes and if we look to analyse what it was about you that had such a wide appeal we find it in your instinctive feel for what was really important in all our lives."

Finally, he says—

"Above all we give thanks for the life of a woman I am so proud to be able to call my sister, the unique, the complex, the extraordinary and irreplaceable Diana whose beauty, both internal and external, will never be extinguished from our minds."

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.38 a.m.): I, too, would like to join the Premier in offering my condolences to the family of the late Diana, Princess of Wales. I believe that she was, by any measure, a remarkable woman and a remarkable person. Thousands and possibly millions of words have been written and spoken about the princess since her death. The world will long remember the moment of her passing and the days that followed as we all struggle to come to terms with the loss of a very beautiful and able young woman, a very personal loss that touched us all.

The immense popularity that the princess enjoyed was a result of her genuine compassion for everyone she met and those she never met but sought to help: the children, the homeless, the aged, the disabled, the dispossessed, AIDS victims and, more recently, the victims of war through her marvellous campaign against land mines. I believe that that campaign has made the world realise the insidious nature of land mines and the numbers of innocent people who are injured as a result of them. She did so much and she worked so hard in her short life.

Over the years, her methods were often considered unorthodox for a royal, but I believe that that was a great plus for the royal family because it brought them much closer to the people. A sense of belonging resulted. She certainly had no shortage of critics, but she never shirked her public responsibilities or her very personal commitment to those in need. Somehow through her whirlwind existence, Diana also managed to bring up two very fine young men whose courage and depth of character was shown very clearly during that poignant funeral march and in their decision to walk behind their mother's coffin. What an extraordinary feat it was for them to maintain their composure at a time of incredible sadness.

Diana's love of her sons was legendary. That endeared her to the people of her nation and to the world. She showed that, even if one is a royal, one can show compassion, love and happiness by being with one's children. That she had influenced them and continued to influence them was evident from the strength of character that they displayed during the funeral march. A plea needs to be made by all mothers that Diana's sons should not go through what she went through. The media should realise that, although they are real people and one of them is the heir to the throne and a certain amount of coverage will obviously be needed, they should be left alone, particularly in this time of grief. There should be a reasonable coverage of the life of a young man who at this stage is only 15, is very impressionable and has his life ahead of him without his mother who gave him love and support. That needs to be the plea that is made this morning.

**Hon. D. J. HAMILL** (Ipswich) (9.42 a.m.): I join this motion of condolence. I want all members to reflect on what they were doing on Sunday, 31 August. I remember being at home and my attention being drawn to a news flash in which it was reported that a serious motor vehicle accident had occurred in Paris involving the vehicle in which the Princess of

Wales was travelling. The reports were sketchy. There was some considerable doubt as to exactly what had happened. The earlier reports were that all seemed well with the Princess of Wales. It was thought that she may have had a broken arm and that she was going to hospital.

That afternoon I took my boys to the football. We were sitting in the stadium when an announcement was made. It is quite extraordinary to think that here in Australia, halfway around the world, that little part of our community stopped for a moment as an announcement was made to break the news that the Princess of Wales had died. It was remarkable to see the reaction at Lang Park, as I still think of it—Suncorp Stadium. The crowd was stunned. The silence was punctuated by some audible sobbing from some people sitting nearby. As a parent of young sons, I had cause to reflect on what must have been going through the minds of many. My thoughts were drawn particularly to the circumstances of the two sons of Princess Diana.

What we saw in the ensuing weeks was a tremendous outpouring of public grief in many manifestations: the floral tributes and the letters and messages of condolence. No doubt other members will report that that tremendous feeling was experienced throughout the community. I found quite astounding the number of people who came in to my office to write very personal messages. The tremendous outpouring of public grief from the crowds that lined the funeral route in London demonstrated a great feeling of loss that perhaps words could not properly express.

One may ask why such a feeling was shared by so many around the world. In Diana we had an aristocrat who had a common touch, a person whose humanity was tangible. She was able to reach out into the community and show her commitment to important public causes, such as the desire to rid the world of the evil of landmines, and show her humanity by stripping away some of the mythology and fear that surrounded the world of the AIDS sufferer. Whether it was in relation to her work with children's charities or in relation to her support for very important causes, such as cardiac research, her activities touched the lives of a great many people around the world.

There is another dimension to this: the Princess of Wales put a very modern and glamorous face on royalty. These words are not meant with any disrespect. In the soap opera that has been served up to the community for many years now, the soap

opera that has become the modern-day history of the House of Windsor, Diana had star quality. I remember seeing as a student in Britain the tremendous amount of optimism that surrounded the betrothal of Diana Spencer and the Prince of Wales. I was a student there at the time. I remember the wedding. I remember the tremendous public jubilation that accompanied that event. As Diana was a person of my generation, I witnessed the transformation of her from a somewhat shy and retiring figure to someone who could be described, in the terms of our generation, only as a megastar, someone who grew in confidence and stature over the years.

In many respects, Diana was the great hope of the monarchy. She may well prove to be its nemesis. I suspect that the public outpouring of sympathy and grief would not have been seen in the same dimension if it were another royal who had come to a tragic and untimely end in the same circumstances as Diana did in Paris over a month ago. I believe that the Princess of Wales' fairytale existence was a very difficult one. When every move one makes and every word one utters is scrutinised and dissected by an all-too-pervasive media, one wonders how a family could hope to be a functional one. Yet in the fairytale that was Diana, her circumstances struck a chord with many other families who have experienced the grief of separation, family breakdown and the myriad issues that confront family life in the all-too-frenetic world in which we live.

My thoughts and those of my constituents are with Diana's family and particularly her sons. I trust that it is a comfort to them in particular to know that so many people around the world respected the work that their mother had undertaken throughout her public life. Vale Diana, Princess of Wales.

Motion agreed to, honourable members standing in silence.

## PETITIONS

The Clerk announced the receipt of the following petitions—

### **Sergeant D. Young**

From **Mr FitzGerald** (1,978 petitioners) requesting the House to overturn the decision to transfer Sergeant Don Young due to the unfair manner in which he has been treated and circumstances of the proposed transfer and the failure to take account of his high standing in the community as a police officer and citizen.

### Abortion Law

From **Mr Horan** (172 petitioners) requesting the House to enforce the existing law on abortion and to take suitable measures to stop the abuse of the law.

A similar petition was received from **Mr Laming** (21 petitioners).

### Disabled Students

From **Mr Laming** (52 petitioners) requesting the House to permit disabled students who attain 18 years of age before the end of the school year to remain at their respective special education school, unit or class until they complete that final full year of schooling.

### Fireweed

From **Mr Lingard** (322 petitioners) requesting the House to urgently attend to releasing a biological form of control for *Senecio Madagascariensis* (Fireweed), such as its natural enemy in Madagascar.

### Traffic Noise Level, South East Freeway

From **Mr Radke** (1,002 petitioners) requesting the House to immediately take such measures as will reduce the traffic noise level to less than 63 dB(A) measured at a distance of one metre from the South East Freeway side of all residential buildings situated on land in Greenslopes which abuts the northern boundary of the South East Freeway and to reduce the fallout from motor vehicles using the South East Freeway to a level which is more acceptable to residents living in those properties and to immediately take such further measures as will ensure that the traffic noise level does not exceed 63 dB(A) and that fallout is maintained below that acceptable level in the future.

### Mr P. Cameron

From **Ms Spence** (325 petitioners) requesting the House to see that the Minister for Education reinstates Mr Phil Cameron, the groundsman at Seville Road State School, to his former position where he was highly valued and respected.

Petitions received.

### PAPERS TABLED DURING RECESS

The Clerk announced that the following papers were tabled during the recess—

1 September 1997—

Public Trustee of Queensland—Financial Statements 1996-97

Late tabling statement from the Minister for Families, Youth and Community Care regarding the annual report for the year ended 31 January 1997 of the Island Industries Board

3 September 1997—

Roads Implementation Program 1997-98 to 2001-02

8 September 1997—

Public Accounts Committee Issues Paper No. 2—Review of Financial Reporting Requirements for Aboriginal Councils and Torres Strait Island Councils—The Way Forward

11 September 1997—

Mt. Gravatt Showgrounds Trust—Annual Report for the year ended 30 April 1997

19 September 1997—

Criminal Justice Commission—Impact of the Connolly-Ryan Inquiry on the Criminal Justice Commission

22 September 1997—

Members' Ethics and Parliamentary Privileges Committee Report No. 8—Annual Report 1996-97

24 September 1997—

Criminal Justice Commission—Integrity in the Queensland Police Service: Implementation and Impact of the Fitzgerald Inquiry Reforms

Public Works Committee—Annual Report 1996-97

25 September 1997—

Queensland Office of Financial Supervision—Annual Report 1996-97

1 October 1997—

Legal, Constitutional and Administrative Review Committee Report No. 6—Report on a study tour relating to the preservation and enhancement of individuals' rights and freedoms and to privacy (31 March 1997—14 April 1997)

Legal, Constitutional and Administrative Review Committee Issues Paper No. 3—The Preservation and Enhancement of Individuals' Rights and Freedoms: Should Queensland Adopt a Bill of Rights?

2 October 1997—

Board of Professional Engineers of Queensland—Annual Report 1996-97.

### STATUTORY INSTRUMENTS

In accordance with the schedule circulated by the Clerk to members in the Chamber, the following documents were tabled—

- Aboriginal Land Act 1991—  
Aboriginal Land Amendment Regulation (No. 1) 1997, No. 283
- Agricultural Standards Act 1994—  
Agricultural Standards Regulation 1997, No. 277
- Appeal Costs Fund Act 1973—  
Department of Justice (Variation of Fees) Regulation 1997, No. 270
- Australian Financial Institutions Commission Act 1992—  
Financial Institutions Legislation Amendment Regulation (No. 1) 1997, No. 319
- Century Zinc Project Act 1997—  
Proclamation—the provisions of the Act that are not in force commence 19 September 1997, No. 306
- Childrens Court Act 1992—  
Childrens Court Rules 1997, No. 309
- Chiropractors and Osteopaths Act 1979—  
Chiropractors and Osteopaths Amendment By-law (No. 1) 1997, No. 324
- Cooperatives Act 1997—  
Cooperatives Regulation 1997, No. 287  
Proclamation—the provisions of the Act that are not in force commence 1 September 1997, No. 286
- Coroners Act 1958—  
Department of Justice (Variation of Fees) Regulation 1997, No. 270
- Courts Reform Amendment Act 1997—  
Proclamation—part 12 of the Act commences 1 September 1997, No. 265
- Crimes (Confiscation) Act 1989—  
Crimes (Confiscation) Amendment Regulation (No. 1) 1997, No. 302
- District Courts Act 1967—  
Court Rules Amendment Rule (No. 1) 1997, No. 266  
District Courts Amendment Regulation (No. 1) 1997, No. 273  
District Courts Amendment Rule (No. 1) 1997, No. 267
- Drugs Misuse Act 1986—  
Drugs Misuse Amendment Regulation (No. 1) 1997, No. 303
- Education (Senior Secondary School Studies) Act 1988—  
Education (Senior Secondary School Studies) Amendment Regulation (No. 2) 1997, No. 275
- Electricity Act 1994—  
Electricity Amendment Regulation (No. 6) 1997, No. 300
- Electricity Amendment Regulation (No. 7) 1997, No. 313
- Electricity (Electrical Articles) Amendment Regulation (No. 2) 1997, No. 292
- Electricity Amendment Act (No. 2) 1997—  
Proclamation—the provisions of the Act that are not in force commence 1 October 1997, No. 312
- Fair Trading Act 1989—  
Fair Trading (Quikfix) Order 1997, No. 320
- Fluoridation of Public Water Supplies Act 1963—  
Fluoridation of Public Water Supplies Amendment Regulation (No. 1) 1997, No. 299
- Financial Institutions Legislation Amendment Act 1997—  
Proclamation—certain provisions of the Act commence 1 October 1997, No. 318
- Financial Institutions (Queensland) Act 1992—  
Financial Institutions Legislation Amendment Regulation (No. 1) 1997, No. 319
- Financial Intermediaries Act 1996—  
Financial Intermediaries Amendment Regulation (No. 1) 1997, No. 308
- Fisheries Act 1994—  
Fisheries Amendment Regulation (No. 8) 1997, No. 328
- Fossicking Act 1994—  
Fossicking Amendment Regulation (No. 1) 1997, No. 327
- Friendly Societies (Queensland) Act 1997—  
Proclamation—the provisions of the Act that are not in force commence 1 October 1997, No. 307
- Fruit Marketing Organisation Act 1923—  
Fruit Marketing (Committee of Direction Levies) Amendment Regulation (No. 1) 1997, No. 314
- Gas Act 1965—  
Gas Amendment Regulation (No. 2) 1997, No. 276
- Government Owned Corporations Act 1993—  
Government Owned Corporations (Ports) Amendment Regulation (No. 2) 1997, No. 290  
Government Owned Corporations (Ports) Amendment Regulation (No. 3) 1997, No. 321  
Government Owned Corporations (Queensland Corrections Corporatisation) Regulation 1997, No. 264
- Health Act 1937—  
Health (Drugs and Poisons) Amendment Regulation (No. 2) 1997, No. 323

- Health Services Act 1991—  
Health Services Amendment Regulation (No. 3) 1997, No. 311
- Hospitals Foundations Act 1982—  
Hospitals Foundations Amendment Regulation (No. 2) 1997, No. 298
- Industrial Organisations Act 1997—  
Industrial Organisations Regulation 1997, No. 282 and Explanatory Notes and Regulatory Impact Statement for No. 282  
Proclamation—the provisions of the Act that are not in force commence 29 August 1997, No. 281
- Indy Car Grand Prix Act 1990—  
Indy Car Grand Prix Amendment Regulation (No. 3) 1997, No. 295
- Justices Act 1886—  
Department of Justice (Variation of Fees) Regulation 1997, No. 270  
Justices Amendment Regulation (No. 3) 1997, No. 271
- Local Government Act 1993—  
Local Government (Areas) Amendment Regulation (No. 2) 1997, No. 279
- Local Government (Planning and Environment) Act 1990—  
Local Government Court Rules Amendment Regulation (No. 1) 1997, No. 294
- Magistrates Courts Act 1921—  
Court Rules Amendment Rule (No. 1) 1997, No. 266  
Magistrates Courts Amendment Rule (No. 1) 1997, No. 268
- Mental Health Act 1974—  
Mental Health Amendment Regulation (No. 4) 1997, No. 304
- Natural Resources Legislation Amendment Act 1997—  
Proclamation—part 2 of the Act commences 19 September 1997, No. 305
- Petroleum Act 1923—  
Petroleum (Entry Permission—Chevron Asiatic Limited) Amendment Notice (No. 1) 1997, No. 285  
Petroleum (Entry Permission—Resource and Land Management Services Pty Ltd) Notice (No. 1) 1997, No. 317
- Pharmacy Act 1976—  
Pharmacy Amendment By-law (No. 1) 1997, No. 325
- Physiotherapists Act 1964—  
Physiotherapists Amendment Regulation (No. 2) 1997, No. 326
- Plant Protection Act 1989—  
Plant Protection (Papaya Fruit Fly) Quarantine Regulation 1997, No. 315
- Primary Producers' Organisation and Marketing Act 1926—  
Primary Producers' Organisation and Marketing (Queensland Pork Producers' Organisation) Amendment Regulation (No. 3) 1997, No. 301
- Public Trustee Act 1978—  
Public Trustee Amendment Regulation (No. 6) 1997, No. 297
- Registration of Births, Deaths and Marriages Act 1962—  
Registration of Births, Deaths and Marriages Amendment Regulation (No. 1) 1997, No. 310
- Retirement Villages Act 1988—  
Retirement Villages Legislation Amendment Regulation (No. 1) 1997, No. 272
- Sawmills Licensing Act 1936—  
Sawmills Licensing Amendment Regulation (No. 1) 1997, No. 293
- Small Claims Tribunals Act 1973—  
Department of Justice (Variation of Fees) Regulation 1997, No. 270
- Stock Act 1915—  
Stock Amendment Regulation (No. 2) 1997, No. 278  
Stock (Cattle Tick) Amendment Notice (No. 1) 1997, No. 329
- Superannuation (State Public Sector) Act 1990—  
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 4) 1997, No. 291  
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 5) 1997, No. 322  
Superannuation (State Public Sector) Amendment Regulation (No. 1) 1997, No. 296
- Supreme Court of Queensland Act 1991—  
Court Rules Amendment Rule (No. 1) 1997, No. 266  
Supreme Court Amendment Rule (No. 1) 1997, No. 269
- Torres Strait Islander Land Act 1991—  
Torres Strait Islander Land Amendment Regulation (No. 1) 1997, No. 284
- Water Resources Act 1989—  
Water Resources (Tarampa/Esk Water Supply Agreement) Regulation 1997, No. 316
- Weapons Act 1990—  
Weapons Amendment Regulation (No. 2) 1997, No. 274
- Workplace Relations Act 1997—  
Industrial Court (Industrial Organisations) Amendment Rules (No. 1) 1997, No. 289

Industrial Court Rules 1997, No. 288  
Proclamation—certain provisions of the  
Act commence 29 August 1997, No. 280.

### RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

The Clerk laid upon the table of the House the following responses to parliamentary committee reports—

- (a) response from the Deputy Premier, Treasurer and Minister for The Arts (Mrs Sheldon) to a report of the Public Works Committee entitled Construction of the New Woodford Correctional Centre
- (b) interim response from the Minister for Transport and Main Roads (Mr Johnson) to a report of the Travelsafe Committee entitled Unsecured Vehicle Loads
- (c) interim response from the Minister for Natural Resources (Mr Hobbs) to a report of the Public Works Committee entitled The provision of infrastructure in Cape York
- (d) response from the Minister for Education (Mr Quinn) to a report of the Public Works Committee entitled The provision of infrastructure in Cape York
- (e) response from the Minister for Transport and Main Roads (Mr Johnson) to a report of the Public Works Committee entitled Expansion of the Dalrymple Bay Coal Terminal.

### RESPONSES TO PETITIONS

The Clerk laid on the table of the House the following responses to petitions received by the Clerk since the last sitting day of the Legislative Assembly, 29 August 1997—

#### **Diversiónary Centre, Carramar**

Minister for Families, Youth and  
Community Care

3 October 1997

I refer to your recent letter regarding a Petition received by the Queensland Legislative Assembly, objecting to the proposed location of a diversionary centre in the suburb of North Ward, Townsville.

North Ward will not have the proposed diversionary centre as the selection of a site at the Bohle has been made.

Since the announcement of this site, weekly meetings have been convened by my Department with representatives from Project Services, the Department of Local Government and Planning, the Premiers and Cabinet and Gurindal, to ensure the smooth running of the project and to ensure the best procedures are

used by each agency to meet the necessary timeframe.

On Tuesday, 23 September 1997, I officially launched the design of the Diversionary Centre in Townsville.

#### **Birth Centres, Public Hospitals**

Minister for Health

18 September 1997

In his absence, the Honourable Mike Horan MLA, has asked that I respond to your letter of 21 August 1997 enclosing a copy of the petition for more Birth Centres lodged by The Friends of the Birth Centre.

Two birth centres are currently operating in Queensland at the Royal Women's Hospital and at the Mackay Hospital. Two more suites will be incorporated in the birth centre at the Royal Women's Hospital, doubling the capacity of the present unit. The re-development in Mackay is likely to include the incorporation of the present free standing centre into the main hospital building.

The positive aspects of the Federally funded pilot program into alternative birthing services have been main streamed into the Bundaberg Hospital service. An outline of the range of birthing services now available at Bundaberg Base Hospital are listed below:

Midwives clinics, which are conducted four (4) days a week

Women are given choices for labour and the birthing process, with encouragement for delivery in their chosen position, whilst being supported by a midwife

Families are encouraged at antenatal classes and at birth to participate in the entire delivery process

The Women's Unit physical environment has been improved to reflect a more homely environment

Bundaberg Base Hospital now offers an extended midwifery service. Midwives from the Women's Unit visit mothers at home for up to two (2) weeks post discharge

The hospital's Education Centre has developed a Perineal Workshop for midwives, who following certification by medical staff can perform minor birthing medical procedures. This will decrease the waiting time for women in the birthing area and maintains privacy and dignity, as the midwife is already known to the mother.

Main streaming of services is preferable, not only because it is more cost effective in terms of infrastructure, but also because having the birthing centre within immediate reach of clinical assistance (should an emergency arise), can enable women other than those currently

assessed to be at low risk to enjoy the advantages of birth centre care.

It is therefore anticipated that the Coalition Government's commitment to quality midwifery-based services in the public sector will eventually lead to the same model of care and philosophy of the alternative birthing service being available in all hospital maternity units. This process will doubtlessly be supported by the user groups which are established to contribute to the planning and design of the development and re-development of the State's hospitals.

I trust this information will be of assistance.

### **Adult Cystic Fibrosis Unit**

Minister for Health

In his absence, the Honourable Mike Horan MLA has asked that I respond to your letter dated 22 August 1997 with which you enclosed a petition presented by Mrs Edmond with regard to the Citizens of Queensland giving support for the establishment of a specialized Adult Cystic Fibrosis Unit in Queensland.

On the 31 August 1997, the Minister announced the establishment of Queensland's first cystic fibrosis unit for adults. The new dedicated service will be set up at the Prince Charles Hospital, but will also provide Queensland wide outreach services.

The Queensland Government would immediately provide \$200,000 to attract a Director for the new service, with further funding for support staff and other resources to be provided once the service was established. The new Service Director would develop, in conjunction with Queensland Health, a Statewide strategy for enhanced care for adult cystic fibrosis sufferers.

The new service will provide outreach services throughout Queensland, and work with respiratory physicians in a number of Queensland public hospitals to widen this new service. Regional Queensland public hospitals to be included in the new service include, Cairns, Townsville, Toowoomba and the Gold Coast.

In terms of adult sufferers, there are approximately 100 patients at The Prince Charles Hospital, 30 patients at Brisbane's Mater Adults Hospital, with the balance of adult sufferers spread throughout the rest of Queensland.

Cystic fibrosis has traditionally been seen as a childhood illness with care subsequently confined to paediatric hospitals, but now with earlier diagnosis techniques and improved medical technology, cystic fibrosis sufferers are now living much longer.

The Minister trusts that the proposal to set up the new adults' cystic fibrosis service will be supported by community and assist sufferers.

### **Water Storage Sites**

Minister for Natural Resources

14 September 1997

I refer to your letter of 20 August 1997 concerning a Petition to the Parliament by the Sunshine Coast Hinterland Awareness Group requesting the removal of three dam sites from a "list" of possible future water storage sites in the Mary River Valley.

Earlier representations and studies in 1993 resulted in the then Government removing these three sites from the program of investigations then being undertaken by my department into the future water supply sources for the Sunshine Coast and the Mary River Valley.

The outcome of those investigations was a report and submission to Government recommending a preferred program of development for future water sources. The Government decided that,

- 1 The following short to medium term elements of a strategy for future water resource development be approved to meet urban, industrial and agricultural water needs for the Sunshine Coast and the Mary River Valley:

progressive raising of the Borumba Dam storage level from around the year 1997 to an ultimate raising around the year 2010 of about 25 metres;

construction of a storage/regulation weir on the Mary River at Moy Pocket around the year 2006; and

acquisition by agreement as required of the land which would be affected by the raising of Borumba Dam.

- 2 The inclusion of a dam on Amamoor Creek be announced as part of the preferred strategy, but that a final decision on the preservation of a site for that purpose be subject to further consideration by Cabinet following further detailed investigation and consultation with stake holders.

Further investigations and consultation has been undertaken with the land owners who would be affected by the Amamoor Creek dam but there has not yet been any submission on this proposal to Cabinet.

There are two studies currently under way that may influence decisions relating to future water supply sources for Caloundra City and Maroochy Shire. These studies are as follows:

Caloundra Maroochy Strategic Wastewater Management Study, and

South East Queensland Water and Wastewater Management and Infrastructure Study.

The recommendations from these studies could, in particular, have a significant bearing on the provision of future water supplies to the Sunshine Coast.

In the meantime, the Caloundra Maroochy Water Supply Board has questioned whether a dam on Obi Obi Creek at Kidaman would be a better alternative to the announced sources of supply in the Mary Valley.

My department has discussed the technical aspects of the Obi Obi Creek proposal with the Board and the Board's consultant with a view to resolving the merits of the alternative proposals but agreement has not yet been reached. My department does not support the alternative site on Obi Obi Creek at Kidaman because of its environmental and social impacts.

Whilst it should be noted that the outcomes of a number of significant studies are not yet to hand, the petitioners could be assured that the Government does not have a "list" of future possible water storage sites which includes the Conondale, Cambroon or Kidaman sites.

#### QUEENSLAND AUDIT OFFICE

##### Review

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (9.53 a.m.): Pursuant to section 72 of the Financial Administration and Audit Act 1977, I lay upon the table of the House the report of the strategic review of the Queensland Audit Office.

Honourable members will recall that legislation was passed late last year with the unanimous support of this House in respect of this inaugural strategic review of the Queensland Audit Office. That legislation extended the term of office of the incumbent Auditor-General, Mr Barrie Rollason, by a further year to enable him to participate in this exercise.

I take this opportunity to express the Queensland Government's appreciation for the work undertaken by the reviewer, former Auditor-General of South Australia, Mr Tom Sheridan, and for the constructive role played by Mr Rollason in the course of the review. I understand that the Parliamentary Public Accounts Committee will be examining this report and making a further report to the House, which I await with interest.

#### PAPERS

The following papers were laid on the table—

- (a) Premier (Mr Borbidge)—  
Report of the Strategic Review of the Queensland Audit Office

(b) Minister for Local Government and Planning (Mrs McCauley)—

- (1) An Order made under the Local Government (Planning and Environment) Act 1990 rescinding State Planning Policy 1/95: Conservation of Koalas in the Koala Coast;
- (2) An Order made under the Local Government (Planning and Environment) Act 1990 approving State Planning Policy 1/97: Conservation of Koalas in the Koala Coast; and
- (3) A copy of a reference dated 28 August 1997 to the Electoral Commissioner of Queensland in respect of reviewable local government matters in relation to the area of the City of Ipswich and the areas of the City of Brisbane and the Shires of Boonah, Laidley and Esk.

#### MINISTERIAL STATEMENT

##### Suncorp-Metway Public Offer; Economic Conditions

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.54 a.m.), by leave: I have great pleasure in today informing this House of the continuing good news story of the merger of Suncorp, QIDC and Metway and, in particular, the recent public offering of exchanging instalment notes by the State Government in the merged entity.

On Thursday, 11 September, the Government announced that it would be making a public offering of exchanging instalment notes over shares in Suncorp-Metway Ltd. That offering was for 100 million notes corresponding to 100 million shares held by the Government in Suncorp-Metway. The notes were offered at \$6.10 each with a coupon of 8 per cent and payable in two instalments: \$3 per note on application and \$3.10 per note payable in twelve months' time. The notes exchange for shares in Suncorp-Metway in November 1999.

However, the offering has been structured to pass the voting rights on the underlying shares to the note holders. This effectively reduces the Government's voting interest in Suncorp-Metway to around 45 per cent. The offering gave preference to customers and shareholders of Suncorp-Metway and to Queenslanders generally.

This was a unique and innovative offering that was developed in Queensland by Queensland Treasury and Queensland

financial and legal practitioners and advisers. It was underwritten by local stockbroking firms and joint lead managers of the offering, Morgan Stockbroking and Wilson HTM, together with J. B. Were and Son. All other Brisbane-based stockbrokers were co-managers of the offering. The registry services are being provided by the Queensland-based firm of Douglas Heck and Burrell, the firm that faced closure of its registry operation if St George Bank had been successful last year in its takeover of Metway.

I am pleased to report that at the close of applications on Friday, 3 October, there had been an overwhelming response to the offering, making it not only the largest offering of its kind made in Queensland but also the most successful ever undertaken in the Queensland market. Close to 100,000 applications have been received with well over 90 per cent of these coming from customers, shareholders and Queenslanders. A high proportion of applications are from small investors, showing quite clearly the genuine appeal of this offering to the mums and dads and small investors.

The processing of applications is still proceeding but I am advised that the allocation committee is confident that everyone who applied for notes will receive an allocation. I am also advised that the allocation committee is endeavouring to ensure that all customers, shareholders and Queenslanders generally will receive at least the minimum allocation of 500 notes.

The success of this offering is a clear manifestation of the coming of age of Brisbane as a financial centre. It is proof that Queenslanders can do it and are up there with the best. We in Queensland have engineered a unique and innovative financial product and marketed it successfully to Queensland investors.

Most importantly, this offering will make available around \$600m for investment in much-needed infrastructure for the State. It delivers the first tranche of the total merger proceeds estimated at more than \$2 billion, of which around \$1 billion is committed to new capital programs for economic infrastructure as well as for schools, roads and hospitals. This means the Queensland taxpayer has made a \$1 billion paper profit over and above the independent valuation of Suncorp and QIDC as stand-alone entities.

However, possibly of greatest significance of all is that the overwhelming public response to this offering represents an enormous vote of confidence not only in the future of this great

Queensland company, Suncorp-Metway, but also in the Queensland economy generally. This is the strongest signal yet of a resurgence of confidence in the Queensland economy, and there is every reason to be confident. A range of economic indicators now point to a strengthening of the Queensland economy and a return to its pre-eminent position as the growth State of Australia.

Recently released ABS State accounts data show that, in 1996-97, Queensland GSP grew by 4.6 per cent, substantially higher than comparable national growth of 2.8 per cent and the highest of any State. Moreover, revisions to the ABS data now show that Queensland GSP growth has exceeded the national average for the past six quarters, roughly the same period that the coalition has been in Government in Queensland. Business investment rose strongly in 1996-97 by 13.9 per cent, almost doubling its contribution to GSP growth compared with the previous year. Queensland's population grew at almost twice the national average in 1996-97, with the State's population now estimated at 3.4 million. Retail turnover in Queensland recorded its ninth consecutive month of growth in August and has exceeded national average growth throughout 1997. Queensland's employment growth record is even more impressive. Over the last twelve months, Queensland created 30,200 jobs out of a total of 31,600 new jobs for Australia as a whole. This means that a staggering 96% of all jobs created in Australia over the last 12 months were created in Queensland. Importantly, leading indicators of employment suggest that employment growth in Queensland will strengthen even further over coming months.

In summary, the overall picture is one of a resurgent economy that is again outperforming the rest of Australia. It is an economy in which confidence is growing, and that has been no more clearly manifest than in the public response to the Government's offering of shares in Suncorp-Metway. Once the processing of applications is complete, an independent committee chaired by the leading accounting firm, Arthur Andersen, will oversee the allocation process. This is due to be completed within the next few days and trading of the notes on the ASX is currently scheduled for 21 October. The success of this public offering represents an important milestone in Queensland's corporate history and its development as a genuine player in the Australian financial markets.

The Government has delivered on its commitment to give Queenslanders the opportunity to take a direct ownership interest

in Suncorp-Metway. The response by Queenslanders and by the market generally not only signifies confidence in the future of the company and the future of the State but also is a clear vindication of the Government's decision to propose the merger of Suncorp and QIDC with Metway and, in so doing, create this great new enterprise that is now the State's largest financial institution and one of the State's largest companies.

## MINISTERIAL STATEMENT

### Police Numbers

**Hon. T. R. COOPER** (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (10.01 a.m.), by leave: This Government has produced more police in its first full financial year than Labor managed in almost three years. We on this side of the House are proud of the fact that there are now more police on the beat in this State than there were 12 months ago, and that trend will continue.

During 1996-97, the Government trained more than 380 new officers for a net increase of 160 police. We promised to provide 139 new officers and we provided 160. This financial year we will put another 250 police on the streets, and another 400 officers are due on the beat in 1998-99. On top of that, we have accelerated the civilianisation program with 200 additional positions funded this financial year. Communities will benefit as desk-bound police return to operational duties.

The member for Waterford knows full well that the Government is delivering what Labor failed to deliver, yet he travels the State criticising us. The member for Waterford might like to ask the people of Cairns, Mount Isa, Maryborough and Hervey Bay, the Gold Coast, the Sunshine Coast, Gladstone, Mackay and just about every other city in Queensland if they have extra police.

**An Opposition member** interjected.

**Mr COOPER:** Maryborough got 14. The member for Waterford might like to tell the House and the people of Queensland that Labor's plan for more police would have produced 1,360 fewer officers than the 2,780 men and women whom the coalition's 10-year plan will deliver. He might like to admit that Labor's legacy to the coalition was the worst police to population ratio in Australia. At 30 June last year, there were only 29 extra police in Queensland than there were three years earlier, thanks to Labor's refusal to train officers. The coalition is planning for the future with a \$76m three-year plan to deliver 800

extra police and 400 additional civilians by August 1999.

It is the height of hypocrisy for the member for Waterford and his Labor cronies to criticise this Government over police to population ratios. The ratios had improved markedly in six of the eight police regions by 30 June and extra allocations of police in August further improved the ratios in all regions. With another 176 police due to graduate from the Oxley and Townsville campuses of the Queensland Police Service Academy before the end of the year, that improvement will continue. Under Labor, the State police to population ratio disgracefully slipped from 1 to 478 in 1992-93 to 1 to 524 in 1995-96. With the coalition's 10-year staffing plan, the ratio will mirror the national average to bring us back from the disaster Labor left us.

The Opposition's latest ploy has been to scaremonger over police presence on Brisbane's northside. Opposition members claimed that the Toowong division was understaffed by 11 officers and that there were 14 vacancies for uniformed police. They were miles off the mark. There are seven vacancies, four of which will be filled very soon. The division will receive another four officers by the end of November and the metropolitan north region will receive 23 first-year constables in December, some of whom will be allocated to the Toowong division.

The Opposition then criticised the clustering program introduced under its own administration, claiming that police presence in the area was being sacrificed because stations were being closed. Opposition members failed to mention that other stations had closed under Labor and that the six stations mentioned most recently—Indooroopilly, Toowong, Torwood, Bardon, Taringa and Red Hill—had provided limited services for periods ranging from several years to several months.

**Mrs Edmond** interjected.

**Mr COOPER:** That was under the member's Government. Bardon station has been closed for several years, and it was closed by the Labor Government. What the people were not told was that Labor slashed police strength in the metropolitan north region by 78 officers. That damage has been repaired by this Government. Red Hill station will be replicated somewhere else in the area and the QPS has been negotiating with the member for Mount Coot-tha to obtain a shop near the old station. There is no intention to downsize the police presence, and the member for Mount Coot-tha is fully aware of

that fact. Under clustering, police presence will be centralised in major police stations throughout Brisbane's north side. Eight divisional headquarters will allow better interaction between personnel, greater efficiency, supervision, guidance, direction and training, and will impact positively on the level of service to the community, which is the bottom line.

The Opposition Deputy Leader, the member for Capalaba, made much of the police to population ratio in the Wynnum division, but he failed to admit to being party to the slashing of numbers in the area in previous years. He seemed uninterested in the fact that the Wynnum division would receive up to 12 constables in December.

**Mr Elder** interjected.

**Mr COOPER:** Doesn't the member want them? The numbers are going up, but all the member does is belly-ache because he is so embarrassed that these numbers are constantly increasing, and they will continue to increase. Neither was Labor interested in the fact that in August five new police were posted to Gympie and that numbers in the north coast region improved markedly in the past year. This Government will continue to increase police numbers.

## MINISTERIAL STATEMENT

### ALP Jobs Plan

**Hon. S. SANTORO** (Clayfield—Minister for Training and Industrial Relations) (10.07 a.m.), by leave: I wish to explain to the House and the people of Queensland why the Opposition's so-called jobs plan does not stand up to scrutiny and why analysis shows that it is a shallow attempt to overshadow evidence that, under the coalition Government, Queensland is leading the nation in jobs creation. I say at the outset that, when in office, Labor failed to promote employment growth and is now panic-ridden that the coalition's achievements will expose its incompetence.

On 11 September, I advised the Queensland public through a media statement that over the past 12 months the number of people employed in Queensland had increased by 28,800, which compares to 34,600 fewer people employed in the rest of Australia in the same period. The message is loud and clear: Queensland is leading the nation in jobs creation. Members should remember that the undeniable statistical evidence to support this terrific achievement became available on 11 September, and then

only days later on Sunday, 14 September, Labor launched its New Directions Statement or jobs plan in the media. Both the timing and a detailed analysis of this dubious document show it up for what it is: little more than a desperate attempt by the ALP to deflect attention from the coalition's achievements.

The Leader of the Opposition has been on record many times since 14 September acknowledging that it is unusual for the Opposition to reveal a policy so far out from an election. It also is apparent, though, that the timing of Labor's jobs plan was aimed at creating a smokescreen to blur the public's growing awareness of Labor's own appalling record on job creation when it was in office. As members would know, there is no smoke without fire. Therefore, let us take a detailed look at Labor's so-called jobs plan.

The first thing of note is that the plan involves spending \$276m on jobs creation. I would like to point out to honourable members opposite that this pales into insignificance against the \$514m which my department alone is investing this year in promoting jobs growth through training. The House should also note that the coalition has taken a whole-of-Government approach to the important issue of unemployment, and that spending on jobs programs through other departments adds significantly to my department's \$514m.

A paltry \$276m is certainly no excuse for the Opposition to traverse the State, as it has done, boasting of a plan to fix a problem which Labor itself alone created and which the coalition has done much to rectify. One has to wonder how stupid the Opposition thinks the people of Queensland are. How far does Labor think it can pull the wool over the eyes of the people of Queensland? Further scrutiny of the plan reveals a regurgitation of old Labor programs, a recycling of existing programs and a brazen attempt by Labor to claim this Government's platforms as its own. For the benefit of the House, I will give just a few examples.

Under Labor, 10% of employable hours on new State Government capital works would be undertaken by apprentices or trainees. This is not a new initiative. This 10% policy currently exists. It applies to contracts worth more than \$100,000. It was introduced by Labor in 1993 and it is under review because it did not work under Labor; it was not enforced. It will be up to this Government to fix this neglect, and we will.

Labor would allocate \$5m to fund \$2,000 handouts to employers or group training schemes for employing apprentices in areas of

skills shortages. The Government is already addressing skills shortages in specific industries. For example, in 1996 the construction industry received more than \$21m in recurrent funding and capital support. In 1997 the Government has allocated \$6.5m to the Employer Assistance Program. This program provides up to \$2,000 per apprentice/trainee. There is very little to boast about in this \$5m Labor scheme compared with what we are doing.

Further, Labor proposes to spend \$25m worth of taxpayers' money on only 500 new Government apprentices. Let me make two points here: the public sector currently employs 1,112 apprentices. For Labor to propose funding public sector apprentices at \$50,000 per head per year is ludicrous. It shows total ignorance of the efficiencies achieved in the public sector under the coalition. Members opposite should be honest enough to admit that up front.

I will give only one more example of why Labor's jobs plan is a sham. Labor proposes 9,000 additional apprenticeships and traineeships in the private sector over three years. Over the next two years, the coalition will administer the creation of 50,000 apprenticeships and traineeships at a cost of \$126m. Mr Speaker, whose horse would you back—Labor's tired old hack that can barely struggle past the starting post or the coalition Government's champion that takes the trophy every time?

There is no doubt that the Opposition has been deeply wounded by the Government's performance on employment creation in particular. Only last week, salt was rubbed into Labor's gaping wound when the new Drake International hiring intentions survey confirmed that coalition strategies are working and that Queensland will continue to lead the nation in jobs creation. Queensland employers are expected to increase staff by 2.08% in the October quarter compared with a national increase of 1.3%. This increase alone would mean 32,000 more positions in Queensland. Under the coalition, Queensland leads the nation in job creation. Labor's jobs plan is nothing more than a pitiful attempt to distort the truth.

## MINISTERIAL STATEMENT

### Regional International Trade Support Branch

**Hon. D. J. SLACK** (Burnett—Minister for Economic Development and Trade and Minister Assisting the Premier) (10.13 a.m.), by leave: Since taking on the Economic

Development and Trade portfolio, I have had the opportunity to travel extensively throughout regional Queensland. On each trip, when time has been available, I have visited companies which are successfully exporting products and services, and I have been impressed by the variety and quality of the goods those companies produce and the innovation they display. Everything from environmentally friendly outdoor toilets to semisubmersible vessels and from aeroplanes to high-tech navigational equipment is being produced in Queensland's regional centres. The rest of the world wants to buy our expertise and innovation. I believe those regional companies which are already exporting, and the thousands more which have the potential, should be given every assistance to enable them to earn export dollars and create jobs for Queenslanders.

As the lead agency for promoting international trade performance, my Department of Economic Development and Trade has introduced initiatives to ensure that enterprise in the regional centres is given every assistance to compete successfully in world markets. In recognition of its importance, a new unit of my department—the Regional International Trade Support Branch—will be established with the brief of creating regional employment through the promotion of regional international trade. Plans are well advanced for this unit, with advertisements for positions run in the weekend press. The branch will work in association with regional business and industry groups, the Queensland Government offices set up by the coalition Government in Cairns, Townsville, Mackay, Rockhampton and Gladstone, my department's Brisbane-based international secretariats and our overseas offices to maximise export opportunities.

We will also continue a program of export seminars held in regional centres to provide information and gain feedback from businesses in those areas which are export ready and prepared to think globally. So far this year, seminars have been held in Bundaberg, Cairns, Townsville, Gladstone and Mackay, with plans to extend the opportunity to other areas next year.

Honourable members may be aware of my department's coordination of the Central Queensland International Trade Strategy. The strategy, which is due to be completed next month, draws together the expertise and experience of the business community in the central Queensland region and identifies opportunities for regional investment and trade. It will be the blueprint for the future of export development in that area and for

growth and job creation. With the establishment of the Regional International Trade Support Branch, all the resources of my department will be available to assist regions to formulate their own strategies for identifying comparative advantage and accessing trade opportunities. These are all important steps in enhancing the contribution made by regional Queensland to our State's wealth creation. It is also positive proof of this Government's determination to continue to lead Australia in the creation of jobs throughout all parts of the State.

### SCRUTINY OF LEGISLATION COMMITTEE

#### Report

**Mr ELLIOTT** (Cunningham) (10.16 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 10 of 1997, and move that it be printed.

Ordered to be printed.

### CRIMINAL JUSTICE COMMITTEE

#### Reports

**Hon. V. P. LESTER** (Keppel) (10.17 a.m.): I lay upon the table of the House the Parliamentary Criminal Justice Committee's submission to the Attorney-General in relation to the draft Criminal Justice Legislation Amendment Bill 1997 and the draft Misconduct Tribunals Bill 1997. The committee is tabling these submissions as it believes that it is in accordance with the Criminal Justice Act that the committee report to the Parliament on any matter pertinent to the Criminal Justice Commission which in the committee's view should be drawn to the attention of the Parliament. I commend the committee's submissions to the House.

### NOTICES OF MOTION

#### Fuel Taxes

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (10.18 a.m.): I give notice that I shall move—

"That this House condemns the State Government for its mismanagement of the new tax arrangements for petrol, and in particular—

- (1) its failure to deliver on its assurances to Queensland that petrol prices would not increase;
- (2) its failure to meet its commitment that it would give priority to ensuring that petroleum users are not

disadvantaged as a result of implementing the so-called 'safety net';

- (3) its failure to anticipate the potential problems in the tax arrangements it had negotiated with the Commonwealth;
- (4) breaching its commitment that "there will be no need for price increases in ... petroleum products ...";
- (5) wasting thousands of dollars of taxpayers' money on full page newspaper ads describing the workings of a 'safety net' which does not work;
- (6) exposing Queensland families to a \$400 increase in their annual cost of living;
- (7) exposing the competitiveness of Queensland industry by allowing a dramatic jump in its transport costs; and
- (8) taking two months to recognise there is a problem with new petrol tax arrangements and still having no answer to stop prices increasing next Monday."

#### Koala Coast

**Mr WELFORD** (10.19 a.m.): I give notice that I will move—

"That this House notes—

- (1) the State Planning Policy 1/97 proposed by the Government rescinding the former Koala Coast State Planning Policy No. 1/95;
- (2) the new policy removes significant areas of land from protection previously provided for habitat for Koalas by the 1995 policy;
- (3) the removal of these areas is designed to deliver special development privileges to a handful of 'mates' of the National Party;
- (4) the Government has washed its hands of responsibility for the fate of Queensland's koala population by buck-passing controls over planning in the Koala Coast to Local Government; and

calls on the government to strengthen protection for decreasing koala populations in Queensland and confess its failure to maintain reasonable protections in the face of pressure from land speculators."

## PRIVATE MEMBERS' STATEMENTS

### Fuel Tax

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (10.20 a.m.): Because of the incompetence of this Government, Queensland is now exposed to a massive economic crisis. After being assured for the last two months that the loss of State taxes would not cost Queensland consumers, we now learn that petrol prices could jump by more than 8c a litre. We were told that this was fixed. Why were Queenslanders lied to by this Government? Why do we have a 13% fuel price hike hanging over our heads?

Treasurer Joan Sheldon issued a press release on 5 August promising that "Queensland consumers will not be worse off as a result of the High Court decision". On 1 September, the Queensland Government put a full page advertisement in State newspapers—this one here, which I table—talking about "how the safety net works". The advertisement said that the Government had "given priority to ensuring that petroleum users are not disadvantaged". The Government further said, "There will be no need for price increases in petroleum products."

These arrangements are on the brink of total failure and Queensland is facing the spectre of paying an extra 8.1c a litre in one hit. This means a one-off inflationary impact of 1.2%, which will multiply through prices, profits and wages, and regional Queensland will suffer most. The average Queensland family will have to find another \$400 to pay for the increased cost of living caused by this Government's incompetence. The cost of filling the tank of a six-cylinder car would rise by more than \$5.

This Government is hoping to introduce a tax by stealth. The Government hopes that these arrangements will fail and Queenslanders will pay more. The advertisement says—

"The Commonwealth has agreed to this request on the clear understanding of the States and Territories that the increase in excise in wholesale sales tax represents a State tax imposed and collected by the Commonwealth."

This Government is trying to introduce a petrol tax by stealth.

### Townsville

**Mr TANTI** (Mundingburra) (10.22 a.m.): I will inform the House as to why the Labor Party is paranoid about the Townsville region and

why the member for Brisbane Central, known in Townsville as "Backflip" Beattie and his deputy, the member for Capalaba, known in Townsville as "Evil" Elder—because of his scaremongering tactics—visit our twin cities on regular trips, once again telling us what they will do in relation to jobs, projects and our future. The following newspaper article headings and details show what this Government has achieved in the Townsville region and how Labor is travelling in the region: "Townsville is 'hotspot' of the country"; "Local business leaders praise city's future"; "Projects valued over \$5 billion to generate around 2,700 jobs within the next four years"; "Townsville's powering ahead"; "Thuringowa building boom"; "Northern trade hub sparkles"; "Refinery kick starts local jobs". Now I will give the good news: "ALP stalwart quits over leak"; "Federal Police probe vote rigging allegations"; "Labor loyal outraged by allegations"; "Process a mystery says Goss"; "Twin Cities jobless numbers continue to fall"; "Yabulu to create jobs": "17.5 million Pandora contract let—'hundreds of jobs'"; "Construction sector bucks national trend".

The Leader of the Opposition—the slapstick party—should be more worried about his own future as Leader of the Labor Party. He should be worried about his deputy's ambitions to be leader instead of trying to match this Government's achievements in the Townsville region.

I will give the House more details on Townsville: "Mayors laud rosy economic growth figures"; "Twin Cities looking at great year"; "Business confidence up"; "An opportunity not to be missed"; "Base-load power station is on cards". We have the Mount Isa Mines Townsville copper smelter expansion—a \$50m investment—scheduled for completion in 1997. We also have the Townsville Port Cannington loader—\$70m, 150 construction jobs, five operational—scheduled for completion in December 1997 and the Yabulu Power Station—\$59m, 60 construction jobs—scheduled for completion in 1999.

### Baillie Henderson Hospital; Minister for Health

**Hon. J. P. ELDER** (Capalaba—Deputy Leader of the Opposition) (10.24 a.m.): The Minister for Health has accused me of playing dirty pool and cashing in on people's suffering following news reports about a former patient of the Baillie Henderson mental health centre being allegedly involved in the death of a Toowoomba woman. I would like to draw the House's attention to some comments made by

a member of this Parliament about people's deaths.

This member said that a patient collapsed and died "clutching his x-rays in his hands" whilst waiting for a bed to become available. This member was also quoted in the House as saying, "People do not have the time to die in dignity because they have someone on the veranda waiting to be admitted and they are waiting for the deceased's relatives to move away." Not content with wallowing in death, the member also tried his hand at sexual allegations. He said—

"... security was so lacking that a male person entered the ward, was smoking in the area, and proceeded to physically assault the nurse on two occasions while she was attending a patient. When the nurse ran away crying, the man allegedly assaulted a female patient who was lying there in pain."

Perhaps some members can guess to whom I am referring. That is right, it is the member for Toowoomba South, the current Minister for Health. The Minister, when in Opposition, wrote the book about preying on victims. At that time the current Minister for Police used to look up to him in awe. That is saying something because, when in Opposition, the current Minister for Police used to eagerly await the next rape, murder or home invasion to hit the front pages of the newspaper.

I find it a bit rich for the member opposite to be accusing me of cashing in on someone's death. Now that he is the Minister for Health, Mr Horan has to start taking some responsibility for his actions. In six years I do not recall the Minister complaining about the Baillie Henderson health centre. I can only assume, therefore, that the current problems at that centre are attributable to the Minister's handling of the portfolio. At that centre we have a murder, an alleged murder, and a suicide said to be associated with patients of the Baillie Henderson Hospital. I can only assume that these problems have occurred under the Minister's handling of his portfolio. Is this another reason why the Minister for Health has not called for a full investigation into this matter? What does he have to hide?

### **Mahogany Glider**

**Mr ROWELL** (Hinchinbrook) (10.26 a.m.): The credibility of the Ministers for Environment in the previous Labor Government in Queensland is now in question. Those Ministers were more interested in creating a political beat-up of the extent of the presence

of mahogany gliders in the Ingham and Tully districts than in carrying out accurate surveys of the habitat. It would appear that former Ministers had an exclusive interest in gaining political mileage with the southern media to help their position at the polls rather than dealing with the facts. If Ministers were so concerned with the mahogany glider, why had land adjacent to the current habitat been approved for clearing in the early 1990s?

Two recent studies have discovered that the mahogany glider is not limited to the altitudinal level of 120 metres as was stated in the draft conservation plan produced by the Labor Government. Strong activity has now been found up to a level of 450 metres. When one adds in a swathe of habitat which extends as far as Townsville in the Clemant forest region, there could be a five-fold increase in numbers—from 2,000 to 10,000—according to a member of the recent survey team.

The studies indicate that the mahogany glider occurs in a range of different habitat types which are open enough to allow for movement by gliding. According to the Mahogany Glider Draft Conservation Plan the glider does not occur in rainforest. The studies have indicated that the density of the glider is not uniform across blocks of land, even within the lowland habitat, and have suggested that all land parcels targeted for conservation of the glider should be considered individually. How can Queenslanders trust those opposite to administer the State in the future with their past performance on such an important conservation issue?

**Mr BARTON:** I rise to a point of order. The member is misleading the House. I find his words offensive. We acted at all times on the best scientific information.

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

### **State Government Revenue**

**Hon. D. J. HAMILL** (Ipswich) (10.28 a.m.): Two months ago the dogs were barking that the High Court would bring down a decision which would grossly impact upon State Government revenues. One would think that when 10% of Queensland's State-sourced revenue was at threat, the Queensland Government would have done its homework in trying to put in place a set of circumstances to protect its revenue base. Two months later we find that, despite the assurances of the Premier and the Treasurer, no such homework was done. The Government was, as the Opposition alleged at that time, too consumed

with pursuing its political vendetta against the CJC and wasting \$14.5m rather than putting its house in order.

Now, with the prospect of an increase in fuel prices, what do we receive from the Treasurer? The Treasurer is suggesting that the Queensland Parliament should enact invalid, unconstitutional legislation and hope that no-one will challenge it in the High Court. What a formula for uncertainty! What a formula for disaster! What a lack of solution! What a breach of the promise that the Treasurer made to the people of Queensland two months ago! This Opposition will support any proper solution but we will not support a sham.

## QUESTIONS WITHOUT NOTICE

### Tax Reform

**Mr BEATTIE** (10.30 a.m.): I table a confidential draft of a paper on national tax reform prepared by the State Heads of Treasuries State Taxes Working Group, which includes representatives from Queensland, which advocates that the States, firstly, be able to tax personal incomes earned by residents of that State; secondly, broaden the direct tax base to create a 15% to 21% GST which may not allow exemptions on food, health and education; and, thirdly, completely remove the \$850,000 exemption threshold currently applying to State payroll tax, and I ask the Treasurer: does she agree with her Under Treasurer and Treasury that Queensland should be subject to these new tax slugs?

**Mrs SHELDON:** Again we have more scaremongering by—I think it is the Leader of the Opposition at the moment. If he sits, I will tell him what the real facts are. I know he is not interested in the real facts, but here they are. On Channel 9 last night a reporter, Laurie Oakes, reported that a document was in existence which he purported had been signed off—

**Mr Beattie:** This one?

**Mr Borbidge:** Listen and you might learn something.

**Mr Beattie:** We have.

**Mrs SHELDON:** The members opposite should stop the theatrics. We all know that the aim of their game is to get themselves on the TV. We will tell them what the real facts are. The document was purported to be signed off—

**Mr Beattie:** Why is Queensland involved?

**Mrs SHELDON:** The member asked the question; would he like the answer? If the Leader of the Opposition will keep quiet I will answer his question. The document was reported by Laurie Oakes to be signed off in agreement among all the States on Federal/State tax reform. That was the first misconception.

**Mr Beattie:** What's that?

**Mrs SHELDON:** It has not been signed off by the Queensland Treasury. I believe it is important for this House to know the real facts instead of the scaremongering that the Leader of the Opposition engages in, and I will tell honourable members—

**Mr Beattie:** It's your document.

**Mrs SHELDON:** It is not our document, it is a document that came out of South Australia.

**Mr Beattie:** Are you denying you were represented?

**Mrs SHELDON:** So there are more facts that the Leader of the Opposition has no idea of—again.

**Mr Hamill** interjected.

**Mrs SHELDON:** Let me state at the outset that the document in question was not one from the Queensland Government; it was sourced from another State and it was—

**Mr Beattie:** It says "National Tax Reform".

**Mrs SHELDON:** Mr Speaker, may I answer this question?

**Mr SPEAKER:** Yes.

**Mrs SHELDON:** It was circulated as part of an officer level discussion on Federal/State tax reform, because we in Queensland have been pushing the issue of Federal/State tax reform, which I think is vital and on which I thought we would have some support from the Leader of the Opposition. The purpose of the document was firstly as a discussion paper. It did not represent any policy—and I repeat "any policy"—of this Government or, as I understand it, any policy of any other State Government. It was not considered by myself, the Premier or any member of Cabinet.

I would like to state very clearly that the document is purported to have stated that States were considering increasing or broadening land tax and payroll tax. As far as the Queensland Government is concerned, that is patently untrue. It is Labor policy; it is not the policy of the coalition. I would like to

assure honourable members of the real facts with regard to the Queensland Government policy on land tax, which I would just like to reiterate for those who may listen to the misguided and misleading words of the Leader of the Opposition. Our policy was that we would abolish land tax in 10 years. Last year we took the first step towards doing that when we averaged land taxing over three years. This year we have further dropped the rate that people pay on land tax, and that policy remains.

So in our first two Budgets, the Queensland coalition Government wiped off \$37m of land tax and we will continue that process. I have already said to the Leader of the Opposition—and I will repeat it quite clearly because he is obviously hard of hearing as well as hard of intellect—that the Queensland Treasury has not signed off on that document. In fact, the Queensland Treasury wrote——

**Mr Beattie** interjected.

**Mrs SHELDON:** The Leader of the Opposition should listen. The Queensland Treasury wrote to the South Australian Government officers saying that it did not agree with the document; it would not sign. We have the facts.

**Mr Mackenroth:** Table the document.

**Mrs SHELDON:** Very well, I am happy to table the document. I have not got it with me, but I will get it and table it. The Queensland Treasury said that it did not agree with that document, that it would not sign off on it and that we were working through a paper that will be produced. Queensland Treasury did not agree——

**Mr Beattie** interjected.

**Mrs SHELDON:** That is a working paper of officers in the Treasury and documented and sourced to South Australia. It is natural that we have representatives on any working group looking at Federal/State tax reform. Possibly the Leader of the Opposition thinks that Queensland should have no representation on any working party. It was very good that we had representatives on that working party because we and the Treasury officers involved did not agree with what was in the document and we are putting our own paper forward. That is the truth of matter. Yet again "Mr Backflip" over there, the Leader of the Opposition, has been caught short. I suggest in future that he should find out his facts before he tries to besmirch the State of Queensland and the people who live here, which is his normal modus operandi.

### State Franchise Fees

**Mr BEATTIE:** I refer the Treasurer to her public assurances on 5 August and again in full page advertisements on 1 September, which I tabled earlier, that "there will be no need for price increases in liquor or petroleum products" as a result of a safety net arrangement with the Commonwealth to protect Queensland consumers from the High Court decision to outlaw State franchise fees on fuel, tobacco and liquor, and I ask: if such a safety net arrangement exists and is so effective, why then is the petroleum industry threatening to increase petrol prices in Queensland by 8c a litre from as early as Monday?

**Mrs SHELDON:** How amazing it is that "Backflip" Beattie is now on the side of the oil companies and not on the side of the people of Queensland who we are fighting for to make sure that no petrol price increase occurs! I would just like to point out the position that the Labor Party seems to be in. It is interesting that Mr Beattie has asked this question. I wonder whether it should have been asked by the person who is breathing heavily over his shoulder, Jim Elder, or indeed whether it should have been asked by Mr Hamill because we had——

**An honourable member** interjected.

**Mrs SHELDON:** Which shoulder? Most probably the left or the right.

**Mr SPEAKER:** Order! The Treasurer will refer to members by their electorates.

**Mrs SHELDON:** Yes, the honourable member.

Last week at a press conference I said that we, the Government, were working through a very difficult process—and it is difficult, and I think any reasonable person would realise that. We were looking at the proposition of seeing whether we could legislate to stop any price increases. Indeed, if we could do this, I would ask the Leader of the Opposition to support us. I do not want any increase in prices; I agree that that would be a great impost on Queenslanders. Because we in this State were working very hard to see that this did not occur, I assumed that we would get Mr Beattie's support on this proposition. Indeed, Mr Beattie then said at his subsequent press conference that, yes, he would support that. Then, of course, Mr Hamill came into it. He is obviously also one of the pretenders sitting back there.

**Mr SPEAKER:** Order! The Treasurer will refer to the member as the honourable member for Ipswich.

**Mrs SHELDON:** The honourable member for Ipswich then came out against his own leader the next day and said, "No, we will not support any legislative procedures" without even knowing what the details were.

**Mr HAMILL:** I rise to a point of order. The Treasurer is deliberately misleading the House and totally ignoring the comments that I made in my statement earlier this morning. We promised to support a legislative solution. We would not support a legislative sham.

**Mr SPEAKER:** Order! The member will resume his seat.

**Mrs SHELDON:** As usual, that was a frivolous comment from the member for Ipswich. I believe that it is reasonable to ask of members opposite: who is the leader? Is it "Backflip" Beattie, Mr Elder or Mr Hamill?

**Mr SPEAKER:** Order! The Treasurer will refer to the honourable member for Capalaba and the honourable member for Ipswich.

**Mrs SHELDON:** The fact is that our State Government is working very closely with the Federal Government in a very difficult—

**Mr Beattie:** You said there would be no price increases in your ad.

**Mrs SHELDON:** Is the Leader of the Opposition posturing a little more for the TV cameras? If I were him, I would get my money back from Actors Equity, because I do not think it is worth the money he pays them.

**Mr Beattie** interjected.

**Mr SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mrs SHELDON:** As I was saying, the State Government is working very closely with the Federal Government, as will be said in the debate tonight which the Leader of the Opposition has foreshadowed. We will debate it quite fairly and equally. The agreement with the Prime Minister was that there would be no price increase. I was speaking to the Prime Minister last week and he reiterated that. The Federal Government will support us in any way it can.

**Opposition members** interjected.

**Mrs SHELDON:** Members opposite are a sad lot. The Deputy Leader of the Opposition is running up and down the State beating up unsubstantiated fear in people, telling them what is going to happen. This is an important issue, and if he has any positive suggestions we would be very interested to have some bipartisan support.

**Mr Elder** interjected.

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

**Mrs SHELDON:** If the Deputy Leader of the Opposition has any constructive suggestions, he is very welcome to speak with me about them. But I imagine that he has none and, as usual, is just criticising for the sake of doing so. I think everyone would realise that the High Court decision was taken, and it was nothing to do with the State.

**Mr Hamill:** You appeared in the High Court—you intervened.

**Mrs SHELDON:** Yes, we argued. It was a challenge.

**Mr Borbidge:** It was Bob Carr.

**Mrs SHELDON:** The ignorance of the Opposition is quite staggering. The case was brought on against the Government of New South Wales. We participated as a State to make sure that we would do all we could in the High Court to substantiate the position that we had in relation to tax levied in this State. The High Court—

**Mr Hamill:** You were there.

**Mrs SHELDON:** The member does not really want to know, does he? He is interested only in yelling across the Chamber.

**Mr SPEAKER:** Order! I warn the member for Ipswich under the provisions of Standing Order 123A for persistent interjection.

**Mrs SHELDON:** As I think everyone would now know, the High Court decided that the States could not levy this and it was a Federal excise. At that stage it was taken out of our hands and put in the realm of the Federal Government. We are working closely on this with the Federal Government to get the best result for the people of Queensland. That is our aim—not cheap political point scoring, which is the aim of "Backflip" Beattie sitting over there.

#### Native Title

**Mr SPRINGBORG:** I ask the Premier: what is the impact on Queensland of foreshadowed amendments to the Commonwealth's proposed response to the Wik decision?

**Mr BORBIDGE:** I think that all members have been waiting for some time to ascertain what would be the formal response of the Labor Party to amendments that have been introduced into the House of Representatives to amend the Native Title Act. Needless to say, the week before last the Deputy Leader of the Federal Opposition, Gareth Evans, tabled in

the House of Representatives proposed amendments that Labor would be seeking to bring forward during the debate on that legislation.

What is being proposed by Labor is an absolute and total betrayal of Queensland, Queensland jobs and the Queensland economy. The Leader of the Opposition and his colleagues in this place have a responsibility to be telling Queenslanders whether they support Mr Evans and Mr Beazley and the Federal parliamentary Labor Party or whether they support Queensland in regard to security of land tenure. I have had the legal unit of my department examine the proposed amendments by Mr Evans. It is very clear that they have been drafted by an individual and a political party who have no grasp of reality or the horrendous problems that native title and the High Court decision in regard to Wik on 23 December have thrust upon this country.

In summary, the Labor amendments would emasculate almost all of the protections provided for the pastoral and mining industries as well as development generally. We are particularly concerned about Labor's plans to tamper with that part of the legislation allowing the provision of Government services and public works. The Labor amendments will potentially inhibit local authorities, electricity generating authorities and others providing basic infrastructure to Queenslanders. The Labor amendments, from which the Leader of the Opposition will not dissociate himself, place at risk all development on pastoral leases between 1994 and 1997, including more than 600 mining grants and over 7,000 land tenures in Queensland alone. More than that, the situation gets worse. The Labor amendments, from which the Leader of the Opposition in this place will not dissociate himself, will open up potentially as much as an additional 30% of Queensland to native title claims.

There are doubts now whether Labor will seek to have grazing homestead freeholding leases and grazing homestead perpetual leases available to land claims. It gets worse. The Labor amendments being proposed by the colleagues of the Leader of the Opposition will open up more than 50% of the State of Queensland to unprecedented statutory access. Under Labor's amendments, apart from native title holders, people purporting to have it would virtually be able to enter onto properties with impunity without having to prove their claim.

What does the Opposition spokesman, the member for Rockhampton, say? Does he support that? Because that is the result of the amendments that are being proposed by the Labor Party: opening up to half of the land mass of Queensland to statutory access rights without even having to prove or establish any native title claim. So we could have Michael Mansell, Charlie Perkins or Murradoo Yanner lodging a native title claim and, under what Labor is proposing, there would be automatic statutory rights of access. I wonder how honourable members opposite would feel if that applied to their homes or their businesses. That is what Labor is doing: applying unprecedented statutory rights of access to up to 50% of the State.

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

**Mr SPEAKER:** Order! The member for Chermide! That remark is unparliamentary and he will withdraw it.

**Mr T. B. SULLIVAN:** I withdraw.

**Mr BORBIDGE:** Unfortunately, this is the truth and the total truth, and we are going to hang members opposite out to dry from one end of this State to the other.

Labor's proposals will have a dramatic effect on future mining activity in Queensland. Labor's proposals will continue Century Zinc-type delays and render many small and medium mining projects uneconomic. Labor's proposals, now supported by honourable members opposite—

**Mr BEATTIE:** I rise to a point of order. The Premier is misleading the House. There are no specific amendments to clauses upon which any legal opinion could be based. All the Federal Deputy Leader of the Opposition has done is indicate that there are some areas that require assessment, nothing more. The Premier is misleading this House.

**Mr BORBIDGE:** I am quite happy to table Mr Evans' notice of motion. We know Labor's tactics. This is what it does in the House of Representatives to foreshadow what it is going to do in the Senate. What Mr Evans has tabled in the House of Representatives is the formal Labor Party response to the native title legislation. The question to the Leader of the Opposition is simply this: does he support Mr Evans?

**Mr BEATTIE:** Mr Speaker, there are no specific amendments.

**Mr BORBIDGE:** Yes or no—does he support Mr Evans?

**Mr BEATTIE:** The Premier has come in here, distorted, misrepresented and put the greatest heap of garbage before the House.

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

**Mr BORBIDGE:** Does the Leader of the Opposition support Mr Evans or not? He will not say. How unusual for the Leader of the Opposition to be camera shy! Does he support Mr Evans or not?

Labor will entrench uncertainty forever by removing the sunset clause. Instead of removing uncertainty, Labor's proposals will entrench it and provide unlimited scope for litigation and endless native title tribunal hearings. All the people of Queensland want today is a very simple answer: yes or no. The Leader of the Opposition can be unusually brief. Does he support the position of his Federal Labor colleagues—yes or no? Of course he will not say, because he does not have the courage to say "yes". We know that the Leader of the Opposition, the shadow Minister for Primary Industries and the Deputy Leader of the Opposition support totally the position of Federal Labor, the notice of motion that has been given and Mr Evans' proposed amendment in the House of Representatives.

What we are seeing once again is the old Labor tactic. If the options are standing up for Queensland or supporting their colleagues in Canberra, they will support their colleagues in Canberra. They will sell Queensland out. They will expose up to 50% of this State to unprecedented statutory rights of access. They will bring about incredible uncertainty in respect of land tenure in Queensland. They will place at risk all development on pastoral leases between 1994 and 1997. They will potentially open an additional 30% of the State of Queensland to native title claims. What is the response of the Leader of the Opposition? He is silent. I say to the Leader of the Opposition: he is damned by his silence.

#### Fuel Tax Refunds

**Mr ELDER:** I ask the Treasurer: when negotiating the so-called safety net arrangement with the Commonwealth, was she aware of the longstanding practice of private traders of buying petrol in Queensland for sale in New South Wales? If so, why did she agree to the Commonwealth refunding Queensland on the basis of population share when such a mechanism could not possibly compensate for the higher volume of petrol sold in Queensland because of that interstate trade?

**Mrs SHELDON:** The genius of the member opposite in hindsight! The safety net arrangement that was entered into by all States, including Queensland, with the Commonwealth was on the basis of no price increase. That is still the basis of our negotiations with the Commonwealth. The fact that the High Court made a decision over which we had no control—and we argued the position for our State in the High Court—does not mean that we can overrule the High Court decision, which is evidently what the members of the Opposition would like us to do. We are going through section—

**Mr Beattie:** You pair are Tweedledumb and Tweedledumber.

**Mrs SHELDON:** The Leader of the Opposition covers himself with shame by carrying on the way he does.

Unlike the Labor Party, we are fighting for the people of Queensland. We are obtaining expert constitutional advice on section 92 of the Constitution and on the Trade Practices Act, and we will be conferring with the ACCC. The Premier and I based our statements on exactly what the Prime Minister had said: no price increase. To the best of my knowledge to date there has been no price increase in the State of Queensland.

#### QIDC/Suncorp/Metway Merger

**Mr CARROLL:** I ask: can the Honourable Deputy Premier and Treasurer inform honourable members who will be the biggest winners of the Government-sponsored merger of Suncorp, QIDC and Metway and what form those benefits will take?

**Mrs SHELDON:** It is interesting to see yet again the hypocrisy of the Labor Party at work. Undoubtedly, one of the big winners from the Suncorp/Metway/QIDC merger is the Labor Party through Labor Holdings. The Leader of the Opposition, the Deputy Leader of the Opposition and the shadow Treasurer have all argued against what we did in the State of Queensland, saying that that was the wrong thing to do. Indeed, we had yet another negative campaign by the Labor Party against something positive occurring in the State of Queensland.

I believe that I should give the House a few facts. Labor Holdings is one of the top 20 shareholders in the new Suncorp-Metway entity. I will remind honourable members of a little bit of history. In May 1996, Labor Holdings was willing to sell out to St George. Do Labor members remember that? They were going to sell out Queensland and sell to St George.

That was for the offer of \$4.62. Thankfully for the ALP, the Queensland Government went ahead with the merger. As of 6 October, yesterday, Labor Holdings held more than 800,000 Suncorp-Metway shares. That means that the financial investment arm of the ALP has made an unrealised profit of around \$2m on its Metway shares to date. Although the current leader of the Labor Party and his cronies attack Suncorp-Metway, they know very well that the financial arm of the Labor Party is raking in the profits and doing a very good job of that.

Mr Speaker, you will remember that those financial geniuses opposite said that when the Government paid \$4.80 at the time of the merger it was selling Queensland down the drain. Very obviously, that has been a very good result for Queensland. In October last year, Labor Holdings held more than one million shares in Suncorp-Metway. It has already sold quite a considerable parcel. I guess that is how Labor paid for the recent spate of advertising for its glorious leader, headed "Something is happening here". I guess something is happening in the Labor Party. The Deputy Leader of the Opposition and the shadow Treasurer are after the head of the Leader of the Opposition.

Something is happening in the State of Queensland, that is, the coalition has put Queensland on the financial map. I think that we should most probably get an official thankyou from the Labor Party, because that has helped bolster its coffers. What hypocrisy from the Leader of the Opposition!

### Job Creation

**Mr HAMILL:** I refer to the Premier's boast on ABC Radio on 25 September and also to the Treasurer's extraordinary claim in the Parliament this morning that—

"Queensland has created 96% of the 31,600 new jobs in Australia over the past 12 months."

How does the Treasurer explain official labour force statistics for August, which clearly show that Western Australia alone created 12,700, 39%, of those same 31,600 jobs—96% plus 39% equals 135% of the jobs created? I ask: is the Treasurer not just trying to hide the fact that, since coming to office in February 1996, her Government has been responsible for Queensland contributing 22,800, or 73%, of the 31,300 increase in total Australian unemployment over the same period?

**Mrs SHELDON:** I have to say things a number of times for the shadow Treasurer to be able to understand them.

**Mrs Edmond** interjected.

**Mr SPEAKER:** Order! I now warn the member for Mount Coot-tha under Standing Order 123A for persistent interjection.

**Mrs SHELDON:** The fact is that over the 12 months to August 1997 on a trend basis, the Queensland economy has generated—and I will refer to ABS figures so the shadow Treasurer can query the ABS if he wants to—30,200 jobs. That figure compares with only 1,400 jobs generated in the rest of Australia over that same period on the same trend basis. I assume that I am to answer the member while another member's back is directed towards me. Queensland recorded 2% annual growth in employment in Australia. No employment growth was recorded in the rest of Australia. The member could try, but those figures cannot be disputed. They are not the Government's figures; they are independent figures. If the member wants to dispute them, he can go ahead. Since May 1996, Queensland has recorded stronger annual growth in employment than the rest of Australia, with an average growth differential of one percentage point over the past 12 months.

Growth in Queensland's trend labour force has also been substantially higher than that of other States. Queensland's strong labour force growth reflects the perception of Queenslanders and other people who are still coming to this State that there is a greater chance of finding a job in Queensland than there is in the rest of Australia. Of course, net interstate migration to Queensland has a very large impact on Queensland's jobs growth. The facts speak for themselves. Those are not the Government's figures; they are independent figures.

Labor cannot bear jobs being created in Queensland. Members opposite keep running around saying, "The most important thing in the nation is the growth of jobs."

**Opposition members:** It is.

**Mrs SHELDON:** I agree with them. That is why this Government is delivering them. I cannot understand why the members opposite keep running this negative line, keep trying to whinge and whine and trying to belt down Queensland when they should be saying, "Isn't this terrific! The number of jobs is growing and our State is getting all this investment. Corporate headquarters are coming here. The record of jobs growth is there for all to see."

Isn't it great that Queensland is the leading State in the nation?" Instead, all we get is negative whingeing and whining by the Leader of the Opposition.

The facts speak for themselves. Queensland is leading the nation in jobs growth to an extraordinary degree. That is because the coalition's policies are really working.

### State Election

**Mr LESTER:** I refer the Honourable Premier to recent speculation by the Leader of the Opposition about a 6 December election. Could the Premier outline the true position in relation to election timing?

**Mr Mackenroth:** Tell us the election date.

**Mr SPEAKER:** Order! One would think members would be interested to know when the election will be held. Order! I cannot hear.

**Mr BORBIDGE:** Mr Speaker, I think the members opposite should follow that fine Labor tradition and get out their whiteboards. Over recent weeks, the people of Queensland have again heard the Leader of the Opposition raise the prospect of an early State election. His latest favoured date is 6 December. My researchers have been hard at work updating the Beattie election alert. I am pleased to advise that the Opposition Leader has now predicted the onset of an early State election on no fewer than 52 occasions. That is one a week. The Opposition Leader should keep at it: practice makes perfect.

**Mr SPEAKER:** Order! Even a wristlet watch that has broken down is correct twice a day.

**Mr BORBIDGE:** If the Opposition Leader keeps guessing an election date—if we get another 100 election alerts—he might get close to the date. All of those election alerts have come from that same honourable member who, on 20 February, moved a motion in this place advising the Governor not to issue a writ for a general election prior to 2 May 1998.

I will give honourable members an update on the Beattie election alert. On 9 April 1996, the Opposition Leader stated—

"I'm saying to everyone in the Labor movement, don't fall for the three card trick, because the bait at the end of the line here is an election at the end of the year."

On 17 April 1996, he stated—

"It"—

the Government—

"wants to go to an election prior to the formation and delivery of a Budget."

On 7 May, he stated—

"The Borbidge Government could seek confrontation with unions as an excuse for an early election."

On 21 May, the Opposition Leader stated—

"Well we certainly don't believe in an early election. I made it very clear to the Caucus that we're totally opposed to an early election."

On 11 June, he stated—

"Queenslanders could be back at the polls later this year ... Mr Beattie said yesterday."

On 1 September, he stated—

"The ALP has moved on to war footing"—

that was not September this year, that was last September; the Opposition Leader is a bit battle weary—

"in preparation for a state election before Christmas."

On 2 September, 1996, a newspaper article stated—

"Mr Beattie said the state Budget next week would be sold as a 'good news Budget', easing the way to an early poll."

On 12 September 1996, another newspaper article stated—

"Mr Beattie said the advertisements were not informative"—

and that is with reference to the Government's advertisements—

"and were designed to pave the way for an early state election."

On 16 September 1996, The Opposition Leader stated—

"We don't know when the next election will be but I've signalled to you we hope it's not until the due time but it may be earlier."

That is probably factual! That is the comment of the day. That is the most observant comment that we have had from the Leader of the Opposition for a long, long time.

On 5 October 1996, a newspaper article stated—

"Opposition Leader Beattie yesterday raised the spectre of the Coalition Government calling an early state election

if Labor performed poorly in today's Lytton by-election."

On 8 October, a newspaper article, referring to the Opposition Leader, stated—

"He said the win by Labor lawyer Paul Lucas also ruled out the Government calling an early election. 'We no longer believe there will be a State election before Christmas.' "

That was until 18 October. Then Mr Beattie said—

"... the issues could spark an election and, although the Government's desire for an early poll had dissipated... he predicted an election would be called by March."

On 7 November, a newspaper article stated—

"Mr Beattie said, 'More and more people are seeing an election as a means to provide stability.' "

On 23 November, a newspaper article stated—

"Opposition Leader Peter Beattie said indecision by the Government meant a majority of voters would soon want an early election."

On 9 December, the Opposition Leader stated—

"Labor needed to be unified and prepared for an election that could be called before June."

The election alert was now up to June. Then on 16 December, the Opposition Leader stated—

"Because while this Government talks about going full term, which we support, we have very little faith in them and therefore we believe that it is possible that they could seek to have a budget next year and have a 1997 election."

On 4 January, a newspaper article stated—

"The depth of how far Labor has fallen is reflected in Mr Beattie's assessment that avoiding an early election was one of the Opposition's most important achievements."

One of the Opposition Leader's most important achievements last year was to avoid an election! On 14 January, a newspaper article stated—

"Beattie predicts a June State election."

On 15 January, a newspaper article stated—

"Mr Beattie yesterday said he had told the party to 'be ready' for a State election at any time ..."

Further on 15 January, another newspaper article stated—

"Wik could be election trigger."

Of course, Wik! Then we had update No. 38 on 18 January, which stated—

"Beattie has already written a backup script if his Wik plot falls through. 'If the Premier does not use Wik as the trigger, we believe he will try to bribe voters with a give-away budget on May 17 and go to the polls immediately afterwards.' "

On 22 January, a newspaper article stated—

"Wik could spark new State poll ..."

On 24 January, again in relation to native title, the Opposition Leader predicted an early election. Then on 3 February, a newspaper article stated—

"The Opposition believes an election will be held this year."

On 5 February, the Opposition Leader gave the same tip, as he did on 6 February and 8 February. On 17 March, he stated—

"Our information was they planned an early election for June announced on the May 27 budget day but this has blown it away ... The earliest possibility will be later this year."

Then on 10 July we had an amazing revelation from the Leader of the Opposition. He said that the Government was cranking up for an early poll. Then on 12 July a newspaper article stated—

"Beattie yesterday predicted a December 6 State Election."

We have had 52 election updates from the Leader of the Opposition, who said that this Government should go its full term. I think that the only reason that there has been a lull in proceedings over the past few days is that the Leader of the Opposition read the most recent Newspaper.

### **Australian Silicon Studio Training Centre**

**Mr GIBBS:** I direct a question to the Minister for Tourism. I note that the Brisbane-based Australian Silicon Studio Training Centre Pty Ltd has received \$1.3m in funding from the Minister's department and a further \$2.7m from the Federal Government to train people in post-production, animation and special effects techniques for the local film and television industry, and I ask: can the Minister assure the House that this training venture is not going to be another disaster for taxpayers on a similar scale to his South Pacific Cruise Lines debacle?

**Mr DAVIDSON:** I cannot believe that the Opposition spokesman for Tourism would jeopardise the credibility of the Silicon Graphics training centre and the fantastic opportunity that it represents for all Queenslanders. Last year, the Government approved funding for the Silicon Graphics training studio. As part of the funding for that training package, we stipulated that a percentage of the scholarships had to be awarded to students from outside the metropolitan area. Students from as far away as Cairns and others from the entire coast of Queensland have taken up those scholarships at the Silicon training studio.

The centre provides an enormous opportunity for young people in this State to get involved in pre- and post-film production. There are only three such state-of-the-art facilities in the world—at Los Angeles, London and Brisbane. After representations by certain members of the Government to me and to the Cabinet itself, the Government evaluated the opportunity for us to establish this training centre in Brisbane. The centre is regarded as state of the art and as the best in the world. Training scholarships are provided to Queenslanders not only from the Brisbane area but from all regional areas of Queensland.

### State Election

**Mr HEGARTY:** I refer the Premier to his previous answer to the honourable member for Keppel, and I ask: could he outline to the House any apparent contradiction on the part of senior members of the Opposition of Labor's state of readiness for a State election?

**Mr BORBIDGE:** It is interesting that, despite the fact that the Leader of the Opposition has predicted an early poll on 52 occasions and has stated that Labor is ready for Government, the situation on the Opposition benches is so serious that we have started to receive copies of the secret minutes of ALP branch meetings and, indeed, campaign committees.

I happen to have in the Parliament today, and I am quite happy to table them, the minutes of the ALP branch meeting held on 18 August at Mount Gravatt. That meeting was held just over a month after the Opposition Leader, in one of his 52 election alerts, told the people of Queensland, "The only way to clear the decks and restore confidence was an early election." In her report to the ALP branch, the local member for Mount Gravatt is reported in the minutes as having said—

"The ALP has put out a very good pamphlet in Liz Cunningham's electorate recently. At this stage no candidate has been pre-selected for this seat or M/burra. Everyone appears to be fighting for Logan as well."

Then we come to the crunch, as the shadow Minister is minuted as having said—

"Judy believes though that overall the party is not ready for elections because there appears to be some underlying problems/friction within the party."

There we have it! The Leader of the Opposition says, "We are ready for Government", and the shadow Minister says, "Oops, we are not." Whom do we believe?

We had to wait for the Leader of the Opposition to clear up the matter once and for all, which he did on Mackay radio. I quote from a transcript of the Morning Show in Mackay. The compere said—

"Well, Opposition Leader, Peter Beattie has denied reports that the party is not ready for an election. This morning's Courier-Mail carries claims that frontbencher Judy Spence believes the ALP needs to sort out internal problems before the next State election but Mr Beattie says everyone in the Opposition is ready."

Then, the Leader of the Opposition, who just cannot help himself, reverts to election-alert mode. When he does not like a question, he speculates about an early election. The Opposition Leader said—

"Well, 6 December is a possibility although there are two other possibilities—March next year or June next year."

His powers of perception are mind blowing! Then he goes on to say—

"I guess June's the most likely date but it will come on any one of those three occasions"—

so it will probably be June, but it could be any one of the three occasions—

"and we will be ready whenever ... the election's called."

There we are, we have solved the mystery. That clears up the date of the next election once and for all. According to the Leader of the Opposition, the election could be on 6 December or it could be in March next year, but it will most likely be held in June next year at about the time that it is due by law. Members should hold no fear: we can all be

assured that whenever it comes, the ALP will be ready.

**Mr Elder:** Call it.

**Mr BORBIDGE:** I am glad that the Deputy Leader of the Opposition interjected, because my attention has been drawn to a story in the Courier-Mail titled "Double Act", which states, "Tension within the State Opposition has increased as Jim Elder's leadership ambitions are questioned." The article further states—

"Deputy Opposition Leader Jim Elder has seized the initiative: he's on the telephone, agitated, indignant and forceful, just short of aggressive.

The Labor grapevine is working with lightning speed and Elder is unhappy questions are being asked about his prospects, ambitions and relationship with his leader Peter Beattie. He wants to make it clear he has no designs on Beattie's jobs. He's simply doing what a good deputy should do. He's playing the role former Labor deputy Tom Burns played for Wayne Goss. Talk of a leadership push is either the Government making mischief or a media conspiracy."

And I like this line: "That off his chest, Elder admits he's been known to overreact." At least I will agree with something that the Deputy Leader of the Opposition said.

#### South Pacific Cruise Lines

**Mr BRADY:** I refer the Deputy Premier and Leader of the Liberal Party to Liberal Senator Amanda Vanstone's dumping from Federal Cabinet for squandering \$2.8m of training money on the South Pacific Cruise Lines debacle, and I ask: as the bungling Queensland Liberal Tourism Minister promoted SPCL to Senator Vanstone and conned her into wasting \$2.8m of taxpayers' money—

**Mr DAVIDSON:** I rise to a point of order. My department and my office never had any contact with Senator Vanstone's office. I find the statement offensive. My office, my officers of my department and I never had any contact with Senator Vanstone's office.

**Mr SPEAKER:** Order! Does the Minister find it personally offensive? The Minister cannot take a point of order on behalf of his department.

**Mr DAVIDSON:** I find it personally offensive and ask for it to be withdrawn.

**Mr SPEAKER:** Order! The Honourable Minister has found remarks offensive and has asked for them to be withdrawn.

**Mr BRADY:** Which particular remarks, Mr Speaker?

**Mr DAVIDSON:** The member made a statement that we had contacted Senator Vanstone's office to arrange funding for the SPCL venture. There was no contact with myself or officers of my department and Senator Vanstone's office before that contract was negotiated.

**Mr SPEAKER:** Order! This is not a debate. The Honourable Minister has found that offensive. The member will withdraw.

**Mr BRADY:** I will withdraw. As the bungling Queensland Liberal Tourism Minister promoted SPCL in Queensland and, with Senator Vanstone in Canberra, was associated with the wasting of \$2.8m of taxpayers' money on the shonky cruise ship venture, when will Minister Davidson share with Senator Vanstone not only the blame but also her fate; that is, when will he be removed from Cabinet?

**Mrs SHELDON:** It is wonderful to see the shadow Minister getting stuck into someone who is not in this House and who cannot defend herself!

**Opposition members** interjected.

**Mrs SHELDON:** I will answer the question. As usual, I find the member's question extremely low and lacking any real substance. I wish to clarify an issue that the shadow Minister raised. The Queensland Government and the Minister made sure that no Queensland Government funds were at risk. There was a financial guarantee from the company that any money expended on training for those personnel would be returned. We had that guarantee. The Federal Government did not, but we did. That is something that the member for Bundamba has ignored consistently when he has tried to knock down any company that sets up here and provides jobs for Queensland people.

The fact is that our Government had put in place financial guarantees so that any money expended by that company would have to be returned. We had that financial guarantee and we were not out of pocket in any way. At all times, the Minister for Tourism acted entirely properly in this regard. I reiterate that there was no financial loss to the State Government through any form of training.

#### Apprenticeships and Traineeships, Central Queensland Region

**Mr MALONE:** I ask the Minister for Training and Industrial Relations: can he

inform the House of Labor's record for the central Queensland region on apprenticeships and traineeships and what this Government has done during its term of office?

**Mr SANTORO:** I thank the honourable member for Mirani for his question. In common with me, when he picked up the 16 September edition of the Daily Mercury, he was left absolutely aghast by the claims being made by the Labor Party. The honourable member for Mirani rang me and asked, "Is there any truth to these scurrilous claims made by the Labor Party?" I immediately went in to bat and had some research done. The facts are nothing like that which the Leader of the Opposition is quoted as saying on 16 September in the Daily Mercury. When he released the details of his New Directions Statement, he said that he wants "jobs, jobs and jobs to be the central issue", claiming that Labor would deliver at least 2,200 apprenticeships, traineeships and jobs placements in central Queensland.

The coalition is more than happy to compare its record on apprentice and trainee numbers in central Queensland with that of tired old Labor. In 1995, only 1,461 new apprenticeships and traineeships were approved in central Queensland, yet the first 12 months under the coalition saw that figure increase by 40% to 2,050. The ALP jobs plan for the central Queensland region is for 2,200 apprenticeships, traineeships and job placements to be achieved during its first 12 months in office. However, under the Borbidge/Sheldon coalition, the central Queensland region has had 1,640 new approvals in apprenticeships and traineeships alone in the first eight months of this year.

Under Labor, at December 1995, there were 3,583 apprentices and trainees in training. However, by December 1996, that number had increased to 4,162. By the end of August this year, there were 4,398 apprentices and trainees in training in the central Queensland region. That is an increase of more than 22% since Labor was in office. The stories being told by the Opposition in central Queensland do not stack up too well when compared with the facts. For example, on 18 September, the honourable member for Rockhampton told radio station 4CC listeners that the Works, Main Roads and Railways Departments had not put on any new apprentices since the coalition came to power. However, the truth is somewhat different. The departmental records show that at least 14 apprentices have commenced in Rockhampton since the coalition came to power. There were also at least four in

Gladstone, five in Mackay and nine in Emerald. I would point out that these figures do not include cases where the departmental records show the head office address, as is common with major public and private employers with bases outside of Brisbane.

Opposition members, in particular the Leader of the Opposition and the various spokespeople who travel up and down Queensland, should be very careful when they pick on the performance of this Government, particularly when it comes to regional Queensland. At every Cabinet meeting that we attend, the Premier and the Deputy Premier are very proud to say that we are a Government for all Queenslanders; that we produce jobs for all Queenslanders. If one has a very close look at that region, one clearly sees just what a performance we have put in.

The honourable member for Burleigh rang me when the Opposition went to the Gold Coast also and started spruiking extensively about what was happening there. Let me also outline the performance of the Government with respect to the Gold Coast. During its first 12 months in office, new approvals for apprenticeships and traineeships in that region increased by 44% to 5,685, when compared with the efforts of Labor after its six years in office. But again, during 1995, on the Gold Coast tired old Labor could manage only 3,952 new approvals. But we did not stop there. In calendar year 1996, some 5,522 new approvals were made, yet during the first eight months of this year we had already recorded 5,356 new approvals. I will say it again: under Labor there were 3,952 new approvals in 12 months, while under the coalition there were 5,356 in the first eight months of this year. That is not the picture that the Leader of the Opposition was painting in the south coast media.

Speaking of painting pictures in the media—the Leader of the Opposition is quoted on page three of the Gold Coast Bulletin of 15 September as saying that Labor's 10% requirement for employable hours on capital works by apprentices and trainees was "revolutionary and a first for Australia". Let me conclude by saying just how big a page three story featuring the Leader of the Opposition can be. In 1993, the ALP Cabinet agreed to amend the State Purchasing Policy to require contractors on Government construction projects worth more than \$100,000 to employ on site apprentices and trainees for at least 10% of the total hours worked on site, yet the Leader of the Opposition dishonestly told the Gold Coast Bulletin that tired old Labor had a revolutionary plan. What a plan and what a scam!

### Mine Rehabilitation

**Mr McGRADY:** I refer the Minister for Mines and Energy to his answer to question on notice No. 721, in which he estimated that the total cost of rehabilitating all mines in Queensland would be \$774m. I refer also to media comments by Queensland Mining Council boss Michael Pinnock, who says that the industry estimates the cost of rehabilitating Queensland coalfields alone to be a minimum of \$800m, and I ask: how did the Minister arrive at his figures? Is he deliberately misleading the Parliament about the true cost of rehabilitating mines in Queensland, or is he totally ignorant about what is going on in the mining industry?

**Mr GILMORE:** I thank the honourable member for the question. I have been waiting for it all morning. I thought that it might have been asked a little earlier so that I would have a bit more time to respond in some detail. Clearly, the honourable member has been prompted by an article by Wayne Sanderson in this morning's Courier-Mail headed "Gilmore hit as miners admit a \$1b clean-up". I would have thought that the article was a bit of a "get square". Mr Sanderson reports that the Opposition spokesman, the member for Mount Isa, will be asking questions in the House about this matter. The article quotes the honourable member as stating—

"I will want to know how the department got its figure in the first place and what Mr Gilmore did to check it."

Mr Speaker, I wish I had a little more time, but I am sure that I will follow this issue through tomorrow. The answer lies in the work that the previous Minister did—

**Mr McGrady** interjected.

**Mr GILMORE:** The member is squealing because he does not like this one little bit. He wants to know how the department got the figures. The department got the figures from the processes put in place by the honourable member for Mount Isa when he was the Minister. Tomorrow morning, I will make a ministerial statement in this place to fully flesh out the whole matter. I do not have time to do so now. However, the honourable member for Mount Isa will be embarrassed—as will the Courier-Mail—when I lay all the figures on the table and stick by the figure of \$774m which I provided in my answer. I have not sought to mislead this House. I have not misled this House. Tomorrow morning, with sufficient time to do so, I will lay that out on the table chapter and verse.

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

### MATTERS OF PUBLIC INTEREST

#### Labor Party Policy

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (11.30 a.m.): There is a major difference between Labor and the coalition parties in Queensland. We believe we can make a difference in Government. In May this year the Premier and the Treasurer admitted that they cannot do anything to cut unemployment. They cannot or will not make a difference. This difference penetrates to the very heart of our State's future and the future wellbeing of every Queenslander and is a crucial difference between the current Government and the party I lead.

Labor is developing positive policies to get Queensland moving again. We have a vision for the future which will offer hope for young Queenslanders. We are not prepared to tolerate a situation where one in every three of our youngsters cannot find a job. We will work to give them hope where at the moment they can only despair.

Over the past few months I have been progressively releasing Labor's positive policies for the State election. Some I have already tabled in this House. So far I have launched 12 New Directions statements. I table a list of them and copies of those policies I have not previously tabled. They include Breaking the Unemployment Cycle, Five Early Commitments, Better Health, and The Arts.

Shadow Cabinet has already agreed to a number of other New Directions statements which will be released over the next few months. Queenslanders not only need openness and honesty in politics these days: they deserve it.

The next State election should be a debate on the policies which will take Queensland into the next century. The people of Queensland can be assured that our policies are built on 20 months of listening and learning—to discover what people want from Government. They have all been costed and we know the money is there to pay for them.

What we are promising are realistic, well-conceived policies. We have given five early commitments to get Queensland moving again. We have concentrated especially on job creation policies and improving employment. Our policy aimed at breaking the unemployment cycle has been well received by both sides of business.

In particular, the next State Labor Government will provide a \$2,000 incentive to companies for each additional apprenticeship created in skills which are in short supply in order to help break the unemployment cycle. We aim to create up to 2,500 new apprenticeships each year in this way. In addition, a Beattie Labor Government will do its share by creating 500 new State Government apprenticeships as part of our comprehensive plan to create at least 24,480 apprenticeships, traineeships and job placements. The 500 extra apprenticeships are across Government departments and enterprises in positions such as electricians, plumbers, boilermakers, fitters and turners, chefs and metalworkers, and in dental therapy.

There will be 6,000 public sector traineeships in the first term of the Labor Government where youngsters can learn a skill during a year's employment. Contracts will be let for 150 public houses to be built by group training schemes each year. These will involve 600 new private sector apprenticeships over the first term of the Labor Government, with an investment of \$3m by the Government towards their training costs. All State Government capital works contracts will require 10% of all employable hours be worked by apprentices and trainees. The industry estimates this will create an additional 300 apprenticeships every year. This partnership with the private sector adds up to an additional 9,000 new apprenticeships over three years.

We have further improved our community jobs plan to create 8,980 jobs on essential community projects for the 41,000 Queenslanders suffering from long-term unemployment who need to find a way back into the work force. This will work alongside the Federal Government's work for the dole scheme, where we will make sure that Queensland gets its fair share of these jobs by putting forward important and worthwhile local projects for funding.

Another policy aimed at improving job creation is our policy of introducing a system of business cadetships that will benefit young people aged 25 and under. The plan is part of our vision of encouraging small and medium-sized companies to start doing business with Asian countries and our other trading partners. We will offer six-monthly business cadetships in our overseas trade offices to young people with an interest in trade with a given country. Through our Public Service policy, we will return certainty and job security to public servants so they know exactly where they stand when a new Government takes over.

Our five new commitments include two strategies to create apprenticeships—I have already mentioned those—plus more beat police in trouble spots, using money now being wasted on Government advertising and self-promotion; a \$5m plan to cut waiting times in hospital accident and emergency departments; and a \$10m initiative to help all children reach their full potential. Children with special needs in Queensland schools will be given greater resources, including more teacher aide time and access to therapy services. This will have the benefit of assisting children with learning disabilities as well as other children in the classroom without such disabilities in terms of their education.

The next State Labor Government will provide an annual boost to the arts in Queensland worth about \$15m by ensuring that major new public buildings incorporate local art work worth 2% of construction cost. This policy will ensure that the art work is not at the expense of necessary structural work and essential services. The initiative will: support the development of local artists; generate new employment opportunities, and improve the quality of the built environment we leave behind for future generations of Queenslanders. It will also give us an opportunity as a culture, as a nation and as a State to ensure that we magnify and develop our own culture. In that way we will resist some of the Americanisation which is starting to invade us.

Another major initiative in getting Queensland moving again will be the creation of a department of State development. It will provide: a senior Minister with clout; accessibility for business; flexible responses to business proposals, and the determination to win investment and jobs for Queensland.

Under our multicultural policy, a Beattie Labor Government will make \$2m available to encourage and support cultural diversity in Queensland. The new responsibilities for our multicultural affairs will include a focus on trade, investment and small business development and a stronger organisational support and development role. Trade means jobs, and if we can encourage people with ties to overseas countries to become involved in trade and investment more jobs are likely to be created. That is something we need to expand and magnify, because it will bring enormous opportunities to Queensland, not only in terms of overseas income but also in terms of jobs for Queenslanders, particularly young Queenslanders and those other Queenslanders, many of whom are 40-plus and who are either concerned about their job

security or who have indeed lost their jobs and are concerned about ever getting a job again. We must guarantee them a future. That is what that strategy is all about.

As I have shown, Labor is dedicated to attacking Queensland's main problems through positive policies. Most of our policies have a job creation angle because we have learned through 20 months of listening and learning that jobs is the No. 1 priority of the community. That is what Queenslanders are telling us from one end of this State to the other. The coalition Government has allowed the unemployment rate to skyrocket to 9.8%.

A Beattie Labor Government will not be distracted from breaking the unemployment cycle. We want to bring down the rate of unemployment to around 5% over three to five years of Government. This will require the support of a Commonwealth Government that is willing to cooperate in the fight against unemployment. We have to have a target to aim at. We have to have a target to give people hope. For years everyone thought we would never see low inflation again, but in the past five years inflation has only once risen above 4%. Western Australia has already managed to reduce unemployment to under 7%. We will set the challenge of reducing our rate to 5%. Our positive policies will get Queensland moving again.

I know that the target we have set is a tough order—a difficult task. We will not shirk that responsibility because it is our responsibility as the alternative Government and the Government of the future to give people hope. That is what we will do. We are not prepared to sit by, as the Premier and the Treasurer do, and see young people have their lives destroyed without care and say, "Let the market decide." It is not good enough to let the market decide. Government can make a difference and Government will make a difference when we are in Government. Government does not make a difference when it has poor leaders, and that is what we have in this State.

Prior to the election we will continue to outline our other positive policies because I want this election to be fought on the policies that will take Queensland into the next century, not the petty back-biting we get and the negative approach of this Government, which spent most of question time today seeking simply to deride the Opposition. We did not have one single policy announcement from the Government today. There is nothing positive about this Government.

### Organ Transplantation

**Mr HEGARTY** (Redlands) (11.40 a.m.): If I referred to a world-class athletic event held in Sydney, people would probably think of lead-up events to the year 2000 Olympics. However, honourable members may be surprised to learn that just a week ago Queensland athletes were representing our nation at an international level. They were competing in the World Transplant Games held in Sydney. To compete in these games, people must satisfy two requirements. Firstly, they must possess the commitment, talent and drive to succeed against the world's best. Secondly, they must be a transplant recipient. These games are not only a celebration of athletic talent, but also celebrate the success of the transplant process. They provide ample proof that transplant recipients can lead normal, healthy and fulfilling lives. Transplantation has literally granted these athletes and other recipients a new lease on life. That is why it is necessary for us to recognise the issues which surround organ transplantation.

There is good news and bad news concerning transplantation. People say that bad news sells, but I am going to give honourable members the good news first. Organ transplantation saves and enhances the lives of nearly 3,500 Australians every year. We have one of the highest organ transplant success rates in the world. The bad news is that only 11 people per million donate their organs each year. We have one of the lowest organ donation rates in the world.

It is easy to explain why Australia has a high organ transplant success rate. Success is encouraged by the dedication of medical professionals and hospital staff. Success is encouraged by the maintenance of high standards of operational procedure. Success is encouraged by the will of the recipient to live a full and healthy life. However, these successes ultimately depend on the will of the organ donor. Therefore, it is hard to explain why Australia has such a low rate of organ donation.

On an international level, the statistics speak for themselves. Australia has an organ donation rate which is lower than that of most European countries and the United States. In fact, the only developed nations which have a rate of organ donation that is lower than Australia are Greece and New Zealand. Spain has the world's highest organ donor rate, however their road to success was not a smooth one. In order to overcome several obstacles, Spain had to revamp its entire

transplant coordination system. Through education, media cooperation and specialised training, it redefined its system of transplant coordination. It overhauled its system, which resulted in a 50% increase in its organ donation rate since 1989. This has led to over double the number of transplants being carried out during the same period because one donor can benefit up to nine transplant recipients.

Some may argue that Spain's high rate of organ donation is due to its high number of road accident fatalities. However, the Spanish road accident rate has decreased by 40% since 1992. Despite this 40% decrease, there is still a positive increase in organ transplantation. The Spanish system is successful as it effectively addresses the issues surrounding its transplant experience. There are several issues which Australia must address in order for us to redefine the way in which we perceive organ donation.

Part of the reason that people do not donate can be explained in terms of legislation. Legislation establishes that donors' wishes are paramount. If the deceased expressed the wish to be an organ donor before death, relatives cannot legally overrule their wishes. A signed and witnessed donor card is sufficient for this authority. However, it is common practice to first approach the relatives for their consent. Therefore, it is essential that people talk about organ donation with their families. Whether the decision is yes or no, it is important to make their wishes known. Relatives might be reluctant to agree to allow organ donation because of an emotional hope that something miraculous might still save the patient's life. Relatives can be assured that the most stringent tests are undertaken before any medical approval is given for an organ donation to occur.

Dr Phil Byth, the director of intensive care at the John Hunter Hospital in Adelaide, has outlined the main challenges encountered in the Australian donor situation. The first challenge is a community problem, especially with regard to public confidence in the diagnosis of brain death. Brain stem death is the loss of the capacity to be conscious. It is combined with the irreversible loss of the capacity to breathe and sustain spontaneous heartbeat. These are functions of the upper and lower parts of the brain stem. When testing for brain stem death, the patient must pass through two very tight filters. The first filter demonstrates that the patient is suffering from the irremediable structural brain disease. The second filter is to exclude a number of conditions that can mimic a non-functioning

brain stem. These are hypothermia or conditions in which the patient is under the influence of large doses of sedative drugs taken by accident or attempted suicide. The patient is always checked for severe metabolic disturbance.

The diagnosis of brain death is made by two separate neurologists who are separate from the transplant team. There is a time interval between the two examinations to ensure that there has been no observer error. The examination must show that all parts of the brain stem are dead before diagnosis of the brain death is made. Unfortunately, the average Australian is not aware of these procedures and, therefore, the average Australian holds fears concerning organ donation.

A survey conducted by the Australian Kidney Foundation in 1996 sheds light on some of the common fears shared by Australians concerning the transplantation process. The research was carried out nationally exploring public attitudes towards organ donation. The results revealed the main reasons that people chose not to become organ donors. The survey indicates that 23% of people said they chose not to donate because they did not know enough about the process. That is why education and awareness is essential. Twenty-two per cent thought that they were too old to be an organ donor. There are no set age limits associated with organ donation. Some people surveyed said that they had not considered organ donation. That is why it is important for people to discuss their wishes with their families. Others feared their body would be disfigured by the transplantation process. However, the operation is conducted using normal procedures and families are invited to view the body afterwards if they wish. These survey results reveal an alarming lack of awareness among the general community concerning organ donation and the myths concerning the transplant process.

The Australian Kidney Foundation is currently conducting a campaign which is aimed at dispelling the myths associated with organ transplantation. The Kidney Foundation is responsible for promoting all forms of transplantation. It has distributed a kit called Transplant Issues to high schools throughout Australia. These kits are aimed at educating high school students in Years 10 to 12 about the transplant process and the importance of good internal health. By making organ transplant education a part of the high school curriculum, we are creating a group of young adults who can confidently make their own

decisions about whether to be in favour of or against organ donation. Awareness simply gives young people the knowledge they need to make an informed decision.

The second challenge for transplant professionals is a serious problem with donor identification and hospital support structures. However, systems adopted in Spain and the United States have shown that this challenge within the health system can be met. These systems have obtained a rate which is two to two and a half times greater than that of Australia. For us to meet this challenge, a dedicated and focused approach to donation is essential. We must take the best from overseas experience and find a system which recognises the needs of our particular Australian characteristics.

A system which is adopted in Queensland must address a number of key issues such as the promotion of awareness of organ donation within the community and the promotion of benefits to transplant recipients and the community as a whole. Furthermore, choice must be given to families for organ donation by providing trained personnel qualified in the areas of organ donation, grief counselling and media relations. Effectively dealing with the media is essential in the light of negative coverage, which only serves to perpetuate existing myths. A system must also recognise and meet the needs of donor families and hospital staff and provide follow-up support for both donor families and staff involved.

The final challenge associated with organ transplantation is the need for Government support in the form of funding and coordination for organ donation. Funding is paramount in encouraging awareness and education concerning organ donation. Funding is paramount in helping save more lives. Funding is paramount because it makes good economic sense. The facts speak for themselves. A 50% increase in transplants across Australia in the next 10 years would wipe out the transplant waiting list. It would result in 50 more people being given the chance to live and, last but not least, it would save the community a net sum of \$106m which would normally be spent on dialysis.

### **Silicon Studio Training Centre**

**Hon. R. J. GIBBS** (Bundamba) (11.50 a.m.): On 5 September 1996, the Premier announced a program which would see the establishment of a Silicon Graphics works centre and studio training centre in Queensland. The Premier said—

"My colleague the Minister for Tourism, Small Business and Industry, Bruce Davidson, and his department have worked tirelessly to ensure that Queensland won these facilities."

He further said—

"This training facility should see Queensland develop a world-class skills core which will act as a catalyst for the establishment of new multimedia enterprises as well as attracting considerable business to the State."

However, he then made the most graphic error of all time. He handed it over to the "Minister for Failures", the Minister for Tourism, Small Business and Industry to implement. In his usual shoot-from-the-hip manner, the Minister for Tourism stated—

"... the coalition Government is providing \$2m to fund 180 scholarships for the soon-to-be-opened Australian Silicon Studio Training Centre."

He went on to say—

"Students from all around Australia and the Asia/Pacific will recognise Brisbane as the place for the very best training in the world in multimedia technologies."

He said that it will—

"... cement our reputation as a world centre for excellence in the information technology and multimedia industries."

Let me advise the House of the truth behind this program. On 5 March 1997, the Australian Silicon Studio Training Centre Pty Ltd was registered with the Australian Securities Commission as an Australian proprietary company. This was some two weeks only before the Minister for Tourism pledged that the coalition Government would contribute \$2m to provide 180 scholarships. Each scholarship was to be worth \$10,000. The State Government has already provided the Australian Silicon Studio Training Centre with \$1.333m in the 1996-97 financial year, and in the 1997-98 financial year grants from the Queensland Government of \$667,000 are earmarked to be paid to the company. The Federal Department of Employment, Education, Training and Youth Affairs has provided grants of \$2.7m in the 1996-97 financial year, and in the 1997-98 financial year that Federal department will provide a further \$1.375m to the company. Here we go again! A Vanstone/Davidson stuff-up, just like the recent South Pacific Cruise Lines scandal. At least the Prime Minister had the guts to sack Vanstone for her sheer incompetence.

The Premier shows no such intestinal fortitude and spends much of his time racing around filling in the cracks in the Minister for Tourism's portfolio with poly-filler.

I have had a number of students phone my office with extraordinary claims about the scholarships they were awarded and the training provided by the Australian Silicon Studio Training Centre. I understand that there were some 12 trainees all up in the inaugural training course. The course was supposed to run for over a month, and the State Government provided \$10,000 for each trainee. The course was whittled down to approximately 10 days with nine days' break in between—\$1,000 a day. That is not a bad little earn! The scholarship holders were told at the interview that they would receive digital editing and compositing training and that they would all gain employment in special effects. They were told that they could earn between \$1,500 and \$2,000 per week once they were trained. I understand that the inaugural course started on 16 June 1997 and, after a lengthy break, finished around 7 July. The program was broken up into three segments, two lots of three-day training and concluding with four days of training. The students did not touch the computers until the last four days of the course. They could not input nor output any data, and the hands-on training was totally useless.

In the last three days, Avid Australia provided some training, and even the trainer admitted that the training provided by the Australian Silicon Studio Training Centre was a complete waste of time as the trainees would need hundreds of hours' practice on the computers. The trainees were given 40 hours of free time in the laboratories, but that was a waste given that they could not input or output any data. The students were supposed to be trained on a variety of programs. However, they only received some training on Avid Illusion version 3.5 and very limited theory on other packages. The training centre would not pay for the software licences, FLAME or FLINT, as they stated they did not have the money to pay for the licence agreements. This is despite over \$4m in up-front cash provided to the company by the Queensland and Federal Governments and openly promoted in the annual report of QANTM Australia. The company certainly had the hardware available, but the software simply was not there. As everyone in the computer industry knows, you need the software to operate the computers and to gain the knowledge required to get a job. The software is a prerequisite for the training.

Student A told my office that, after having won one of the scholarships, the commencement date had been moved forward from Monday, 16 June to Thursday, 12 June, yet none of the students had received any advice of this. There were changes to the advertised program. There were to be no FLAME nor FLINT software packages, and there was a significant drop in tuition days.

Student B advised that much was made of the 40 hours of studio time that was offered by way of hands-on experience. However, it was not available, as the necessary software licences for the promised packages were not available.

Student C advised that no formal training notes were provided for the students. Instead, the students were required to take handwritten notes as fast as possible on extremely complex subjects. Some students who needed help had to traipse through the building in search of a systems analyst to assist. At times the students were left alone to train themselves for extended periods and had to try to solve technical problems that they were not capable of solving. They had no manuals, no books and no formal notes. I suppose, what does one expect for \$10,000?

Student D advised that they were not given any assistance with travel fares to Milton, and were not provided with lunches, but were given a concession of cups of coffee. Remember, these people are either unemployed or work casually, and this company is getting \$10,000 of Queensland taxpayers' money for each one it rams through this course.

Student E went for an interview with Channel 7 for one of the very few jobs in this field soon after completing the course and was told that, without a show reel depicting their abilities, they had no chance of getting employment. This job, I understand, went to a German national even though every graduate of the course went for an interview. This says heaps for Davo's so-called "very best training in the world in multimedia technologies". Students A through to E are again signifying the widespread fear held in the community. They want their privacy. They are afraid of the vindictiveness of this Government and banishment from the film and television industry for life.

In the same manner as the Minister for Tourism frothed and bubbled as he popped the champagne corks at the launch of South Pacific Cruise Lines, this time, accompanied by none other than Premier Borbidge, both

sticking their chests out like competing prize pigeons, they are today spinning out of control like chooks with their heads chopped off. And in this, of all weeks, Training Week in Queensland!

There are no celebrations for the students who went through this course. In fact, I table the so-called certificate given to the students who completed the initial course. The course is not accredited, the certificate is not accredited, and the training providers are not registered with VETEC. All these students have been duped, just like the 300 trainees on the South Pacific Cruise Lines course who, like these students, have not got jobs, either. And they have a certificate not worth the paper it is written on. These people have been duded big time. There are no excuses for teething problems when the Government is paying \$10,000 per student. They are not guinea pigs to be used and abused by Governments. This company should refund the money at the insistence of this Parliament, and the Public Accounts Committee, the Auditor-General and the Criminal Justice Commission should launch an immediate investigation into this major scam.

How many more people's hearts in this State have to be broken by this Government before this Premier will act and banish this buffoon to the back seat of the back bench where he can cause no further trouble? I seek leave to table myriad relevant documents, which I urge all members of this Parliament to read, which demonstrate clearly once again the incompetence of the Minister for Tourism, Small Business and Industry.

Leave granted.

#### **Metro Cabinet Program; Electorate of Springwood**

**Mr WOOLMER** (Springwood) (11.59 p.m.): Yesterday morning marked a significant occasion for the electorate of Springwood. I was pleased to be able to host a visit from the State Ministry in what has become known as the Metro Cabinet Program. I am told that State Cabinet has visited regional Queensland since the 1950s, but it has only begun visiting our metropolitan suburbs for the first time this year. That is a practice that I support strongly and hope to see continue for many years to come.

Yesterday the Cabinet came to Springwood and met at the Logan Uniting Primary School, which is better known as LUPS by our local community. LUPS is part of the Logan Uniting Christian College, which has

another campus at Carbrook. The urban or metro Cabinet meetings are a great idea and proved to be a fantastic success for both the school and the Cabinet. The school community had an opportunity to interact on a very personal level with the senior members of the Government, while the Ministers had an opportunity to see first-hand one of the prettiest school settings in Queensland. Although political matters were discussed, the morning was about much more than just politics: it was an opportunity for Logan Uniting Primary School to showcase itself, and it did that magnificently. As always, the school was immaculate. The gardens were very pretty and the natural bush setting backdrop of the Daisy Hill State Forest makes LUPS one of the most attractive school campuses in Queensland. The school showed off its assets and attractions in the best possible way.

The school's new music centre with a covered amphitheatre is a fantastic venue for gatherings. That proved to be the case for Cabinet. The new music centre was even used for music on the morning as the school's band got into the act by performing a few tunes. We were entertained by a group of students who tripped the light fantastic and performed "Putting on the Ritz". The entire school certainly did put on the Ritz and should be congratulated on their efforts. The school even coaxed our not-so-musical Premier into grabbing hold of the drumsticks for a bit of a bash of the skins. I am very glad that he has many years ahead of him as the Premier of Queensland as I do not believe that he has a big future in the music industry. Many local people from the surrounding community took the opportunity to visit LUPS for the very first time as invited guests for a morning tea. The school did a great job and put on a wonderful morning.

The smooth running of such events is due to the hard work and efforts of many people who often work behind the scenes. I would therefore like to record my thanks to the entire LUPS P & C for its fantastic contribution to the morning, especially the wonderful morning tea. I would also like to thank the teachers, staff, parents and students of LUPS for their willing participation and contribution. I would, however, especially like to thank Mr Lyndon Neimann, the finance and administration manager of the schools; Mr Tim Rogers, the principal of the combined schools; and the members of the management committee, who did so much to make everything work smoothly. I would also like to welcome the new head of school at LUPS, Mrs Hilary Saunders. It was Mrs Saunders' very first day at the

school, having recently been appointed. She had to contend with the events of the first day back to school after the school holidays and a Cabinet visit all on the one morning. It was a monumental effort on her behalf. I am sure that life at the school will not become any less exciting in her years ahead.

The Cabinet visit proved to have many positives for the Springwood electorate. It saw the announcement of some new initiatives that I had been working on for many months. The first and one of the most important announcements relating to Springwood to be made in years was the establishment of a new TAFE campus. The Training and Industrial Relations Minister, Santo Santoro, announced that a new TAFE campus was to be established at the former site of the Logan School Support Centre on Springwood Road. The facility will house the Cyberskills Training Centre and the Better Business Centre. The refurbishment and conversion will cost over \$560,000 and will provide much-needed small business and technology-based training services to the local community in the area. In 1995 I made it clear that I believed that there should be improved vocational training facilities on the eastern side of the Pacific Highway for the Springwood community area. I am delighted to be able to say that that has come to fruition.

The establishment of a TAFE campus will allow our students better access to training. The new cyberskills centre will be a lead training agency in information technology services, multimedia training and computer-based training facilities. Those are all areas that were specifically targeted in the Information Queensland strategy that was released by this Government in August. Access to those skills will provide unlimited opportunities for our younger generation. The cyberskills centre may even be able to provide evening classes to the broader community at some stage in its future. It is a positive announcement and one that I welcome wholeheartedly. I thank the Minister and his department on behalf of the Springwood electorate in this the 1997 Queensland Training Week.

Public transport has long been an issue in the electorate of Springwood. For many years, people have had to endure substandard facilities and a local service that was stretched to its limits. Once elected in 1995, I embarked upon a plan to help improve the local bus service and develop the supporting infrastructure for the benefit of the public transport users of the electorate. I was therefore delighted yesterday when the

Minister for Transport, Vaughan Johnson, was able to announce that a \$3.7m bus interchange would be built in Springwood. The Minister and his department have rightly recognised that Springwood is the central transport link for the Logan City area to the City of Brisbane and the Gold Coast. In the past, people using the bus services have had no more than a large, market-style umbrella as a bus shelter at the shopping centres. That is about to change.

Detailed planning and consultation have commenced to determine the best location for a substantial bus interchange, which involves a lot of stakeholders and, of course, the broader community. The plan is for small, fast, local buses to connect to CityXpress buses that will have dedicated lanes to carry people quickly into the city. That will revolutionise the way we access and use our public transport in the area. It will be a quantum leap forward in service for the people of my electorate. The people of Springwood and the surrounding suburbs also welcome that initiative.

I have also been involved in the expansion of the existing Clarks services that were announced in June this year. Clarks Logan City Bus Service has worked very hard to improve its services and should be congratulated. Reg and Yvonne Clark are an integral part of Logan City's community. They have been instrumental in improving the lives of many people there. Clarks is running more buses and providing increased services across many more routes throughout Logan City. The increase and improvement in those services have generally been met with positive approval. People are happy to see that Clarks and the Government have made a real effort to improve their lives.

I am also pleased that my electorate has seen about 30 new bus shelters erected in the past four months. Some time ago I began working with Queensland Transport to identify sites that needed shelters as there were many high-use bus stops that were open and exposed to the elements. Those have been planned and built in consultation with Logan City Council. I would like to express my thanks to the Logan City Council officers who have helped with those projects. The people of Springwood appreciate their efforts.

Since coming to office with a focus on public transport, I have seen a major increase in the number of local routes and services, established about 30 new bus shelters, planned for a major busways program and have been able to announce that we are about to establish a major Springwood bus

interchange. People had long requested better public transport services and facilities. I believe that I have worked diligently to achieve these outcomes.

In common with my constituents in the Springwood area, I also am passionate about protecting our flora and fauna. It therefore gave me a great deal of pleasure to be involved in the announcement of the new Koala Coast Protection Plan, which was launched on Sunday by the Environment Minister, Brian Littleproud, at the Daisy Hill State Forest. The especially pleasing aspect from my point of view was the commitment that was demonstrated to the protection and rehabilitation of koalas through the establishment of a Koala Research Centre at the Daisy Hill State Forest. The new centre is to be built alongside the existing Koala Centre. It will contribute significantly to the study, research and protection of the koala. The most recent study is showing that, in the core areas, over 3,000 animals have been identified by the experts from the Department of Environment and their university colleagues. They believe that that possibly represents the single largest homogenous koala colony anywhere in the world. It is hoped that through applied research at the new centre we can learn a lot more about the animal. We need to know more about its migratory patterns, its food sources, its habits and characteristics as it is this sort of knowledge that will help us to better understand how to protect the animal.

Springwood is the commercial hub of a thriving small-business sector in Logan City. A recent study that was conducted on behalf of the Logan City Council showed that nearly 1,400 small businesses are providing employment for 12,000 local Logan City residents in the Springwood/Slacks Creek area—businesses that range from sole traders through to companies employing hundreds of people. The one thing that they all have in common is that they have to deal with the Government at some stage. It was therefore with some delight that about three weeks ago the Minister for Tourism, Small Business and Industry, Bruce Davidson, and the Premier were able to open officially the new Southside Business Centre in Paxton Street in Springwood. The Southside Business Centre is a new facility that will serve the businesses of Logan City and South Brisbane. The centre employs specialist business advisers to assist local firms in owning and operating their own small businesses. Those centres are a good idea and have been well received by our business community. The Springwood Business Centre can provide services such as

those provided through the Gateway project, which was launched earlier this year by Minister Davidson and it can provide industry-specific advice, such as advice for the textile and clothing sector, because it has a specialist adviser based at the centre.

This is a Government that is getting on with the job of governing at the State level and the local level. At the local level, I am happy to have been part of the announcements of a new bus interchange, the new TAFE campus, the new business centre and a new koala research centre.

Time expired.

### **Aggressive Driving**

**Mr ROBERTS** (Nudgee) (12.10 p.m.): The motor vehicle has assumed a central role in modern society. Indeed, we seem to take for granted the liberty that it gives us to move considerable distances in short times. Yet, as with all things, the freedoms that the motor vehicle gives us need to be balanced with the obligations that, by necessity, we have to assume as responsible road users.

Accordingly, driving should never be conceptualised as an immutable right. It is first and foremost a privilege that requires us to use our vehicles according to recognised standards of safety. It is a privilege that does not extend to any notions of driving on our public roads as a competition, a race, a contest or a game. There is no place on our roads for menacing or aggressive driving. The privilege of using a car is conditional upon our respect for the safety of other road users, whether they be the drivers and passengers of other vehicles, motorcyclists and their passengers, cyclists or pedestrians. Acceptance of the notion that driving on our roads is a privilege with associated obligations should underpin any consideration of and response to unwelcome road use behaviour.

It is in that context that I wish to consider what has popularly become known as road rage. In recent times, that catchy term has been applied to all incidents of aggression and violence related to the use of our road systems. Those incidents range from acts such as tailgating through to intentional damage and actual violence. I hesitate to use the term "road rage" because it tends to trivialise and legitimise a practice that we must all reject as antisocial and unacceptable. At present, the term has no official status. The Queensland Police Service treats such acts no differently than other acts of aggression, damage or violence. Similarly, the Department of

Transport does not maintain distinct records of road rage statistics. The rationale behind that approach is sound in that it removes one element of legitimising what is a totally unacceptable form of behaviour. An assault is an assault, whether it occurs on a sporting field, at a nightclub or on our roads.

Road-related acts of aggression and violence have not emerged recently out of a suddenly unbearable urban society. Although one vein of popular belief holds that acts of aggression on our roads have appeared freshly in our society, that is not the case. Research such as that conducted by the Crime Research Centre at the University of Western Australia indicates that such an opinion is not founded on fact. Indeed, one notorious incident, the callous slaying of a tow truck driver by the infamous Arthur "Neddy" Smith, occurred over a decade ago. Therefore, the use of the term "road rage" should be avoided because it could serve to create a new category of criminal activity. The creation of such a category could convince some members of the community that currently we are under threat from a new social evil. In turn, that promotes irrational policy responses.

Another common but equally misconceived notion is that otherwise normal people turn into social menaces as soon as they step into their cars. The reality is that those who are most likely to perpetrate acts of aggression while driving a car probably act similarly in circumstances that are not connected in any way to road use. That actuality is in contrast to some media representations. Having said that, there is no doubt that some less amplified acts of aggression are perpetrated by otherwise passive people because of the security their motor vehicles afford them. Most of us have been surprised to hear that people whom we know as otherwise passive people are prone to various acts of aggressive driving when they assume control of a car. Therefore, the phenomenon of aggressive driving is not a new threat to our peace and tranquillity; what is new is that it has now become a matter of public debate and, in my opinion, rightfully so.

As I mentioned at the start of my speech, the privilege of using a motor vehicle must at all times be tempered by the responsibility of using it in a safe and socially responsible manner. That responsibility flows naturally from the fact that as we do not always drive along deserted highways, we must at all times be conscious of the safety of other road users. Having said that, it is important that we face up to the reality that road-related acts of

aggression and violence occur and, accordingly, we must decide on an appropriate course of remedial action.

Currently, the responsibilities of road usage are manifested in laws regulating, among other things, speeding, traffic signals and blood alcohol content. In the same manner, the responsibilities of everyday citizenship also manifest themselves in other laws such as the Criminal Code. The Criminal Code includes offences that involve acts of aggression, damage to property and actual violence. The current practice in Queensland is to treat incidents of road-related aggression and violence as generic acts under the relevant laws. As I have indicated already, that argument has some force. However, the attempt at avoiding the legitimisation of acts of aggression on our roads, although noble, has to some degree been unsuccessful. The fact is that in the wider community, partly through media representations, the notion of road rage already has some form of customary legitimacy. Given that reality, we should consider taking pro-active steps towards dealing with road aggression.

In line with the position adopted by the New South Wales Government, I advocate a stance whereby serious cases of road-related aggression, namely those that escalate into assault, injury or death to a person or damage to property, be treated as crimes in their own right. Nothing about road use warrants any concept of those crimes as being anything less than ugly and revolting and deserving of a stern response from our justice system.

However, the need for additional specific provisions to deal with other acts of aggression on our roads is apparent from a story that was relayed to me recently by a constituent. While driving to work, that constituent was travelling five car lengths behind a truck, which was towing a trailer off which clods of dirt were flying into the right-hand lane of the Gateway Arterial. A second truck approached from the rear and within 30 seconds moved to within what appeared to be less than one car length from her car. As the constituent was not able to move into the left-hand lane, she sped up as she felt threatened by the close proximity of the second truck. At speeds of well over 100 kilometres per hour, the second truck driver moved even closer to her car, at the same time making aggressive and intimidating manoeuvres. As soon as possible, the constituent moved into the left-hand lane and exited the Gateway Arterial. After contacting

the police, the constituent was advised that in such circumstances no action could be taken and that perhaps she should have let the truck hit her as that would have facilitated charges being laid.

The ability of road users to menace or threaten other road users is clear. We need to point out in educative programs the idea of the road as a place of responsibility, not competition; as a public facility, not a battleground. That position needs to be given force by the creation of the offence of menacing driving and the harsher offence of predatory driving. Those new offences should provide a clear indication to the motoring public that there is nothing more permissible about antisocial behaviour that occurs on our roads than that which occurs in other situations.

The Labor Government in New South Wales has taken the lead in this field by creating three new offences. The first offence is menacing driving, an example being tailgating where a reasonable driver would have refrained from the activity because of its potential to frighten. In those circumstances, it will not be necessary to prove intent. The second offence is driving with intent to menace, which is an offence with harsher penalties where intent to menace is proven. The third offence is predatory driving, which is an offence akin to stalking with a motor vehicle and related to provisions relating to intimidation under the New South Wales Crimes Act. An example of such an offence is where a driver intends to do harm to another person. Those offences send a very clear message to the community that acts of aggression are not acceptable, no matter where or by what means they are perpetrated. Menacing and threatening other members of the community is to be rebuked, whether it occurs on the roads, in parks, in shopping centres, in private homes, or anywhere else.

Road-related aggression and violence predates the invention of the road rage phenomenon. Rather than promote a moral panic, we should treat the emergence of this issue on the public agenda as an opportunity to outline a truly pro-active response. The public needs to be reminded of the responsibilities of road use. Aggressive driving behaviour must be denounced as unacceptable in any circumstances. Public safety and security is one of the vital platforms of any civil society. That is a golden rule across-the-board. Being in a motor vehicle affords no excuse at all. We need to reiterate that idea by passing appropriate legislation.

### **Government Youth Package**

**Mrs WILSON** (Mulgrave) (12.19 p.m.):

This Government is very serious about the State's young people and is working very hard across Government to provide youth services. This morning I am very proud to outline the initiatives of the Government.

In September the coalition Government launched a youth package providing an up-to-date look at the key priorities in youth affairs and the future direction for programs and services. These programs and services will provide a basis for joint planning between the community and the Government to develop strategies and to address the needs of young Queenslanders.

The four-part package for youth contains the Queensland Government Focus on Young People, the draft Government statement on youth affairs, the draft Queensland Government youth suicide prevention strategy and the Queensland Government Programs and Services for Young People 1996/97. The Focus on Young People program highlights and illustrates the programs that have been recently introduced to give effect to the policy priorities with which this Government is concerned.

The statement on youth affairs outlines the key directions that the Government will take in its youth strategies towards the year 2000, including valuing young people, their views, their contributions and their potential as a significant resource in our community. It looks at issues such as social responsibility and participation in community life, employment through training and economic growth, providing support to young people and their families, prevention and early intervention strategies, working with young people in rural and remote areas and providing a whole-of-Government response to youth programs. It is important that we look at the whole-of-Government response, because the whole area needs an interdepartmental response.

A key structure in the whole-of-Government approach to youth affairs is the interdepartmental Youth Affairs Coordinating Committee, the IDC. The IDC has a level of representation from a wide range of Government departments including Families, Youth and Community Care, the Queensland Police Service, Health, Education, Justice, Transport, Training and Industrial Relations, The Arts, Treasury and the Department of the Premier and Cabinet. To date the committee's achievements include contributing to the development of a whole-of-Government youth suicide prevention strategy, progress in

researching and developing a rural and remote youth strategy and the development of a whole-of-Government statement on youth affairs.

The draft statement on youth affairs and the draft youth suicide prevention strategy are currently in the community consultation phase and feedback on policy initiatives and Government priorities will be returned by mid October. I urge members to encourage their communities to have some input into this process before the middle of October, because community input and feedback are vitally important.

The Government is committed to increasing the quality of life of young Queenslanders and their families by focusing on prevention and early intervention in policies and program directions. Programs that are already in existence and those that will be delivered in the future aim to prevent young people from leaving home and school prematurely, from offending and from engaging in antisocial behaviour. Prevention of long-term youth unemployment will be best achieved through collaborative programs across the three levels of Government together with the community, business and industry. The Government's response to problems experienced by young people is based on the need to intervene as soon as possible and to continue to improve the provision of youth programs and services.

The statement on youth affairs also emphasises the need to coordinate programs and services for young people, ensuring that their family, community, social and cultural needs are met. I commend the work that the Cairns City Council has been doing with young people. Recently a youth forum was held that identified a number of issues that young people there will be looking at. In Gordonvale, members of the public, the chamber of commerce, the police, business houses and education groups recently met to look at what could be achieved for young people who need some direction. An important result of that particular meeting was that young people were spoken to and they will attend future meetings so that they can identify their needs.

**Mr Palaszczuk:** Spoken to and listened to.

**Mrs WILSON:** Very importantly, they were listened to. The Government also recognises the importance placed on addressing indigenous youth issues through working with Aboriginal and Torres Strait Islander communities. These programs and services will provide strategies that will raise young people's

self concept and affirm their value in life. A young person without a strong self concept does not have a good ability to stand up and be counted, because they do not feel very good about themselves. The programs will promote positive images of young men and women, their cultural perspectives and the contributions they have made across the community, and will encourage leadership.

The Queensland Government youth suicide prevention strategy aims to reduce the impact of youth suicide on individuals, families and communities through enhancing the quality of life of young people in Queensland. Among men under 30 years of age suicide is a more common cause of death than motor vehicle accidents, making it the No. 1 cause of death for that age group. The rate of youth suicide in Queensland is 20% higher than the Australian average. On average in our State, 29 men and 6.4 women out of every 100,000 people take their own lives each year.

The Government is responding to the challenge by coordinating a response involving all levels of government, community, church and youth groups. Prevention, early intervention, treatment and support activities will be provided to individuals and families to resolve grief and loss arising directly from the loss of a family member, partner or friend. Prevention strategies, which are a focus of this Government, include family support services, early intervention in schools, culturally appropriate rehabilitation programs for indigenous young people in the juvenile justice system, youth training initiatives, youth mental health services, youth drug and alcohol prevention and rehabilitation and, of course, community awareness programs.

The Office of Youth Affairs is administering two new Statewide programs that will provide support for young people at risk. A sum of \$1.9m has been allocated to employ throughout Queensland 21 rural youth workers who will work with young people, their families and the community to identify youth issues and provide services in rural and remote areas. This initiative was developed in response to the need identified by rural communities to have youth workers available to provide a hands-on response on youth issues. A further \$1.9m has been allocated over three years to establish youth support coordinators who will work with schools and community organisations to provide prevention and early intervention programs for young people. Those coordinators will work with young people who have been identified as experiencing personal or family difficulties and they will help them and their families access

services such as counselling, mediation or health and educational support. The department has also provided funding for the appointment of 36 youth development workers. Those positions are located throughout the State, including at Aboriginal communities in Cape York, to respond to a range of needs including mental health and youth suicide issues.

From this extensive range of activities, including the recent youth suicide prevention strategy, it is apparent that the Government is extremely concerned about the problem of suicide in our community, particularly that of youth suicide. With these strategies in place, we as a Government are committed to improving intervention and prevention strategies in order to reduce the number of youth suicides in our community.

The final part of the youth package is the Queensland Government Programs and Services for Young People 1996/97. This is an annual publication from the Office of Youth Affairs within the Department of Families, Youth and Community Care. The directory provides information on programs and services for young people that are funded or provided by the Government. The directory provides information on services associated with accommodation, the law, sport and recreation, health, education and training, employment and community activities that young people can participate in. This information enables Government departments to better coordinate their activities for young people and is important for the community sector because it assists young people to access the information. This resource manual contains contact departments and telephone numbers, enabling those organisations that work with young people and young people themselves to gain information on a number of programs currently in operation that assist young people in the community.

The complete package, launched in Hervey Bay in September, indicates this Government's commitment to and continued support of young people in the community. Young people need to be given every opportunity to reach adulthood supported by their families, local networks, community organisations and Government. With the draft statement on youth affairs and the draft youth suicide prevention strategy in the community consultation phase, we welcome feedback and input from the various stakeholders in Queensland and from young people themselves. The Minister, the Honourable Kevin Lingard, encourages all Queenslanders to assist in the development of strategies for

young people in our State. By providing advice and comments on these documents, the community can work in partnership with the Government to ensure that young people are afforded an improved quality of life. I commend this package.

Time expired.

#### **MISCONDUCT TRIBUNALS BILL**

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.29 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to provide for the establishment and operation of misconduct tribunals, and for other purposes."

Motion agreed to.

#### **First Reading**

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.29 p.m.): I present the Bill and the Explanatory Notes, and I move—

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

Interruption.

#### **PRIVILEGE**

##### **Attorney-General and Minister for Justice**

**Hon. M. J. FOLEY** (Yeronga) (12.29 p.m.): Mr Deputy Speaker, I rise on a matter of privilege suddenly arising. The Opposition will be taking the unusual step of opposing the first reading of this Bill, because the Minister introducing it remains in brazen contempt of the resolution of 20 August 1997 in which this House expressed no confidence in Minister Beanland. It is an affront to this House for Minister Beanland to be introducing any legislation, and particularly legislation to amend the Criminal Justice Act, which he has so gravely maladministered.

#### **MISCONDUCT TRIBUNALS BILL**

#### **First Reading**

Resumed.

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.30 p.m.): I move—

"That the Bill be printed."

**Mr FOLEY:** I rise to a point of order. The question was that the Bill be now read a first time.

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

**AYES, 43**—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

**NOES, 42**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pair: Goss W. K., Gamin

Resolved in the **affirmative**.

### Second Reading

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.36 p.m.): I move—

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

The purpose of the Misconduct Tribunals Bill is to correct a fundamental flaw in the Criminal Justice Act 1989. The flaw is that the misconduct tribunals form part of the Official Misconduct Division of the Criminal Justice Commission, which is responsible for the investigation of misconduct. This flaw was recognised as early as 1991, when the Parliamentary Criminal Justice Committee, under the chairmanship of the current Leader of the Opposition, recommended that the tribunals be separated from the Criminal Justice Commission and established under separate legislation, with administrative support being provided by the Department of Justice.

The Parliamentary Criminal Justice Committee's recommendation that the misconduct tribunals be separated from the Criminal Justice Commission was first made in its report No. 13 of December 1991. The recommendation was repeated in report No. 17 of July 1992 and report No. 26 of February 1995. In report No. 26, the Parliamentary Criminal Justice Committee noted that the previous Government had intended to transfer the jurisdiction of the misconduct tribunals to the District Court. The Parliamentary Criminal Justice Committee was concerned that the transfer to the District Court would conflict with the principle that the

Judiciary should not be required to perform administrative functions on behalf of the Executive. In this respect, I agree with the Parliamentary Criminal Justice Committee that it would be inappropriate for the Judiciary to be determining public sector disciplinary matters.

This Bill effectively implements the 1991 recommendations of the Parliamentary Criminal Justice Committee by establishing the misconduct tribunals as independent entities. It removes them from the Criminal Justice Commission and Criminal Justice Act. Under this Bill, the misconduct tribunals retain their jurisdiction to determine allegations of official misconduct against police and, with approval of the Executive Council, other public officials. The tribunals retain their jurisdiction to hear appeals by police officers from internal police force disciplinary decisions. The Bill will enhance the capacity of the Criminal Justice Commission to oversee disciplinary processes in the Queensland Police Service by giving the Criminal Justice Commission a right of appeal from internal disciplinary decisions. It also provides a right of appeal to the Supreme Court from a misconduct tribunal on the grounds of inadequate level of penalty.

The Bill is generally consistent with the model recommended by the Parliamentary Criminal Justice Committee in its 1992 report on changes to the method of appointment and conditions of service of members of the misconduct tribunals. The Bill departs from the committee's recommendations with respect to the appointment of a full-time chairperson and part-time lay members. The issues that are determined by the tribunals have the potential to seriously effect a person's reputation and livelihood. It is appropriate that these issues are determined by appropriately qualified legal practitioners skilled in assessing evidence and the application of administrative law principles.

I commend the Bill to the House.

Debate, on motion of Mr Foley, adjourned.

### CRIMINAL JUSTICE LEGISLATION AMENDMENT BILL

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.39 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Criminal Justice Act 1989 and another Act."

Motion agreed to.

### First Reading

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.40 p.m.): I present the Bill and the Explanatory Notes, and I move—

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

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

**AYES, 43**—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

**NOES, 42**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pair: Goss W. K., Gamin

Resolved in the **affirmative**.

### Second Reading

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (12.45 p.m.): I move—

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

For a number of years several parliamentary committees have laboured to produce recommendations about how to improve the operations of the Criminal Justice Commission. Those committees have thoughtfully considered how the role of the Parliamentary Criminal Justice Committee could be improved. They have suggested changes. Those committees have looked at the operations of the Criminal Justice Commission and suggested changes. They have undertaken public consultation. They have produced lengthy reports.

This legislation acts upon many, many recommendations made by the parliamentary committees. I pay tribute to the honourable members who have, over the years, contributed to this process. They have undertaken an important but difficult role. They may well have wondered at times if their labours would be in vain. In report No. 38 to this Parliament, the chairperson, the member for Keppel, wrote—

"A properly funded and empowered parliamentary committee which has an on-going role in monitoring and reviewing the CJC is the mechanism which best allows the Parliament to be continually informed as to the activities of the CJC and as to any issues of concern that may arise. This process then allows Parliament to make informed decisions as to the effectiveness or otherwise of the CJC and any legislative finetuning which may be required.

The present accountability arrangements have required finetuning for some time.

Concerns regarding the accountability of the CJC to its watchdog committee have long been expressed by successive PCJCs in reports to the Parliament. Successive governments of the day have largely refrained from implementing the majority of these recommendations."

With this amending legislation, the Parliament will be able to act on many of these recommendations.

The amending Bill, at the request of the parliamentary committee, gives the committee power to issue guidelines to the CJC and to direct that the CJC undertakes an investigation. The parliamentary committee will not be empowered to interfere with an investigation under way or to direct that an investigation cease.

The PCJC will have the formal role of handling complaints against the CJC. It establishes the Office of Parliamentary Commissioner, who will be able to investigate complaints when requested by the parliamentary committee and who will have access to operational information. The parliamentary committee will be assisted by an officer with access to all necessary information. The parliamentary committee will not have a right of independent access to confidential information.

Other changes ensure that there will be a greater capacity for the Supreme Court to review the fairness of investigations. There are changes to ensure that natural justice is accorded to people adversely affected by reports. The Bill will result in modifications to the internal management of the commission. It has been recognised that the role of the part-time commissioners is ill-defined. This is a pity. The part-time commissioners are the voice of the community on the CJC. The Bill will add to their role. They will constitute a real board of management.

Other changes will clarify the relationship between the Minister and the commission about staff conditions and financial information. Those who predicted that this Bill would strip the commission of its ability to fight corruption will be bitterly disappointed. This fundamental role remains. I commend the Bill to the House.

Debate, on motion of Mr Foley, adjourned.

## **FIRE AND RESCUE AUTHORITY AMENDMENT BILL**

### **Second Reading**

Resumed from 19 August (see p. 2939).

**Hon. D. M. WELLS** (Murrumba) (12.50 p.m.): I had originally intended to simply say that the Opposition supports the Bill and then sit down, but I understand that the Government is running a filibuster on this Bill and I am very happy to accommodate it. In those circumstances, I will take the opportunity to make a few remarks relevant to the Fire Service in a number of its aspects that I might otherwise have reserved for another occasion.

The first matter that I would like to address is the question of staffing and crew levels. I will do it by way of beginning with an anecdote. It was not so long ago that, with the permission of the Minister, I was visiting a fire station. The Minister has adopted an open policy and has frequently been willing to provide briefings to the Opposition from his public servants and he has indicated to me that he is happy for me to visit emergency services facilities. I thank the Minister for that policy that he has adopted. I assure him that it has prevented a great deal of pointless and wrong-headed criticism that he might have otherwise got due to lack of information. At least debate and criticism which now occurs as a result of that policy which the Minister has wisely adopted occurs on the basis of information that is provided.

I recently visited the fire station at Gympie. While I was there examining the facilities, there was a call-out. Two men were rostered on at the time of that call-out, which was not to a fire but to a road accident rescue which was, from memory, 33 kilometres away from the fire station. When the fire appliance drove out and the doors of the fire station closed, there was nobody rostered on in that fire station simply by virtue of the fact that the crewing levels of that fire station—the roster—allow for only two people to be on at a particular time. That situation could have led to something quite unfortunate. As a matter of

fact, fire officers nearby were able to immediately assume responsibility for the Gympie Fire Station, but that would not always be so. There are many fire stations—and I understand that the member for Fitzroy will refer to some of them—around this State which have only one or two officers on roster at a particular time.

Staffing and crewing levels is a major issue as far as the firefighters are concerned. It is a question of safety both for the community and for the firefighters involved. If there is a major blaze and only two firefighters are rostered on at a particular time, they both go to the fire. They have two options: both of them can go in and leave nobody outside for backup—nobody to maintain the equipment, nobody to ensure that the pump is working and nobody to get in contact with further backup—or they can send one person in. A person who goes in without a partner to work with is therefore at a much enhanced risk of injury or even death. Consequently, a policy of having only two on at a time—it is much more so with a policy of having only one on at a time—is not usually going to be a feasible policy.

The Labor Party in Government adopted the policy of working towards higher staffing levels of two plus one and, subsequently, three plus one—that is, two firefighters and one officer—and that remains the policy of the Labor Party. I know that it is a concern of firefighters around the State because they have told me that it remains their central and key concern. The fire authority is undertaking a risk management program at the moment. Risk management programs are fine, but crewing levels—staffing levels—sufficient to ensure the safety of the firefighters and to ensure the safety of the community generally are necessary.

This Bill addresses the fire levy. The Opposition believes that it will make the collection of the levy more efficient. I understand that it will assist local government with its role in the collection of the levy and may return additional revenue to the Government. If that is the case, it is certainly to be hoped that at least some of that will be spent on ensuring sufficient staffing levels to enable the appliances to be staffed at an adequate rate.

Another issue which is exercising the minds of professional firefighters at the moment is the Government's concern to have a publicly funded fire and rescue service. It has recently had a change of name to the Queensland Fire and Rescue Authority. That

change of name has not been accompanied by additional resources to enable it to perform its additional rescue role. The public will, of course, expect more of the Fire and Rescue Authority than it expected of the Fire Service. They will expect it to undertake rescues. In answer to questions on notice that I have placed in this Parliament, we have been told that no additional equipment, facilities or resources are being made available to the fire authority to enable it to conduct this rescue role. So what we have had is just a change of name, which is essentially a PR device. That is unfortunate. The fire authority needs to be provided with adequate resources to enable it to conduct rescues. That means, again, addressing the question of attending to the necessity for adequate crewing levels.

I understand that another safety issue which has concerned firefighters for a considerable period of time is almost about to be resolved. The Aramid coats, which firefighters need in order to provide them with the necessary levels of protection, and the top boots have not been issued universally throughout the State up until this moment. Some firefighters still have not received their first set of the most modern and up-to-date equipment. The firefighters of Queensland deserve and are entitled to the best protection that is available—the best protection by international standards—yet, that distribution is not yet complete.

I do not want to be churlish about that. The distribution is almost complete so we will have a situation in which every professional firefighter in Queensland will have the most up-to-date, state-of-the-art protective gear. Most of them will, however, have only one set of that gear. That will be fine as long as they do not have to fight two fires in the one day. After a major blaze, if clothing is damaged, wet, torn or is simply away being cleaned, it will be necessary for the firefighters to go back to the older protective gear and, therefore, to less than state-of-the-art equipment. I would think that this would be a major priority that the Minister should attend to.

Sitting suspended from 1 p.m. to 2.30 p.m.

**Mr WELLS:** Before lunch I was referring to some matters which are of urgent and ongoing concern to the professional firefighters of this State. In a little while, a number of other honourable members from our side of the House will make some remarks which are inspired by their experience, and a number of members from the other side of the House will

make some remarks which are inspired by ministerial speech writers.

**Mr Veivers:** No, it's from experience in the bush.

**Mr Springborg:** You need a ministerial speech writer.

**Mr Veivers:** You know, you'll have me interjecting on you.

**Mr WELLS:** I am sure that that would never occur. I know that the Honourable Minister is such a stickler for conformity to parliamentary procedures that that would never occur.

**Mr Springborg:** Stop giving away trade secrets..

**Mr WELLS:** I note the confession from the member for Warwick, the Government Whip. This confession comes from a very high level, and it makes it very clear—

**Mr FitzGerald:** You've only got one person on that side supporting you.

**Mr WELLS:** That is a gross underestimate. When the time comes, the honourable member will find that the number is 44.

I turn to the issue of the Queensland Fire and Rescue Authority. It is the proud boast of the Queensland Fire and Rescue Authority and, indeed, of the Honourable the Minister that the authority is one of the largest single fire units in the whole world. This is by virtue of the fact that the Queensland Fire and Rescue Authority has responsibility for the administration of the Rural Fire Service as well. So the many thousands of volunteers who give their time and their energies and risk their lives for the protection of the community are counted as part of that larger organisation and, therefore, are affected by this Bill.

There is one very pressing and very major issue which is confronting the Rural Fire Service at the moment. It is a confrontation which is being brought on by the Honourable the Minister's department. That concerns the issue of the new code of conduct. The new code of conduct for the Fire and Rescue Authority demands that bush firefighters "respect the right of the Government to determine policy". It goes on to outline circumstances in which public comment or debate by officers is acceptable. This code of conduct was written by public servants for public servants. Volunteer emergency services workers are perfectly willing to put their lives on the line for the security of the community, but that does not mean that they should have to sacrifice their democratic rights to free speech. Of course, volunteers should and do go

through the appropriate channels if they have concerns. However, if they do not get the result they want from those appropriate channels, they should not be gagged, nor should they be prevented from drawing their concerns to public attention. The matters on which bush firefighters are likely to speak out are frequently going to be matters of life and death. Not only the principles of democracy but also standards of public safety demand that they should have the right to speak out on these issues. Bureaucracies are not infallible. Often the men and women on the ground know better what is going to work and what will not work. Many of them, like the Honourable the Minister himself, come from families who have been fighting bushfires for generations.

The matter of the code of conduct is a very serious one. The requirement that members of volunteer bush fire services should have to go through appropriate channels is perfectly sound and perfectly reasonable. But to gag them and to say that they cannot speak to me or the honourable member for Warwick or the honourable member for Toowoomba North or, indeed, to the media and anybody else in this House is a devastating attack on their right to freedom of speech and an equally devastating attack on the security of the community. Bureaucrats do not necessarily know what is best. If a bush firefighter comes up against a brick wall as far as a concern that may relate to safety equipment or safety clothing, and he or she is prohibited by some code of conduct from speaking further, then that prohibition could lead not only to an erosion of democratic standards but also to an erosion of public safety.

I congratulate the Minister on one of his achievements, that is, on increasing this year's budget for the Rural Fire Service by \$4.6m. This is an achievement which the Honourable the Minister managed to attain as a result of a great deal of assistance from members on this side of the House. Had it not been for the heat which was put on the Government by members on this side of the House, the Minister would never have had the necessary clout when he got to the Budget Review Committee.

I note that the Leader of the House is very sagely warning the Minister not to interject on this subject, because this is yet another trade secret which is being given away. That is how the system worked on this occasion. That \$4.6m goes a considerable distance towards bringing the budget back to what it should have been. However, I do note that in that \$4.6m, \$1.27m is allocated for staffing

arrangements. One bush firefighter pointed out to me that that is the cost of 22 extra fire trucks, and he hoped that the money that was going to be spent on the employment of new staff was going to be spent wisely and well.

Honourable members might be interested to know that I placed a question on notice in the Parliament to get some more detail on that expenditure, and the Minister kindly furnished that. Part of what I was told by way of answer was that there would be five additional training officers to bring the number in the State up to 12, and that \$84,000 was going to be allocated to each of those training officers. That \$84,000 was going to include the cost of brigade training courses. When one takes out the training officers' salary package, that does not leave a lot for running the courses. More detail from the Minister in due course would be appreciated on this question. If we are going to have 12 training officers to cover a State of this size and to cover the very many thousands of bush firefighters, then exactly how much money—after their salaries are taken out—is going to be left for actually training bush firefighters? Remember that the training might very well make a difference between life and death.

**Mr Veivers:** You've joined the SES. How's your training going?

**Mr WELLS:** Very well, thank you.

**Mr Veivers:** I'm paying for you to be trained. I want you to get up there to a very high level.

**Mr WELLS:** I am there. I was on a roof only the other day.

**Mr Veivers:** I wouldn't want you to slip and fall.

**Mr WELLS:** I thank the Minister, who kindly said that he did not want me to slip and fall during any of my volunteer work for the SES. I would like to say, by way of returning the compliment, that the next time he is fighting a bushfire, I do not want him to get his fingers burnt.

There is a significant lack of attention to training. Satellite facilities are available for training through TAFE colleges and are used by other instruments of Government; yet it seems that the philosophy is not to invest additional Government resources in training, but rather to put an additional burden on volunteer training officers. I am told that the plan is to introduce SES training policy into the Rural Fire Service. That requires an additional commitment of 120 hours by volunteer trainers. Yet the Rural Fire Service is not the SES. The SES is a different sort of

organisation. What works for the SES will not necessarily work for the Rural Fire Service and vice versa. I hope that the rural firefighters on the ground will be consulted before the new arrangements are brought in.

I turn now to a matter that I believe is of very considerable importance. I raised this on one previous occasion in the House in a Grievance debate. The Honourable Minister for Industrial Relations was in the House. He spoke scornfully about this matter. He said, "Are you really serious about this? Are you really interested in this?" The answer is: of course I am, because this is a matter of life and death. I refer to the issue of protective clothing and protective equipment for bush firefighters. I am aware that many rural firefighters are perfectly happy with the equipment that is issued to them. I have no argument with those volunteers. However, I am also aware that many are not satisfied with it. Some have complained to me that having face masks that are inflammable is not a terribly good idea. Some have complained that they are not issued with boots and they feel that they ought to be. Some have complained that the helmet that they have provides insufficient protection for the back of the neck. That is extremely relevant when they are fighting forest fires. If water, which may be boiling, goes down the back of the neck, it will not be comfortable at all. Many have complained that the overalls are inappropriate. Some would prefer two-piece overalls.

Others have told me that the new Canter fire trucks do not carry enough water, that the water hoses for the new Canters are not long enough and that the old trucks are better than the new ones. The truth is that different equipment will be necessary for different brigades. As I indicated in a letter to the Minister recently, some brigades will require one fire truck that is small and manoeuvrable, such as the 1,000-litre Canter, whereas other brigades will require a much larger truck for the purposes of dealing with household fires that may occur in small settlements. Some settlements will require both, because they will have to deal with grassfires, forest fires and house fires.

The point is that rural firefighters will constantly face a diversity of challenges. They need to be equipped to be able to deal with those different challenges. The bottom line must surely be that rural firefighters should be allowed to go into a fire situation—where, after all, they are putting their lives on the line for the sake of the community—with equipment that they believe to be safe and best suited to their purpose. Rural firefighters should have

the option of choosing such equipment. In order to reach that stage, the Government does not have to spend a lot; indeed, it probably does not have to spend any money. It is just a matter of setting up a system for letting the bush firefighters have a say.

I have referred to a number of matters that are of urgent, current and continuing concern to both professional firefighters and to volunteer Rural Fire Service personnel. I would be grateful if, in the fullness of time, the Honourable Minister could take on board those remarks and give consideration to them. I am not putting them forward in any rancorous way; rather, I am raising them on behalf of the many firefighters in the State whom I have encountered. The Opposition supports this Bill. I look forward to moving my amendment at the Committee stage of the Bill.

**Mr HEALY** (Toowoomba North) (2.44 p.m.): I rise to support the Fire and Rescue Authority Amendment Bill 1997. I will shortly outline to the House some of the many achievements that this Government has accomplished in the portfolio of Emergency Services. The Bill, of course, makes a number of minor amendments to the Fire and Rescue Authority Act. The amendments will allow a fire authority officer to be appointed to the board of the Queensland Fire and Rescue Authority. The provision establishing the Queensland Fire and Rescue Authority fund has been omitted and replaced. Moneys that previously were paid into the general fund must now be paid into a fund established by the Treasurer, which is pursuant to section 11 of the Financial Administration and Audit Act 1977. Provisions relating to the collection of levies by component local authorities have been redrafted to ensure that levies are paid to the authority promptly. Local governments will be given more flexibility in the manner in which they retain the administration fee payable for the work associated with determining annual contributions payable for prescribed properties and collecting and remitting fire levies. Of course the Bill also contains some other minor and transitional amendments.

As the Minister explained in his second-reading speech, the Bill makes some amendments that are in part necessary as a result of a review by the Queensland Audit Office, which advised the Queensland Fire and Rescue Authority that some longstanding practices adopted by local governments were not authorised by the Act. The amendments are intended to authorise some of the practices that have arisen. They also streamline the payment of levies and retention by local governments of the fee for the work

associated with collecting fire levies on behalf of the Queensland Fire and Rescue Authority. The Bill will allow the total collection fee for all prescribed properties in a local government area to be retained at any time during the financial year, provided sufficient levy moneys have been collected to meet the payment. That will result in local governments being able to retain the collection fee earlier than is currently authorised.

The amendments will also be made to the provision dealing with the interest rate payable by local governments for late remittance of levies. Under the current provision, the interest rate may be set by regulation but no regulation has been made. Under the Bill, the rate of interest will be tied to that allowed under the Local Government Act 1993. The Bill will allow for the more efficient operation of the Queensland Fire and Rescue Authority by allowing more flexibility in the manner in which the authority delegates its powers.

Under the guidance of the Honourable Minister for Emergency Services, there is no doubt that the coalition is totally committed to the improvement of the delivery of emergency services throughout this State. The coalition recognises that the Department of Emergency Services is in the business of saving and preserving lives and that the provision of adequate emergency services coverage is a fundamental obligation of Government. Both the Minister and the coalition Government will continue to ensure the efficient and effective provision of that fundamental obligation. Under six years of Labor maladministration, emergency services delivery to the people of Queensland suffered. Under six years of Labor neglect, service delivery became a low priority. What was of a priority under Labor was the creation of bureaucracy at the expense of service delivery. The coalition inherited a department strangled by layers and layers of bureaucracy.

**Mr Pearce** interjected.

**Mr HEALY:** The member for Fitzroy knows that that was the case, because things were not getting done because of that bureaucracy. To redress the department's excessive bureaucratic structure, low morale and structural weaknesses, a review into the Fire Service and an overall restructure of the existing Department of Emergency Services was undertaken. The new structure of the department has delivered a coalition policy to establish more independent fire and ambulance services. The Fire and Rescue Authority and Ambulance Service are now operating as statutory authorities through

established board structures reporting directly to the Minister. There has not been a return to bureaucracy. The authorities have ensured that the fire and ambulance services have efficient decision-making processes, which are free of political interference.

The personnel of the respective services were promised so very much but received so very little under the previous Government. Obviously something was wrong within the Fire Service under the previous administration. We saw the unprecedented scene of hundreds of firefighters marching on Parliament House and being met with abuse from the Labor Minister of the day.

The coalition has brought about a return to morale and efficiency within the Fire Service. In response to the tragic loss of two firefighters on the Gold Coast, the Minister has ensured that the coroner's recommendations are being implemented and that all firefighters are being kept fully informed of developments. Cabinet has approved the hiring of an additional 135 new firefighters over three years. I inform the House that the Minister is well on the way to meeting that target. Last year, 56 firefighter recruits started their 12-week course. That intake represented the first time that the Fire Service trained 56 recruits at the same time. That was a record for the Fire Service.

Under the coalition, firefighters have been provided with significant pay rises. To ensure that service delivery is improved, the Minister has prioritised the delivery of the very latest up-to-date equipment. In fact, in March last year, the Minister took delivery of the first new-style \$315,000-plus fire appliance. Also, special million dollar high-reach fire trucks have been delivered to stations at Brisbane and on the Gold Coast. Of course, the first batch of the new rural fire trucks have been delivered to brigades across the State.

Speaking of rural fire brigades, at this point I would like to make mention of a rather special function that I attended on Saturday, 6 September in Toowoomba, representing the Minister, which was the presentation of national medals and clasps to rural firefighters. As a member of the Minister's committee, one of the most fulfilling tasks that I have is to meet such deserving staff members and to see first-hand the tremendous work that is performed by all of our emergency services personnel. Awards such as those that I had the pleasure of handing out in Toowoomba that day are only a small recognition of the great job that those personnel do. It would be true to say that many people involved in emergency incidents, and particularly the

efforts of rural fire crews, will never be recognised fully as those people are considered by many to be just doing their job. That is quite right, but through the dedicated efforts of all rural firefighters, thankfully the general public can sleep safely at night.

However, I would like to mention a couple of the recipients of those awards. Councillor Geoff Patch, who is the Mayor of the Crows Nest Shire, received his award for 40 years of service to rural fire brigades. Mr Ken Christensen also received an award for 40 years of service, and Mr Paul McCrae received an award for 30 years of service. Other people had served their rural fire brigades for between 15 years and 25 years. Councillor Geoff Patch leads a very busy life with his farming interests as well as being the mayor of a rather large shire. For him to have been able to serve his local rural fire brigade with distinction for 40-odd years, and to still serve it with distinction, demonstrates the dedication of the many men and women who are involved in rural fire brigades throughout this State. The front-line service deliverers are the most important members of the service. The State's 50,000 volunteer rural firefighters, our urban firefighters, who also do a great job, the ambulance officers and our State Emergency Service personnel are all very important parts of the department.

Recently, the Rural Fire Division has been provided with a massive three-year funding boost. That funding has been highlighted already by the member for Murrumba. The budget for the Rural Fire Division will be increased over the next three years to substantially increase and improve the equipment, to assist with station construction and to provide a much-needed staffing increase to the division. Fire appliance production has increased. This financial year, 64 appliances, collectively worth more than \$3.6m, will be produced. An additional 64 appliances are also planned for production in 1998-1999. Through that increased funding to the division, this financial year the number of rural fire stations able to be subsidised will increase from 13 to 30. That increased funding, together with the Rural Addressing Package, about which I will say more shortly, is certainly encouraging the implementation of a uniform system of property numbering.

People involved in rural fire brigades in particular have spoken to me about that Rural Addressing Package. In the main, they all agree that it is a very, very good idea and certainly a marked improvement on the way in which fire brigades—particularly rural fire brigades—are able to detect a property that

has not been numbered. I must admit that there are some problems with it, and they have been identified. That is mainly because people are not used to having numbers anywhere near their properties. Some local authorities have assisted with information packages and up-to-date information. Unlike people in the city, people who live on properties are not used to having their properties numbered. From time to time, in some areas, there has not been uniformity in numbering. However, I think this is a good idea—and it is certainly better than what existed previously, which was virtually nothing—and that it will lead to those appliances getting to places where there might be a fire or an emergency situation. The system does need to be improved, and I am sure that that will happen in the not-too-distant future.

**Mr Pearce:** The ambulances need it.

**Mr HEALY:** I agree that the Ambulance Service needs that numbering system also. However, I say to members that the detection of incidents by the Queensland Ambulance Service has improved out of sight. I refer particularly to my area of Toowoomba where the joint emergency services communications centre has been established. It is working extremely well with cooperation between officers of the Queensland Ambulance Service and officers of the Queensland Fire and Rescue Authority. The latest up-to-date computer technology that is now available helps the service to be able to identify very, very quickly where these units have to go. The technology of the last four years or five years is quite phenomenal and it has improved operations out of sight. In cooperation with the Local Government Association, the Rural Addressing Package was launched last year. The point that I wanted to make is that that package will enable the emergency service vehicles to locate emergencies quickly by calculating the scene from a set starting point.

State-of-the-art, multimillion dollar computer-aided dispatch systems are being introduced to further improve service delivery. In cooperation with the Local Government and Planning Minister, we now have legislation requiring the installation of smoke alarms in all new dwellings throughout this State. For some unknown reason, despite continual requests from the Fire Service, previous Governments failed to provide that legislation. However, that legislation is now in place, and it is most important as it will save lives.

The service delivery of the Queensland Ambulance Service in rural and regional

Queensland has also been improved. It is most important that that service delivery continues to improve. As part of the coalition's commitment to the improvement of emergency service delivery, an incentive strategy to attract qualified ambulance officers to work in isolated and rural areas of Queensland has also been introduced. Under the Queensland Ambulance Service's isolated, remote and rural staffing incentive strategy, ambulance officers now receive extra remuneration in terms of isolation bonuses plus paid rent, air fares and assistance with transfer and relocation costs. In response to the problems with the Ambulance Service that the Government inherited, a comprehensive ambulance program evaluation has been conducted. Additionally, the Minister has strongly supported moves by the Ambulance Service to seek the reinstatement of tax deductibility of donations to the ambulance and local ambulance committees.

In conclusion, I want to make mention quickly of a new facility that will come on line in the not-too-distant future. I refer to the joint emergency services head office facility at Kedron Park. As a member of the parliamentary Public Works Committee, I can say that the committee has had an opportunity to inspect the site where this new facility will be established. Without pre-empting the findings of the inquiry that the committee is conducting, I can make some personal observations in relation to this particular initiative.

Since 1993, the Department of Emergency Services has been looking for office space not only in the CBD but also in other areas that could accommodate all of its administrative staff. I believe that for too long various sections of the department have been located in places throughout Brisbane. However, CBD office space proved too expensive, so the department looked to the suburbs around the city for a suitable location for their administrative, logistics and training staff. The appearance of the old Kedron Park Teachers College on the real estate market in 1995 created some of the impetus for this particular project. The department will no longer have to pay commercial or Government rates to lease office accommodation. Initially, the department will use those savings to repay the cost of purchasing the site and refurbishing the building. However, the department expects to generate a profit within six to eight years. The co-location of staff and facilities at Kedron Park will result in significant savings for the department. The old teachers' college at Kedron Park is a suitable site for the co-location of the various sections and functions

of the Department of Emergency Services. It is an approximately seven-hectare site situated about six kilometres from the CBD and it has ample room for expansion.

**Mr Grice:** Six kilometres?

**Mr HEALY:** It is six kilometres from the CBD. Committee members were quite impressed with what we saw and heard from representatives from the Department of Emergency Services in relation to this particular project. The department is cooperating with the local school, located beside the old teachers' college, over the school's use of a 25-metre swimming pool that has been lying dormant for some time. Other benefits will also flow from this move. The hotel across the road from the site may be expanding as the company that runs it has seen that there is much value in being able to provide facilities for the additional departmental staff who will be located there, and I am sure that they will enjoy themselves there. The whole concept is very good.

A lot of departments want to domicile themselves in the parliamentary precinct, to stay as close as possible to the Parliament. However, I do not think that there is always a need for that. On the other hand, there is always a need for placing parts of departments in the suburbs where, obviously, there is a much easier way of life, particularly for staff who enjoy the sort of spread-out facilities that will be available at the Kedron Park facility when the department moves there. I certainly look forward to the findings of the Public Works Committee following its inquiry into that particular facility. I am pretty sure that it will be all good news, because it is a good-news initiative.

The Fire and Rescue Authority Amendment Bill will introduce further efficiencies to the State's emergency services. The Bill before the House is further evidence that the coalition will remain committed to the improvement of emergency service delivery throughout the State. I support the Bill.

**Mr BRISKEY** (Cleveland) (3.01 p.m.): The Opposition does not oppose the Bill, although, as the shadow Minister has already stated, an amendment will be moved in the Committee stage of the Bill. The Bill does only two things. It is a minor Bill and there is probably no need for me to speak for 20 minutes on it, so I will not do so. Of course, Government members have prepared speeches so they will speak for 20 minutes on this Bill.

The Bill provides new procedures for the collection of fire levies by local authorities and I know that most local authorities will applaud

the decision to change the existing procedure. The Bill also provides for a serving fire authority officer to be appointed to the board of the Queensland Fire and Rescue Authority. As I have mentioned, the member for Murrumba will be moving an amendment to the Bill. I urge all members of the House to accept that amendment, because it will be in the best interests of firefighters in this State.

I take this opportunity to congratulate Queensland firefighters and officers for the job that they do. Particularly, I thank the firefighters and officers of the fire station at Cleveland. They look after a large area and, as people familiar with the Redland Shire would know, it is one that has an ever-increasing population. Their job is made that much harder by the number of new residents who come to the area. Thankfully, because of the education program undertaken by this Government and the previous Government—and I applaud the Minister for it—more people are now taking the advice of firefighters and are installing smoke detectors in their homes, which is the only way to go. Unfortunately, I have seen some detectors with flat batteries and others that have been put in the wrong positions. Firefighters go into people's homes and advise them on where to put smoke detectors, and I applaud the Minister for that initiative, which is well regarded and well accepted by builders and local authorities.

Every time firefighters and officers attend a fire, they put their lives at risk. They go into burning buildings to rescue people, which amazes me. I wonder how many of us would enter a burning building to save someone. It is very heroic to have the courage to go into a burning building. I would certainly think very carefully about doing so, but firefighters, who protect our property and our lives, do not give it a second thought. They go into burning buildings to protect property and to save lives.

I will take a moment to thank the amazing people of North Stradbroke Island. The North Stradbroke Island community is a close-knit one.

**Mr Pearce:** It is a great community.

**Mr BRISKEY:** I know that the honourable member has been to look at the sandmining operations on the island. It is a great community and, in fact, many of the sand miners and the local residents get involved in firefighting activities.

In 1995, some very serious fires broke out on the island and the volunteer firefighters risked life and limb to protect property and lives from what were probably the most serious fires that had occurred on the island for many

years. Once again the people rallied to support the local community. I not only commend the local volunteer firefighters but also the local business community, including Consolidated Rutile, as it was then, which provided machinery and expertise to create fire breaks to try to stop the fires from spreading. Of course, as the fires were so serious, mainland fire crews came to the island and assisted the local firefighters. Without the mainland crews, property at Dunwich would most certainly have been lost.

Unfortunately, fires have recently been breaking out on the island. This is especially unfortunate because it is believed that the fires have been deliberately lit. I do not know why anyone would deliberately light a fire, especially in a place like North Stradbroke Island, which has three small settlements but is otherwise mainly bushland, which is what adds to the beauty of the place. When these people—I call them "people" to be kind to them—deliberately light fires, they not only destroy beautiful parts of North Stradbroke Island but they also put at risk people's property and, in many cases, people's lives. Once again, the volunteer firefighters fought those fires and I commend them for their efforts.

In 1989, when the Labor Party was elected to Government, it very quickly became evident that the state of the rural fire divisions in Queensland was a disgrace. I told the Minister that I would not have a go at him, but—

**Mr Veivers:** You were there for six years.

**Mr BRISKEY:** Yes, but for 32 years before that the party that purports to look after the bush left the rural fire divisions in a disgraceful state. We initiated a bushfire audit to find out—

**A Government member** interjected.

**Mr BRISKEY:** No, to find out exactly what was needed. We put in a program to provide new—

**Mr Veivers:** I will give you a nod for that.

**Mr BRISKEY:** Yes, we did that. The Minister has continued that five-year program, which is good to see. However, the new vehicle acquisition program has slowed. After 32 years of neglect—and Government members must admit that that is what happened—there are still 24 appliances that are 50 or more years of age.

**Mr Pearce:** Older than you.

**Mr BRISKEY:** They are older than the Minister. What did the previous coalition

Government do for 32 years? After those 32 years and also the past two years of Government, there are still 49 appliances that are more than 40 years old.

**An honourable member** interjected.

**Mr BRISKEY:** I have seen some of them. Recently I had a look at one when I was up north. I would not like to be trying to fight a fire with that appliance. Unfortunately, the Minister has to wear those 32 years of neglect of rural fire divisions across this State. That is unfortunate, because the Minister's party and previous coalition Governments have purported to look after the bush. It is obvious that they did not do so.

We spoke to rural firefighters and we found out that the Minister is now providing Canter fire appliances, which carry only 1,000 litres of water and 22 yards of hose. As the member for Murrumba has said, in some instances they are quite adequate. However, one cannot fight a house fire with only 1,000 litres of water; the house would not be saved. After 32 years of neglect, we have 73 rural fire divisions with—

**Mr Veivers:** Six years of your neglect.

**Mr BRISKEY:** Let us look at the achievements over those six years. We conducted the first ever rural bushfire audit. After 32 years of neglect and also the past couple of years, we still have 73 rural fire divisions with appliances that are more than 40 years old. I want to know why in those 32 years the former coalition Government did not provide rural people with better fire appliances. That is what the people out there want to know. Those people voted for members opposite for 32 years, and they did nothing for them. The coalition has now been back in Government for less than two years and it is providing appliances which carry only 1,000 litres of water; it is providing appliances that do not carry sufficient water to do the job in many instances.

It is unfortunate that the Government, which purported to be a Government for the bush, did not look after the rural firefighters of this State. It took a Labor Government to start to do something about it. Unfortunately, we had only six years in which to do so. However, very shortly there will be another opportunity for us to get back into Government and provide rural firefighters with adequate firefighting appliances and equipment. That is what we will do. The Minister will be able to watch us do that. The people know that members opposite did nothing when they were in Government for 32 years and they know what we did in our short time in Government

and what we will do when we get back into Government.

**Mr MITCHELL** (Charters Towers) (3.13 p.m.): I support the Fire and Rescue Authority Amendment Bill 1997 and commend the Minister for Emergency Services for his efforts in bringing these amendments to the House. I wish to discuss the amendments to the Act and the benefits to all involved. The amendment Bill makes a number of minor but necessary changes to the Act. Importantly, it contains provisions relating to the collection of fire levies by local governments and the retention of administration fees for doing so.

As I said earlier, the Minister should be commended for these changes. Previously, some longstanding practices adopted by local governments were not authorised by the Act. The amendments will authorise some of the practices which have arisen. They will also streamline the payment of levies and the retention by local governments of the fees for the work associated with collecting fire levies on behalf of the QFRA. The changes will be appreciated by local governments throughout Queensland, because the Bill will provide them with full legal standing and clear guidelines for the collection and retention of those fees.

Under the existing arrangements, some local governments retained the collection fee before they were legally entitled to do so. The Act currently provides that the collection fee for each property may be retained only out of the moneys received in respect of that property and after the last rates notice for the financial year has been issued. That means that the local governments that issued the notices quarterly would not be entitled to retain the collection fee until the fourth rates notice was issued approximately nine months into the financial year. Obviously, that would be many months after the local government had completed a substantial amount of work in collecting these levies.

The Bill will allow the total collection fee for all prescribed properties in a local government area to be retained at any time during the financial year, provided sufficient levy moneys have been collected to meet the payment. In other words, local governments will be able to retain the collection fee earlier than is currently authorised and the payment will no longer be dependent on the collection of a levy for a particular prescribed property.

The amendments will also allow the Government to require local governments to pay levies to the QFRA more regularly. Currently, local governments must remit levies within 30 days of the end of the declared

period. Declared periods are declared by regulation, and there can be no more than four in each financial year. The changes will remove the ceiling on the number of declared periods and will require payment by local governments within 14 days of the end of the declared period. It is envisaged that five periods per financial year will be declared, thereby requiring local governments to remit the collections at least five times a year.

There will also be changes to the provisions dealing with the interest rate payable by local governments for the late remittance of levies. Under the current provision, the interest rate must be set by regulation, but no regulation has been made. Under the Bill, the rate of interest will be tied to that allowed under the Local Government Act 1993. The interest rate payable by local governments will be the maximum percentage rate prescribed under the Local Government Act which local governments can impose on their ratepayers. The percentage rate currently prescribed by regulation is 11%.

The Minister has also assured us that these amendments will not result in an automatic imposition of interest on local governments which are late in remitting the levy payments. The current practice of the QFRA will remain unchanged, that is, consideration to claim interest will be given only in cases where a local government has not remitted collected levies within a reasonable period or is consistently late in remitting these levies.

The Bill will also amend the manner in which the interest rate is determined should the QFRA decide to recover overdue levies directly from property owners. These amendments will mean that the interest rate charged by a particular local government and the QFRA will be the same. This will eliminate the potential for confusion in the minds of ratepayers, who will know that there is no double-dipping.

I must commend the Minister for introducing the amendment that allows for the appointment of a serving fire authority officer to the QFRA board. I note the amendment in that respect by the Opposition spokesperson. A serving fire authority officer has been appointed to the board of the QFRA. That is a very worthwhile initiative that brings practical, day-to-day experience to the board. As I said, I commend the Minister for doing that.

Further amendments to the Bill will remove any doubt that the fund operated by the QFRA comes within the public accounts. The amendments will also allow for the more

efficient operation of the QFRA by allowing more flexibility in the manner in which the authority delegates its powers. As I said before, the Honourable Minister for Emergency Services—I am praising the Minister all the time—deserves the full and wholehearted praise of this House for the improvements he has brought to the delivery of emergency services in Queensland.

In addition to the amendments to the Act that I have mentioned, the Minister has also been responsible for the establishment of the statutory authorities and boards of management to oversee the fire and ambulance services in Queensland. That has been a significant move; it puts those two vital services at arm's length from the Government and away from the political interference that was the hallmark of the services' operation under the previous Government.

**Mr Johnson:** That is just an example of us looking after the bush.

**Mr MITCHELL:** That is exactly right. I wish also to speak about that issue. I heard some discussion about rural fire vehicles. The original vehicles—the sizes of the tanks and so on—were designed by the previous Government. We inspected some of those vehicles when we presented some of them to rural fire brigades. At that time, it was mentioned that the designs were in place before we came back into Government. These people have some very innovative ideas about getting water to the vehicles. Previously the vehicles were provided by station owners and not by the Government. This Government is serious about providing communities throughout the State with the best emergency services possible. Changes to management and the administration of the Act brought about by the Minister will further assist with the Government's commitment to economy and efficiency in the provision of high quality emergency services in this State. I commend the amendments to the House.

**Mr PEARCE (Fitzroy) (3.21 p.m.):** In rising to support the amendment moved by the shadow Minister to the Fire and Rescue Authority Amendment Bill, I firstly wish to endorse the comments made by the shadow Minister, the member for Murrumba. Together with the shadow Minister, I have spoken to a number of rural and urban firefighters and we have been able to identify a number of matters which concern them. If I am going to say good words about the Minister shortly, I need to say equally appropriate words about the shadow Minister. I have respect for the way that the shadow Minister goes about doing things in his portfolio.

**Mr Johnson:** Do you want something?

**Mr PEARCE:** No. I will say some good things about the Minister later. When we come to the subject of roads, we will mention the Minister.

**Mr Johnson:** Us bush blokes have got to stick together.

**Mr PEARCE:** That is correct. We understand. I believe the Minister should appreciate this point: I respect the shadow Minister because, where we have identified a number of issues, he has taken the attitude that it is better to write to the Minister personally to see whether we can get these things fixed rather than trying to make a political issue out of them. I believe that approach is commendable. Members on both sides of the House have to start getting a little bit fair dinkum. It is not always a matter of having to score political points; it is about achieving what is best for the community. If members of Parliament are to regain any credibility with the public, we have to start doing things in a better way.

I was with the shadow Minister at Woorabinda. The fire unit at Woorabinda, whilst adequate to serve the town and meet the needs of the community in fighting structural fires, does not meet the needs of the surrounding area. The unit is hopeless when it gets off the road. The community needs a vehicle that can get into the bushland and try to contain fires before they get out of control.

**Mr Grice:** I support that.

**Mr PEARCE:** I am going well today. If I can get some support from the member for Broadwater, I am going really well. I would ask the Minister to look at that situation at Woorabinda. The community currently does not have a unit that is capable of penetrating the rough terrain.

I wish to express some concern at the staffing levels of fire stations in rural areas. All members of this House should have an understanding of the staffing level at their local stations. They should also be aware of the hours worked by the officers at those stations. I understand that shadow Cabinet is currently looking at staffing levels at fire stations and is working towards having one fire officer and two firemen as a benchmark. I believe that is a commendable approach. It would certainly go a long way towards satisfying the needs of people in rural communities.

However, today I received information from the township of Clermont which caused me some concern. If conservative Governments continue to allow the sacking of

mine workers at the rate we have seen recently, we will finish up with no-one living in these communities and we will not need fire services. In excess of 1,000 miners have lost their jobs. I have been told that BHP is looking at restructuring. This could cost another 1,000 to 1,800 jobs in central Queensland. Conservative Governments really need to look at what they are doing to rural towns. When we were in Government we received the blame for what we were doing to rural communities. Currently some communities in central Queensland are being decimated.

Labor is committed to providing a service to communities, taking into consideration the expectations of the communities. We should not underestimate the expectation of the community. Budgets must not act as a restriction on the ability to provide a service to the community.

I acknowledge the outstanding work done by auxiliary fire services. These people give a lot of their personal time to the service. They do the job because they want to do it. These are people who are involved in the community and who undertake this work for the benefit of the community. We take for granted the fact that these people risk their lives on many, many occasions. We cannot afford to lose the expertise of the permanent fire officers at local stations.

Permanent fire officers are valuable to the community because they are pro-active. They work with the people to ensure that, for example, the benefits of smoke detectors are brought to the notice of the community. Officers actually go into homes and assist with the installation of smoke detectors. We need the permanent fire officers in our communities to identify fire hazards. We need them to put pressure on local authorities which are a little bit too tired to get off their bums and make sure that some of the fire hazards around the communities are addressed. That is the role that permanent fire officers can play.

The public of Queensland expect and have a right to fire protection. That fire protection should be available 24 hours a day. I believe that the Government should not underestimate the importance of having an officer on the job who is able to start the vehicle, set the wheels in motion and be on the way to a fire. Everybody knows that that is very simple and it is just commonsense to anybody who understands what a fire can do. The importance of saving one or two minutes in getting to a fire can make the difference in saving not only the building but it can also be important in saving lives.

To highlight the level of staffing at fire stations, I would like to record in Hansard some of the numbers that have been identified at those fire stations that are staffed by full-time officers of the Queensland Fire and Rescue Authority. Some stations such as Mossman have one officer rostered on a shift at a time for any part of 24 hours. That is one officer on day shift five days per week plus auxiliary back-up. Kingaroy, Stanthorpe and Bribie Island have the same type of thing: one officer on day shift five days per week plus auxiliary back-up. As Mr Lester, the honourable member for Keppel, would know, Yeppoon has one officer per shift, 24 hour recovery, seven days a week with auxiliary back-up. Emu Park has one officer on day shift five days per week plus auxiliary back-up.

Does somebody not understand that fires do not look at the clock and say, "It is now 9 o'clock in the morning, I am going to start up and burn this house down or cause a situation in which lives can be put at risk"? This is what we are looking at. I appreciate that auxiliaries make magnificent contributions and respond quickly—I am never going to take that away from them—but having a permanent officer there makes the response that little bit quicker and can make the difference. I think that is what we should be about.

I know that it is difficult at times to justify the staffing of some of these stations, but the Minister should try telling that to a community after a fire has cost a home, a business or, at worst, a life. He and his Chief Commissioner will argue that current staffing policies reflect the needs of the community and are under constant review. With respect to the Minister and the Chief Commissioner, different communities have different needs.

There is an issue in my electorate at the moment of which the Minister is well aware, and I am very appreciative of and respect the way that it is being handled at the moment. I have had terrific cooperation from the Minister's staff. I am certainly not going to break out of that understanding that we have with one another, because I am about getting a result for the community, not about scoring cheap political points. That could easily be done by getting a TV camera, going out there and doing what I can to alert the people to this concern. I know that the Minister is a very generous person and I know that he is looking at this issue for me. I know that, if it turns out the way that I think it will turn out, the people whom I represent will be very appreciative. Is there any more that I could say to get the point across?

As I said, different communities have different needs. The Minister has to take into consideration the local environment of that community, its surrounding bush, its type of terrain, the age of its buildings—which is a very important issue—the reliability of its water supply, the types of fire units that are available and the ability of those units to deal with fires. I certainly do not see the community being asked to get involved with the Minister or his representatives in determining what level of service should be provided for that community. I know that for a fact. That is an issue in which, if he is looking at making changes, he should get the community involved, because if they are part of making the decision they cannot turn around and blame people like him for letting them down.

I would like to turn to the part of the Bill which refers to levies. I see from the Minister's second-reading speech that the provision relating to local governments collecting fire levies and the retention of payment for doing so will be amended, and I support that. The idea is that it will streamline the payment of levies and the retention by local governments of the fee for work associated with collecting fire levies on behalf of the QFRA. Under existing arrangements, some local governments retain the collection fee before they are legally entitled to do so.

I am a member of the Public Accounts Committee and, as the Minister knows, we have just tabled in this place a report on fire levies. Looking at some of the changes that he is making, I think he might have a bug in the committee room, although I know that the honourable members who served with me on that committee certainly would not tell him anything.

**Mr Veivers:** We had started making those changes prior to your inquiry.

**Mr PEARCE:** Exactly, and I appreciate that. I think about 75% of the recommendations that we have made are actually on the way.

**Mr Grice:** You had me worried there for a minute.

**Mr PEARCE:** I certainly respect the people with whom I work on the Public Accounts Committee.

The Bill will allow for the total collection fee—and I am just reading from the Minister's second-reading speech—for all prescribed properties in a local government area to be retained at any time during the financial year provided sufficient levy moneys have been collected to meet the payment. This means

that the local authorities may collect the biggest percentage of their fire levies at the start of a financial year. Under the legislation, the local authority may retain the amount of money for the annual administration costs so long as there are sufficient funds to meet the amount of the remittance to the Fire and Rescue Authority. This will help local governments to retain the collection fee earlier than is currently authorised.

An issue arose with respect to a local authority in my electorate which I know members of the committee who are here today would know about. I stood down from the committee when this issue was raised because I had publicly taken on the local authority concerned over the way it administered ratepayers' money. I thought that the proper thing for me to do was to stand down. The thing that came out of it, which is of concern to me, was the failure of the Fire and Rescue Authority to enforce the Act with respect to the collection of fire levies.

**Mr Veivers:** I will talk about that later.

**Mr PEARCE:** The Minister is going to talk about that, so that is okay. I will now name that local authority in my electorate. It is the Mount Morgan Shire Council. On six consecutive remittance dates it failed to actually remit the levies that it had raised. Not only is that in contravention of the Act, but it is certainly not acting in the best interests of the community. The Fire and Rescue Authority failed to enforce section 119 of the Act. The authority gives plenty of reasons why it did not do so, but I think in today's world where everybody has to be accountable, somebody has to push the buttons to remind these people that they have a responsibility and to make sure that these moneys are paid.

When it appeared before the committee, the council used the excuse of the drought as the reason for it not having the money, stating that it had used some of that money to help it get through the drought. I believe that a check of records, and my involvement with that community and that council, will show that the Government at the time—and it has continued with this Government—made a significant contribution to Mount Morgan for drought relief and water supply systems within the community, and it is wrong for that council to claim that it had to use for that purpose moneys that were collected for the purpose of paying a levy to the State Government. I believe that there is enough evidence to support the fact that council had to actually borrow money to pay the levy of \$130,000 when it got wind of the fact that the Public

Accounts Committee was starting to look at that particular issue.

In this case, the council and the Fire and Rescue Authority have let down the ratepayers of Mount Morgan, and the whole process, by not putting their foot down on these people and making them fall into line. The idea of local authorities being reluctant to make these payments is fine. I know that they have been reluctant to accept that they have a responsibility. However, we have laws in place. We have departments that have in place a process that should be followed. In this case the process was not followed. If the Public Accounts Committee had not got onto that, I wonder just how much further in debt that council would be and what the impact would be on its ratepayers.

I intend to speak to the foreshadowed amendment of the shadow Minister. However, in the main I am satisfied with the contents of this Bill before the House. Therefore, it has my support.

**Mr T. B. SULLIVAN** (Chermside) (3.41 p.m.): One of the problems facing the Fire and Rescue Authority is that of planning the location of fire stations in large urban areas. Difficulties arise because of changes in demography, where expanding suburbs create new demand, or changes in land use, particularly where development or redevelopment of industrial sites occurs. For efficiency of fire cover, stations are best situated where they provide a circle of rapid response cover. However, in some of the older suburbs, such as Brisbane's inner-northern suburbs, there are a number of problems. For example, around the airport, apart from having the river and the airport as a large block which squeezes pockets of land such as Pinkenba and separates them from the main suburban areas, we have the Hamilton Fire Station, situated near the river, which gives only a semicircle of cover and is, therefore, very inefficient. There is also the Nundah Fire Station, which is a very old building located in Union Street, which does not provide very ready access to some of the surrounding areas and certainly needs relocation.

One of the other stations that is being looked at is the Chermside Fire Station within my electorate. Because of the major redevelopment of the Chermside Shopping Centre and the need to upgrade the intersection of Gympie and Hamilton Roads to meet the needs of Chermside as a major regional centre, the Chermside Fire Station must be relocated. The only way to do that is to build a more efficient and more appropriate

station somewhere in the near vicinity. Over the past three and a half years, I have been involved in looking at a number of sites with officers and with three Ministers, that is, Labor legend Tom Burns, Labor rat Ken Davies, and friend of the white-shoe brigade Mick Veivers. Some of the sites that were looked at were totally unacceptable. For example, the site on the corner of Hamilton and Newman Roads was adjacent to residential areas and would have made access onto Hamilton Road at peak hours difficult. It was not a very good location.

After having consulted with the Brisbane City Council in relation to the development control plan for the whole Chermside centre, the Queensland Fire and Rescue Authority then wanted some parklands in Beor Street to be considered. This was after an 18-month consultation period during which there had been a number of arguments with local people about not taking parkland. So that was unacceptable. In more recent times, this Minister unfortunately made a bad decision. Under his direction, the Queensland Fire and Rescue Authority chose the old K mart site on Webster Road as the intended site for the relocation of the Chermside Fire Station. This was a bad decision, because it literally would have put a fire station right next to existing houses. It would have plonked it right in the middle of a residential area. Because of the topography of the area, which was bowl shaped, it meant that houses all the way around were going to cop the noise and lights from that station. However, I congratulate the residents in the area for their action in helping to reverse this decision. They did letterbox drops, organised petitions and had meetings with Queensland Fire and Rescue Authority officers to try to put their point of view.

In this campaign, I acknowledge your work, Mr Deputy Speaker, as the local member representing the nearby houses to the north of Pie Street. You worked hard to overturn that decision, which we both believed was silly and unfair. In that regard, I thank the Minister. After he received deputations from local members and the public he, too, realised that there were certain disadvantages to that site and that, if another suitable site could be found that would meet the needs of the Queensland Fire and Rescue Authority, he would consider it. I thank him for that consideration. A good outcome is probably on the horizon.

I also commend the Metropolitan North Fire Commissioner, Peter George, and Ms Jane Lowrie from QFRA headquarters for their courtesy, cooperation and professional approach in finding a solution to this difficult

problem. The major problem was that because Chermside is such an intensely residential area and an old and settled area, there are very few spare blocks of land that would not place a fire station right in the middle of a residential area. If I am right, it appears that the QFRA board is very close to selecting a preferred site, and it appears that it will be the land on Hamilton Road immediately to the west of the Chermside Ambulance Station, close to the roundabout at Hamilton and Webster Roads. If this is the case, I believe that this site has certain advantages. It is close to Prince Charles Hospital, it is close to the western residential areas which were seen as needing greater fire cover, it is close to Chermside Shopping Centre and it would provide good access along Hamilton, Webster, Gympie and Rode Roads to surrounding suburbs to back up nearby fire stations.

If that site is chosen, the Minister would have my support in his decision. However, I ask him to consider a small number of houses immediately opposite where this station would be located to give them some relief from the noise. I believe that, for a small expenditure, it would be possible to help them build some sort of fencing which would assist in reducing the noise. If the station were to go there, those residents would have both the ambulance station and the fire station immediately opposite them. I acknowledge that a small number of houses would be adversely affected. But if the station were to go there, it would be appropriate to spend a small amount of money helping to relieve the discomfort of those householders.

I also thank Queensland Health and the CEO of the Prince Charles Hospital, Phil Sheedy, for his assistance in helping the QFRA make this decision. The land that I am speaking about is currently part of the greater Prince Charles Hospital complex. Although it is in excess of direct hospital needs, there were other uses to which that land could have been put. I thank them for their cooperation in working with the QFRA to help the board come to a decision. Is the Minister able to announce in this coming week a decision on where the station will go, or is it still some time away?

**Mr Veivers:** There are some more things to do, I am told.

**Mr T. B. SULLIVAN:** I understand that there are still some more things to do. I am sure that when the decision is announced, the Minister will let local members and other people know.

**Mr Pearce:** I bet he's on the phone in the middle of the night ringing you up.

**Mr T. B. SULLIVAN:** I will say this about the Minister: when he announced that silly and unfair decision to plonk it on the old K mart site on Webster Road, the Minister had the courtesy and directness to phone me and say, "Look, I know that you have objections to this, but this is where we are looking at placing it." I thank the Minister for that directness. Unfortunately, some of his colleagues make decisions and I read about them in the Northside Chronicle a week after the decision has been made. The Minister has been very up front.

**Mr Johnson:** Come on! Who are you referring to?

**Mr T. B. SULLIVAN:** I am not referring to the Honourable Minister for Transport. But if he wants to have a chat to the Minister for Health and the Minister for Training and Industrial Relations, they might tell him how they are not as forthright as he is in dealing with local members.

I recognise that the QFRA has difficulties in planning the location of fire stations and that demand changes because of the changing needs of large urban areas. It is not a simple solution to move one fire station, because that changes the response times and hence the fire cover of surrounding stations. I hope that the QFRA board comes to a decision in the very near future, because residents have been uncertain for some time. We know that the existing station must move. The fire officers there, with whom I have met on a number of occasions, know that it must move. They just hope that it will be put where it will give good fire cover and not cause too much inconvenience to the local residents.

**Hon. M. D. VEIVERS** (Southport—Minister for Emergency Services and Minister for Sport) (3.50 p.m.), in reply: I acknowledge the input of all members, particularly the shadow Minister, who raised a number of general issues relating to the Queensland Fire and Rescue Authority. I will respond to those issues as honestly and as best I can. As to changing the name of the Fire Service to the Queensland Fire and Rescue Authority—feedback from staff identified that it was important to emphasise the Fire Service's increased operational demand for rescue, particularly rescue from motor vehicle accidents. The change of name was never intended to indicate a change in the nature of the role of the Queensland Fire and Rescue Authority. The name change merely reflected growing incident trends involving rescues from motor vehicles.

The shadow Minister also mentioned protective clothing and that only one set of clothing was offered. The uniform committee, comprising members of the union, agreed to defer the issue of the second turn-out tunic. A second generation issue is now being trialled. That new ensemble will increase the levels of protection to firefighters. The new ensemble is expected to be issued early in 1998. I have been assured that firefighters have a reasonable amount of clothing.

The shadow Minister referred to the code of conduct for people in the firefighting sector. As the shadow Minister would have to acknowledge, the Queensland Fire and Rescue Authority has a number of different types of employees. They include full-time paid operational and non-operational staff, public servants, auxiliary firefighters and volunteers. The code of conduct establishes principles under which those diverse staff should operate. Due to that diversity of staff, the code has differing degrees of application of those principles. There are some points within the code that may not have relevance to volunteers; other points would have a stronger application to paid staff than to volunteers. The division has never managed volunteers from a book of rules, although there are rules under which we all operate. The Commissioner of Rural Operations, Commissioner Pamela Millican, advises me that it is highly unlikely that the division would ever refer to the code of conduct in its routine dealings with volunteers. That may answer some questions of some of the members on the other side of the House. The Rural Fire Division, with 50,000 volunteers, 38 permanent staff and 19 casual staff, is an integral part of the Queensland Fire and Rescue Authority. It is an alliance—and I emphasise that it is an alliance—whereby the skills, knowledge and dedication of the volunteer members serving their communities are definitely respected and, of course, recognised. The code of conduct is a set of general principles.

**Mr Wells:** Does that mean they have to follow the code of conduct?

**Mr VEIVERS:** As I just explained to the shadow Minister, we are not going to climb all over volunteers in certain circumstances. When one is out fighting fires, there are set rules and that is what they will follow. I am talking in general terms. The code of conduct is a set of general principles that have application to all who are part of that organisation. The code's principles outline the way in which diligent, honest and ethical persons may be expected to behave both professionally and personally. I think that

covers the issue in a reasonable fashion and it answers the questions of the shadow Minister in a way that I think is fair.

One of the questions that the shadow Minister did not raise is the increase in morale in the Queensland Fire and Rescue Authority. Members on this side of the House did raise that. I thank the member for Charters Towers and the member for Toowoomba North. It is no wonder that morale has increased under this Government. I will interrupt the member for Hinchinbrook if I can. I hope my talking does not interrupt his speaking. I visited his electorate last week and travelled five and a half hours by car in pouring rain to open ambulance stations in his electorate. He still has not really got the point.

**Mr Pearce:** Obviously he appreciated that.

**Mr VEIVERS:** Yes. I went through a papaya fruit fly gate. I travelled in the pouring rain. I was delayed on roads that the Transport Minister was having fixed in the pouring rain. It is good to have the member's attention.

**Mr Wells:** Would you say that he couldn't keep his mouth shut in a pork barrel?

**Mr VEIVERS:** No, I would not say that. The member for Hinchinbrook—

**Mr Rowell:** Start again.

**Mr VEIVERS:** No, he does not want me to start again. I am saying nice things about members on the other side of the House. I might start saying nasty things about members on this side of the House. I was hoping that my speaking was not interrupting his conversation.

**Mr Rowell:** I am sorry.

**Mr VEIVERS:** He is not sorry at all. He has had me up to his electorate, used me up and then thrown me aside. He will keep.

I advise the House about morale. If the member for Hinchinbrook listens to this, he will be able to return to the north and there will be no trouble at all. Recently in the Brisbane South region, during four separate shifts not one person was absent due to illness. I emphasise that point in relation to morale and the fact that those blokes want to get to work. They do not want to let their team mates down now. That is the first time in 30 years that that has happened. I place on record in this House my appreciation for the firefighters in Queensland. They now realise what we as a Government, I as the Minister and my staff are trying to do for them. That is one way that they are showing their appreciation. Those statistics speak volumes. They show that we are moving

in the right direction. There are still points that we have to fix up. When I took office as Minister, they were not a happy group. They had not been a happy group for some considerable time. We have talked, worked together, put the statutory authority in place and settled a few issues. I am not going to stand in this place and say that we have fixed everything. We went through the EBs.

**Mr Livingstone** interjected.

**Mr VEIVERS:** The member can laugh.

**Mr Briskey:** There is a way to go yet.

**Mr VEIVERS:** Yes, I know that. We have come a long way in a very short time. I appreciate the comments of those on the other side of the House. I usually treat the Emergency Services portfolio in an apolitical manner. I do not think that very many members opposite could say that I have used emergency services, that most important area of the Fire and Rescue Authority, as a political tool. I just want to make sure that everyone gets the job done, that they are happy and that we look after them. After all, they are emergency services. I class them as essential services. In the old days, they were classed as essential services. I do not know why the word "essential" was dropped. I will defend those emergency service workers—that is the Queensland Fire and Rescue Authority, the ambulance people, the SES, the rural fire brigades and those guys who go out in helicopters in 200 kilometre an hour winds to rescue people from yachts because they have gone out through stupidity and they do not have EPIRBs and all those sorts of things—until the cows come home. I think that they are worth defending. I can say confidently that the Queensland Fire and Rescue Authority is in reasonably good shape to meet the challenges of the future.

The shadow Minister raised a number of other issues relating to rural fire brigades. He referred to volunteers exercising their right of free speech. I think that I have covered that matter already. The member for Fitzroy raised the issue of local governments failing to remit levies on time. Firstly, I thank the member for his kind words. He is always straight up and down. I also thank him for not bringing up this afternoon the situation that he could have brought up. Quite honestly, we are endeavouring to fix that problem for him, and we are close to doing that. The Leader of the House is chuckling; I do not know why. He said that I should not have mentioned that matter. However, I will because I know that Jimmy is an honest bloke. For the benefit of Mr Pearce, the member for Fitzroy, I say that the authority

has noted the comments of the parliamentary Public Accounts Committee, and appropriate mechanisms are being developed to ensure that local government authorities will be complying with the prescribed remittance dates. Local government returns will be monitored closely and appropriate reminders will be forwarded in the event that a local government has not forwarded its remittance by the due date. Currently, a formal policy with associated guidelines for the administration of the urban fire levies scheme is being developed. It is envisaged that that policy will be presented to the board for approval, hopefully, by December 1997. I hope that that answers the member's questions.

The member for Chermshire referred to a fire station in his electorate. I just want to say that the Westfield group has confirmed that it will undertake major extensions and alterations to its shopping complex in that area in the near future. The Westfield group has advised the Queensland Fire and Rescue Authority and the Brisbane City Council of major roadworks within or near the complex. That will impact on the delivery standards of the Queensland Fire and Rescue Authority. A verbal offer of \$550,000 has been made by Westfield for the purchase of the Chermshire Fire Station. I can only advise the member as I have been advised, and that is that the Facilities and Assets Services Unit are currently identifying and costing possible sites suitable for the relocation of the Chermshire Fire Station. That is where it is at present.

**Mr T. B. Sullivan:** Can you give a time frame?

**Mr VEIVERS:** No. As I said, it will not be next week. I would not like to put a time on it because I would not like to mislead the member in the House. The member knows me.

**Mr Livingstone:** How is my community centre going?

**Mr VEIVERS:** We are debating the Queensland Fire and Rescue Amendment Bill, not community centres. An additional 122 urban firefighters have been provided in one year as part of the Government's 1996-97 promise to provide an additional 135 firefighters over three years. I say that for the benefit of people who say that the Government is not putting firefighters where it should. Those additional 122 firefighters comprise 62 additional staff covering new stations in the south-eastern region and the training department and 60 additional firefighters gained from the introduction of a new rotating roster system. For the benefit of

the shadow Minister, I say that in addition the Queensland Fire and Rescue Authority is overstaffed by 31 people. That occurred owing to a high level of recruitment in anticipation of workplace reform restructuring, which was delayed for six months, and a lower than anticipated retirement rate. The staff numbers are projected to return to the establishment number by December 1997.

Mention was also made of rural fire brigade vehicles and how there is not enough water for them. For the benefit of the member for Fitzroy and the member for Cleveland, I say that currently the Rural Fire Division of the Queensland Fire and Rescue Authority produces three types of firefighting vehicles, not two as those members thought. It produces a light attack vehicle, based on the four-by-four Triton, which carries 650 litres of water, a pump and a hose reel. That vehicle costs approximately \$33,000 to produce. I know that some members opposite are not very interested in this, but I say that the Queensland Fire and Rescue Authority also produces a four and a half tonne medium attack vehicle based on the four-by-four Canter, which carries 1,000 litres of water, a pump and two hose reels. The shadow Minister referred to that vehicle. That vehicle costs approximately \$54,000 to produce. Then there is the five and a half tonne medium attack vehicle based on the four-by-four Canter, which carries 1,500 litres of water, a pump and two hose reels. That vehicle also costs around \$54,000 to produce. The fourth type, a heavy appliance, is being developed as a one-off exercise. Only six will be produced at a cost of approximately \$60,000 each. Those appliances have an improved structural firefighting capability. I think the member for Fitzroy, Mr Pearce, referred to that vehicle. The vehicles that are currently in production are heavily subsidised, with a light vehicle costing brigades only \$6,000, the medium vehicle costing brigades \$9,100 and the new heavy vehicle costing brigades \$20,000. The vehicles that are currently in production are proving popular. Many brigades now have access to funds collected via rural fire levies and the demand for appliances has increased.

This financial year, the Queensland Fire and Rescue Authority will produce 64 firefighting appliances for distribution to rural brigades. The same number of appliances will also be produced in 1998-99 and in 1999-2000. That number of appliances should be adequate to meet the demands of brigades in those years. Appliances are allocated according to assessed priority. Because of this Government's long-term commitment to rural

appliance funding through the Rural Fire Division, for the first time ever the division is now able to implement properly a program of appliance construction and veteran appliance replacement, to which some members opposite made reference.

**Mr Livingstone:** They are not paying you by the hour.

**Mr VEIVERS:** I have all the answers and the member does not like that. I am sorry. I say to the member that he should not forget that I am the Minister who increased rural fire brigade funding this year by 55% when everyone said that I would not be able to do that. I also want to say that it is a pleasure to bring to this House this amending legislation. The Bill contains only mechanical amendments; there is nothing hidden in it. The Opposition supports the Bill, and I appreciate and thank it for that. However, I must say to the shadow Minister that I cannot condone and will not support the amendment that he will propose.

Motion agreed to.

#### Committee

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

Clause 1—

**Mr WELLS** (4.10 p.m.): I take the opportunity provided by this clause to ask the Minister for clarification of some of the remarks that he made during the second-reading debate. The Honourable Minister said that the code of conduct was a general document, and that he was a very tolerant person and was not going to hold members of the rural fire service too closely to a document of a general kind. I ask the Minister: does this mean that rural fire service volunteers are exempt from those provisions of the code of conduct that prohibit members of the Fire and Rescue Authority from making public statements and from seeing members of Parliament about issues that are of concern to them in the rural fire service?

**Mr VEIVERS:** What the honourable member is asking me does not pertain to this Bill at all. There is no reason to debate this issue, but it was a good try and, of course, I am looking forward to questions in the House.

**Mr WELLS:** If the Honourable Minister thinks that that was a good try, he might like this even better. The Honourable Minister made certain remarks during the second-reading debate. I am not departing from the

substance of the Minister's remarks, I am simply seeking clarification of them. It is impossible to object to a question that is asked at a relevant and appropriate time about something that the Minister previously said by saying that it is irrelevant to the Bill. The Minister would then be admitting the crime as his own rather than mine.

I again ask the Minister: at this moment is he in a position to provide clarification of his earlier remark or not? If not, that is fine. I really want to know whether the Minister is prepared to exempt volunteer members of the rural fire service from the stringent provisions of the code of conduct?

**Mr VEIVERS:** For the benefit of the Opposition spokesman, I point out that the Queensland Fire and Rescue Authority has a number of different types of employees, including full-time paid operational and non-operational staff, public servants, auxiliary firefighters and volunteers. The code of conduct establishes principles under which those divergent staff should operate. Due to this diversity of staff, the principles of the code have differing degrees of application for each type. That answers the member's question.

The division has never managed volunteers from a book of rules, although there are rules under which we all operate. We have never really had to throw the book of rules at those people because they are volunteers and they are keen to do the right thing. We have never had any troubles with them.

**Mr WELLS:** Why is a code of conduct needed if there has never been any trouble with them? Why not simply exempt them from the code of conduct?

**Mr VEIVERS:** I will say this, and I will not answer the question again. The answer is very simple: one day, something may come up and, because of the very stringent demands of the firefighting service, a code of conduct has to be adhered to.

Clause 1, as read, agreed to.

Clauses 2 and 3, as read, agreed to.

Clause 4—

**Mr WELLS** (4.14 p.m.): I move the following amendment—

"At page 4, line 17—

omit, insert—

'(4) A fire authority officer nominated by the industrial organisation representing the most numerous group of firefighters employed by the authority shall be appointed as an appointed member.'

The effect of the provision that the amendment is intended to replace is to legitimise action that has already been taken by the Government to appoint a serving firefighter to the board of the Queensland Fire and Rescue Authority. The Opposition has no trouble with the Government, *ex post facto*, legitimising something that it has already done. In this case, there is nothing wrong with what the Government did in principle. We do not mind it dotting the i's and crossing the t's and coming back after the event to do it in this way. That is not a matter that concerns the Opposition.

However, the Opposition would like to take the opportunity that is presented by this provision to ensure that the Queensland Fire and Rescue Authority has wider and better representation. If the ideology of setting up an authority is to enable appropriate input from the community to occur, then why not have it represent the community in a meaningful sort of way instead of having the Minister pick, out of the air, somebody who might happen to be a firefighter? Why not have the union which represents the largest number of employees of the Queensland Fire and Rescue Authority make the recommendation? That would recognise a number of things. For example, it would recognise the fact that the fire service is one of the most highly unionised areas of employment in the State. It would also recognise the vital role that the elected representatives of the firefighters play. Consequently, it would be a very desirable course of action.

If the board really was concerned to know what firefighters thought, and presumably that would be the purpose of appointing a firefighter to the board, then the logical appointment would be of someone who represented that organisation and who was able to speak on behalf of firefighters generally. I move the amendment for those reasons and I hope that the Minister will take a benign attitude to it.

**Mr VEIVERS:** I understand that the shadow Minister put exactly the same amendment to me on 31 October last year. At that time I clearly made the point that I would recommend the appointment of an operational fire authority officer to the board of the Queensland Fire and Rescue Authority. If I remember rightly, the House divided on this issue and the amendment was defeated. The shadow Minister was present on that day and I do not understand why he has raised the issue again.

**Mr Ardill** interjected.

**Mr VEIVERS:** I hear the member for Archerfield; I know his voice. Even if I could not see all of him, I could see his ears. I understand where he is coming from. He is having a good try, but it is not going to work. In actual fact, a fire officer is present on the board as an observer and he is a magnificent fireman. Is he not up to the standards of the honourable member?

**Mr Wells** interjected.

**Mr VEIVERS:** He is a union member.

**Mr Wells** interjected.

**Mr VEIVERS:** No. Because of the member's position with the AWU, he will not be able to press his button. We spoke about this last year. I am easygoing and I do not want to get nasty, but I cannot agree with the honourable member. The present arrangement, whereby I recommend the appointment of the serving fire authority officer, works in the best interests of the staff of the Queensland Fire and Rescue Authority. I must say that the Opposition amendment is definitely and absolutely unnecessary.

**Mr WELLS:** The Honourable Minister says that he cannot understand why we are moving this amendment again after having moved it last year. The reason is that we were right then and we are right now. The whole point of having somebody representing the firefighters is that they would have a mandate to represent the people who work in the area. The Minister talks about pressing buttons. Why should the Minister be able to choose the firefighters' representative on the board? That the firefighters should be represented is the whole point in having a firefighters' representative on the board. Their representative should not be an individual who is hand-picked by the Minister. If that person is picked by the Minister, the mandate that that person would have to speak on behalf of the people who work in the area would be very much less than would be the case if that person were selected by the union which represents those people. I do not think that the Minister is listening to what is being said, and I urge him to reconsider.

**Question**—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

**AYES, 43**—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Turner, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

**NOES, 42**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pair: Goss W. K., Gamin

Resolved in the **affirmative**.

Clause 4, as read, agreed to.

Clauses 5 to 13, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

### Third Reading

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

### TAX REFORM

#### Tabling of Document

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (4.28 p.m.): I seek leave to table a document that during question time I said I would table today.

Leave granted.

### PRISONERS INTERNATIONAL TRANSFER (QUEENSLAND) BILL

#### Second Reading

Resumed from 19 August (see p. 2940).

**Hon. M. J. FOLEY** (Yeronga) (4.28 p.m.): The Opposition will support this Bill. It is a humanitarian reform. It brings the law of Queensland into line with the provisions of the International Transfer of Prisoners Act of 1997 of the Commonwealth Parliament. The Bill makes sensible provision for the transfer of international prisoners. It is to be noted that general prisoner transfers between Australia and other countries pursuant to this legislation can proceed only with the consent of the transferring prisoner, the Commonwealth Government and any involved State or Territory Government and the Government of the other country. That requirement for consent is an important civil libertarian safeguard in the case of a prisoner.

The legislation arises out of consultation over a period going back to July 1992 through the Standing Committee of Attorneys-General. It is an example of the sorts of sensible reforms that can be achieved where there is cooperation among all the parties. It must be

said that this is an important reform not just for the welfare of prisoners but also, more importantly, for the welfare of their families. Importantly, if there be opportunity for a prisoner to serve his or her time in a place where they can have access to their families, that can only be a good thing not just for the welfare of the prisoner but also in terms of whatever rehabilitation may be achieved through the penal process. The House of Representatives Standing Committee on Legal and Constitutional Affairs supported the legislation that was introduced at the Commonwealth level. The taking of oral and written evidence from a wide range of bodies showed broad support for these provisions.

The Opposition notes that the legislation makes special provision for facilitating the transfer of prisoners who have been convicted by certain international war crimes tribunals to Queensland to serve their sentences. It is important that we recognise that the development of law is the province not just of the Parliament of Queensland or the Parliament of the Commonwealth of Australia but takes place at an international level. Just as our economy is becoming increasingly internationalised, so too the development of the law requires an understanding and assessment of movements in international legal thinking.

**Mr T. B. Sullivan:** We are facing the fact that we are all human beings first before we are Australians, Ukrainians or Americans.

**Mr FOLEY:** Yes, quite so. The honourable member speaks out of a concern for common humanity, which is the basis, I think, on which this Bill has been brought forward to the House.

It is important to remember on occasions like this that there is often in the community unreasoned suspicion in some quarters towards international agreements and international law-making. It is ironic that laws with respect to navigation and trade are commonly accepted as matter of fact, but laws dealing with issues of human rights and civil liberties often attract unreasoned criticism and opposition. It is important to realise that the steady work of persons engaged in international affairs can produce important progress in the law and, accordingly, they should be supported.

The Opposition gave consideration to opposing the Bill on the grounds that it is before the House from an Attorney-General who lacks the confidence of the House. However, this Bill was introduced prior to that resolution being passed and the merits of the

Bill are such that it would be unreasonable to oppose its passage through the House merely on those grounds. It is relevant to note, however, the ongoing damage that is done to the integrity of the legal system by having an Attorney-General who lacks the confidence of the House.

On this particular occasion the Prisoners International Transfer (Queensland) Bill will see the Queensland Legislature taking a positive step, and the Opposition accordingly supports the legislation and commends it to the House.

**Mrs LAVARCH** (Kurwongbah) (4.40 p.m.): I rise to support the Prisoners International Transfer (Queensland) Bill. This Bill reflects both the strength and weaknesses of our system of cooperative federalism. The strength is demonstrated by the fact that various Governments of different political complexions are able to act together to bring about a worthwhile reform. The weakness comes from the sheer time it has taken this Bill to spring forth from years of ministerial councils, parliamentary committees and political deliberations.

The concept of prisoners moving from jurisdiction to jurisdiction is not new. An interstate scheme operates between the Australian States, and internationally there exists both multilateral and bilateral treaty arrangements. Australia's participation in the international transfer of prisoners has been raised for many years. The pressure for adoption of the scheme has come from both families within Australia and from other nations, most noticeably the United States and Thailand.

I have it on good authority that it was a longstanding item on the agenda of the Standing Committee of Attorneys-General, otherwise known as SCAG, from the late 1980s. Agreement was reached on Australian participation by SCAG in July 1992. Ironically, I understand it was the Northern Territory which first placed the item on the SCAG agenda, but that Government withdrew support when the decision to proceed was made by SCAG in November 1993.

I think it is interesting to note that in reply to a question in the Northern Territory Assembly as to why the Northern Territory was not participating in the transfer scheme, the Northern Territory Attorney-General said—

"The Territory has consistently opposed participation in this scheme and continues to do so despite the most recent requests for it to reconsider its position from the Federal Parliament's Standing Committee on Legal and

Constitutional Affairs. The Northern Territory Government believes that Australians who offend overseas are aware of the risks they run. In any event, the Territory Government should not have to pay for the transfer of prisoners from overseas and detention in Territory prisons. The Territory Government believes it is the criminals' own decision how they conduct themselves in their overseas criminal enterprises and it will not act as their backstop when inevitably they are caught."

There are five basic arguments in favour of the Bill. The first and most important argument is the humanitarian benefits. These humanitarian benefits will flow to Australians imprisoned overseas and foreign nationals imprisoned here. Persons imprisoned in foreign countries experience hardships over and above those they would face if imprisoned in their home countries. These hardships include the absence of supportive relatives and friends, language barriers and alienation from local culture. In some countries the problems may be much worse, such as inadequate medical care, intolerance of religious practices, and poor or nonexistent training or rehabilitation programs.

The second benefit is in the rehabilitation and likely success of other anti-reoffending programs. People are less likely to reoffend if they are supported by their families during imprisonment. Prisoner transfers will also assist reintegration into the community. The practice of immediately deporting a non-citizen who is released on parole precludes any supervision or sanction for antisocial behaviour in the sentencing country. A transfer will allow prisoners to be subject to the sentence, remission and parole supervision and restraint that operates in their own country. Thirdly, the Bill is consistent with Australia's obligation under international human rights law such as article 2.1 and 10.3 of the International Covenant on Civil and Political Rights and principles 60(2) and 80 of the United Nations Standard Minimum Rules for the treatment of prisoners.

Fourthly, the scheme may well save Queensland taxpayers money. This will occur if there is a net outflow of prisoners back to their countries of origin. The Minister in his second-reading speech notes that it is difficult to be precise on this point but, as it costs in excess of \$50,000 per year to keep a person in a Queensland correctional centre, the point is significant. Finally, the Commonwealth/State scheme will be warmly welcomed by the international community. Such schemes are

increasingly an essential part of international cooperation in the administration of criminal justice. It complements international arrangements such as extradition and mutual assistance schemes.

There is one argument which can be mounted against the Bill and that is that it could be interpreted as condoning criminal activity. This was certainly the interpretation given by the Northern Territory Attorney-General. Here the argument could be most emotively used in the context of Australians imprisoned for drug offences in countries with penalties and prison conditions considered harsh, if not barbaric, by our standards. Many Australians might respond to fellow citizens in these circumstances with little sympathy. In other words, they might say, "Too bad. You should not have been involved in drugs and, if you get caught, then tough." Such sentiments are understandable given the damage caused by the importation of drugs. They are understandable but they are misplaced.

This Bill provides the right balance to those criticisms. Firstly, no prisoner can be returned to Australia or Queensland without the consent of both the Australian Governments and the foreign country involved. This means individual judgments can be made. Secondly, the prisoner must serve out the term of the sentence imposed subject only to the normal processes of Australian and Queensland law. Our laws are rightly tough on the traffickers of drugs and this scheme will be no soft option for serious offenders, but it will mean that the punishment need not be more harsh than that actually sentenced due to the cultural differences of being in a foreign gaol. It also means that all the post-release supervision processes can be brought into play to keep the offender out of trouble and integrate them back into the community.

The number of Australians imprisoned overseas is not great. It is my understanding that, although the numbers fluctuate, there are around 150 to 160 at any one time. The greatest numbers are in Thailand, the United States and New Zealand followed by the United Kingdom and Greece. It is likely that arrangements will be first reached with countries such as the United States and the European Community countries, which have long histories of bilateral or multilateral treaties dealing with prisoner transfers.

Thailand has also been advocating such a scheme with Australia for some years. The European Community has treaty arrangements with many countries such as the United States, Switzerland, Canada and

Cyprus. There also exists a scheme operating between Commonwealth countries including Canada, Zimbabwe, Trinidad and Tobago and the United Kingdom. The responsibility for entering into agreements is, of course, that of the Federal Government. Queensland's interests are safeguarded by the fact that the State must consent to each prisoner either to be transferred to Queensland or from Queensland.

There are four general principles underpinning the scheme's operation. I will just go through those because they are important. Firstly, the Commonwealth will administer the scheme and negotiate the international treaty obligations. It will provide the administrative structure for transfers and regulate the status of transferred prisoners. Secondly, this Bill will enable Queensland to participate by providing the necessary legislative authority for the transfer of offenders out of the State and the detention within our correctional centres of persons from outside the State. Thirdly, the costs will be shared with Queensland meeting the costs of transfer from overseas and maintaining the transferred person while in gaol. Fourthly, transfers will be considered on a case-by-case basis and will be entirely consensual requiring the consent of the person to be transferred, the Queensland Government, the Commonwealth Government and the other country.

I should note that my comments to this point have related to general prisoners as opposed to those convicted of certain international war crimes. These offenders are also included in this Bill. The history of these provisions is quite separate from the prolonged SCAG processes that I described earlier. In contrast, these provisions are of a relatively recent origin flowing from the establishment of the International War Crimes Tribunal in 1993 and 1994 by the United Nations to deal with events flowing from the former Yugoslavia and Rwanda.

Australia's moral obligation to enact legislation dealing with these war crime proceedings stems from our membership of the United Nations. That body, with Australia's approval, has requested member nations to make facilities available for the gaoling of prisoners convicted of war crimes. Few of us would not be aware of the mass murder, rape and other heinous crimes which have taken place in the former Yugoslavia and Rwanda. The perpetrators of these crimes must be brought to account and, if this occurs, there will be some obligations on the nations of the world to house the persons convicted.

In practice, only Australian citizens or permanent residents who commit such crimes would be expected to find their way back to Australian prisons. It is hoped that no-one with a link to Queensland would have been involved, but this Bill is part of an Australia-wide response to ensure that we are ready to play our part if needed. Again, no-one could be imprisoned in Australia without Government consent. In such a case, the full cost of imprisonment would be borne by the Federal Government.

I would like to conclude with some comments on the broader treaty making and legislative processes which this Bill represents. Often these processes are described as eroding Australia's national sovereignty or at least reducing the power of the States in comparison with the Commonwealth. But these assertions are false, and plainly so, on the example of this Bill. Firstly, the decision by Australia to proceed with the scheme facilitating the international transfer of prisoners cedes no power to any international forum or to any other nation. Australia's decision to agree to a scheme by entering into a treaty with other nations will be in the exercise of national sovereignty, not an abrogation of sovereignty. Secondly, this scheme came about only because of the desire of the Australian States to participate in such a scheme. It took years of debate at ministerial councils for the States to agree on the details. In most cases, all international obligations entered into by Australia involve similar levels of involvement by the States.

In this case the Commonwealth interest in the subject matter of the Bill is less than the interests of the States. The Commonwealth operates no prisons; the cost of housing prisoners is borne by the States. The mindless attack on the treaty-making power of the Commonwealth by some members of the National Party and by the lunatics of the one world Government conspiracy theory brigade in the Right Wing fringe groups should take note: here is yet another example of the Australian federation working together to achieve an international outcome for the benefit of Queenslanders and Australians.

**Hon. G. R. MILLINER** (Ferry Grove) (4.48 p.m.): I rise briefly to support this legislation and I endorse the comments made by my friend and colleague the member for Yeronga and the shadow Attorney. This Bill is a humanitarian Bill because it takes into account the concept of prisoners being in gaol to try to genuinely rehabilitate themselves. This particular idea was first raised by Corrective Services Ministers because we were well aware

of the problems that we were confronted with by international prisoners who were very keen to get back to their place of origin and who were denied the privilege of having family and friends visit them and, thus, help with their rehabilitation.

Corrective Services Ministers first raised this matter in the early nineties. As the member for Kurwongbah quite correctly indicated, it was put on the SCAG agenda by the Northern Territory. This particular Bill has been a long time in the making. However, it is welcomed because, as I said, it will assist correctional facilities to embark on their major task, that is, to try to genuinely reform people who have offended against society. When I was the Minister for Corrective Services, I had regular representations made to me by members of Parliament and members of the community who had loved ones imprisoned in other countries, and they were denied access to those people. In some cases, those people who were incarcerated in other countries were incarcerated in conditions that were not conducive to helping them with their offending behaviour. It is logical that some mechanism should have been available to allow those people to return home to their countries of origin so that they could be with their loved ones.

Of course, there are some problems with the international transfer of prisoners. For example, in some countries the prisons are overcrowded, and it is doubtful whether they would take their offenders back into their own countries. From time to time in Australia we have problems with overcrowding of our correctional facilities. This problem may inhibit the transfer of those prisoners who want to come back to their country of origin. Generally speaking, it will enable those people to at least start the process of being repatriated back to their families and their countries of origin. I believe this is a very good piece of legislation. It is a worthwhile exercise. If we can have people coming out of correctional institutions better than they are going into them, then the community and society are better served. This legislation will go some way towards helping that to occur.

I place on record my appreciation for the former Director-General of Corrective Services, Keith Hamburger, who was very keen to ensure that this legislation was passed. He was one of the people who spoke to me very early during my term as the Minister for Corrective Services about the prospect of having in place some mechanism that would allow prisoners to be transferred internationally. A system of interstate transfers of prisoners

has been operating in Australia, and it has operated very well. That has allowed prisoners to move back to their States of origin. So we thought it was commonsense to expand that to the international scene. We are very keen to progress that. But obviously, once we start these things, we start to run into problems that we did not anticipate. Of course, it had to be facilitated by the Commonwealth Government. After some lengthy negotiations, the Commonwealth Government eventually agreed to participate in this and get the ball rolling. I certainly support the comments made by the member for Yeronga and the member for Kurwongbah. It is a commonsense piece of legislation and it has my full support.

**Mr J. H. SULLIVAN** (Caboolture) (4.53 p.m.): Members on this side of the House are actually looking across the Chamber with some amazement because, in the back row of the ministerial benches, we can see the member for Nerang giving advice to the member for Noosa. That is quite frightening, really. As my colleague the member for Hervey Bay said, it is like watching a lame duck get advice from a dead duck.

**Mr DEPUTY SPEAKER** (Mr Laming): Order!

**Mr Connor** interjected.

**Mr DEPUTY SPEAKER:** Order! The member for Nerang!

**Mr J. H. SULLIVAN:** As a number of members on this side of the House have said, the Opposition will support the general thrust of the legislation. In fact, it supports the legislation. This is not a bad thing for us to be doing. However, there are some elements of the principles that put this legislation together that I want to mention once again. Much has been made of the fact that this is a national scheme of legislation. The member for Kurwongbah said that the States have agreed to the details. The States have not agreed to the details. A Minister from each jurisdiction has agreed to the details, and the legislation is being brought to these Parliaments for the States to agree to the detail.

**Mr FitzGerald** interjected.

**Mr J. H. SULLIVAN:** I acknowledge the comment of the member for Lockyer, who understands these things.

It is somewhat surprising that, through two Governments and through five years, this is the first instance that members of Parliament, other than the Attorneys-General—as they have variously been—and Cabinet Ministers have had to discuss the principles of this. I am not opposed to the principles, but I would have

thought that, as law-makers, we could have been involved in this process a little earlier by the provision of some draft or some information to members. I am not saying that that is a criticism of this Attorney-General or this Government. I believe that the criticism applies equally to all Ministers in ministerial councils of all Governments of all persuasions. I am very much in favour of there being some reform in the way that national schemes of legislation are put together.

At this point, I need to say that I am the product of an international transfer of prisoners, having descended from convict stock. On one other occasion in this Parliament I have commented that I am descended from convicts. I regret to say that my much-revered mother took enormous offence at the fact that I did not say that it was on my father's side. So, mum, I am correcting that for you now! The record will show that my convict ancestry has come through from my father's side. I also want to indicate that I have absolutely no qualms about the fact that the return of prisoners to Australia from many countries would—

**Miss Simpson:** How do we send you back?

**Mr J. H. SULLIVAN:** I would be happy to be sent over to Ireland on a trip at the honourable member's expense. I am sure that she would be happy to pay for me in certain weeks of the year.

**Mrs Gamin:** Are you sure that the Irish Government would accept you?

**Mr J. H. SULLIVAN:** That is something about which I am not sure, I have to say. But given that the Irish are amongst the world's most hospitable nations, I am sure that, like every returning Irishman, I would be given an extremely warm welcome, but I say that only on the evidence produced for other persons, not for myself.

I do not want to drag this out too long. I was talking about the return of Australian prisoners from some of the overseas prisons that we hear about, particularly some of the Asian prisons which, from time to time, are depicted in our media because of what we see as inappropriate treatment of Australian prisoners overseas. I am sure that the return of Australian prisoners from those places is something that all members would support. I am not so sure—and no doubt the number of applications will prove me right or wrong on this—that foreign prisoners are going to be rushing to apply to be returned to some of those prisons if they have been imprisoned in Australia, despite family ties. One of the things

that we can be sure of in Australia is that no matter what language people might speak and what their traditions might be, they will be well treated in our prisons, contrary to practices in other countries. I am not too sure that we are going to save a lot of money from this. I believe that there will be a rush of prisoners wanting to return home, but not so many wanting to go to the other side.

The final thing that I want to say really does not apply to this Minister's portfolio, but this is an opportunity for me to mention it. At the conclusion of the Minister's second-reading speech, he indicated that some of the purpose of this legislation would be to alleviate the hardship suffered by the families of people imprisoned in another country. I want to talk about the hardship suffered by the families of some of the people who are imprisoned not 70 kilometres from here at Woodford prison. Recently, the Caboolture Transport Advisory Group met. That is a group of people who are concerned primarily with public transport issues in the Caboolture Shire and for the residents of Caboolture. They met because we have become concerned in our area in recent times about the difficulty being experienced by families of people imprisoned at Woodford who are travelling to Woodford to visit with those family members.

Currently one volunteer transport group receives some funding from the commission. It operates out of Brisbane two days a week. One group operates out of the Sunshine Coast and Caboolture on one day of the week. The Sunshine Coast/Caboolture operation has now ceased picking up people from Caboolture. Previously they had picked up some people who overflowed from the Brisbane area. In my electorate we have problems associated with arranging for people to visit family members who are imprisoned at Woodford. I would hope that the Minister for Corrective Services, who will shortly be receiving approaches in relation to that issue, will consider the plight of those families who are having difficulty visiting prisoners. Their plight is equal to the plight of family members of prisoners who are incarcerated overseas or of overseas prisoners incarcerated here that members of this Parliament and members of other Parliaments throughout the country are seeking to alleviate.

As I said at the beginning of this speech, there is support for this Bill. I am happy to support it. I hope that it brings better imprisonment conditions to a number of Australians, particularly Queenslanders, who are imprisoned overseas in what we consider are harsh and unusual circumstances.

**Hon. D. E. BEANLAND** (Indooroopilly—Attorney-General and Minister for Justice) (5.01 p.m.), in reply: I thank the Opposition for its support for this piece of humanitarian legislation, which I believe goes some way towards modernising the laws in this State and country. This legislation is important. There is a demand from the community for this legislation. I have had a number of representations to that effect from a range of people. I understand that no State has yet passed the legislation, although Tasmania is in the process. If this Parliament should see fit to pass the legislation today, we will be the first State to do so. Both Houses of the Commonwealth Government passed the legislation only a few months ago. We have attached to the back of the Bill the Commonwealth Act.

For the benefit of the member for Yeronga, who questioned whether I had the confidence of the House, I point out that he has defeated his own argument. On two occasions between 12.30 p.m. and 1 p.m. today he moved motions, the effect of which was to show that this House does have confidence in me. He blew himself out of the water.

**Mr FOLEY:** I rise to a point of order. The Minister is misleading the House. The two votes, as the record shows, were votes on the first reading of Bills. It is a courtesy extended to every other Minister that those Bills are allowed to pass through the first reading without division. That courtesy is unable to be extended to the current Minister precisely because he lacks the confidence of the House.

**Mr DEPUTY SPEAKER** (Mr Laming): There is no point of order.

**Mr BEANLAND:** In his preamble about the privileges of the House, the member for Yeronga indicated very clearly what the vote was all about. The record speaks for itself. I thank him because he has again blown himself out of the water. That is his affair, not mine.

This is a very important piece of legislation. I am very proud that the Government is associated with it. The fact that we are the first State in the nation to pass the legislation demonstrates the importance and significance that the Government places on it.

Motion agreed to.

#### **Committee**

Clauses 1 to 12, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

### Third Reading

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

## SUCCESSION AMENDMENT BILL

### Second Reading

Resumed from 20 August (see p. 3019).

**Hon. M. J. FOLEY** (Yeronga) (5.05 p.m.): The Opposition supports this Bill, but will move a series of amendments at the Committee stage dealing with the legacy to the spouse. This Bill essentially reforms the intestacy rules, the rules of law that govern the distribution of property in the case of a person who dies without leaving a will. It is a good example of the way in which the law needs to change and develop with changing times. The facts of life are that many persons who now die without leaving a will have issue who are themselves well and truly into their adult years. The rules currently provide for half or one third of the estate to be distributed to the spouse. The balance goes first to the children and then to more remote issue of the intestate. If there is no spouse or issue, then it goes to the intestate's parents, brothers and sisters, nephews and nieces, then grandparents, uncles and aunts, then cousins.

The net effect of those rules has worked hardships, particularly as our population grows older and we are dealing not with a situation in which the issue are for the most part children. The experience of practice is that, for the most part, the issue are themselves adults who are not financially dependent upon the deceased. In other words, we see a change of demographics, which must cause the law to revisit the rules that have existed many years. That is why the previous Government referred this matter to the Queensland Law Reform Commission, which produced a report on this matter. That report forms the backbone of the amendments that are brought to this House by the Government.

It is true to say that the intestacy rules work a hardship with respect to the surviving spouse in many cases and should properly be reformed. This Bill goes some way towards reforming them. The particular aspect about which the Opposition urges that this Bill should go further is in respect of providing that the family home go to the surviving spouse. That was essentially the recommendation of the Law Reform Commission. The Opposition foreshadows that it will move a series of amendments to achieve that effect. In so doing, I concede that the Bill makes more generous provision for the spouse than is

currently the case. However, the amendment moved by the Opposition would be more generous to the spouse and would reflect more accurately the weight given to that area by the Law Reform Commission following its very careful detailed study of it.

It is relevant to note that the Bill does, in fact, make one area of improvement upon the Law Reform Commission recommendations in dealing with competing interests when one is survived by a married spouse and a de facto spouse as well. Accordingly, the reconciling of those competing interests, or the resolving of disputes that may arise, is foreshadowed in the amendments that the Opposition will move. I note that the Government has taken on board in this Bill the need to reconcile those issues and in broad terms that is a more satisfactory approach than a winner-take-all approach that the Law Reform Commission adopted. So I compliment the Government and its law officers and I compliment the policy officers of the Department of Justice for their work over a number of years on this important area of the law.

The Bill also faces up to the position of de facto couples and makes provision for their recognition. In effect, that is similar to what has been done in other pieces of legislation such as workers' compensation, where provision is made for de facto spouses, and in amendments made some years ago to the Common Law Practice Act in respect of Lord Campbell's actions. It is important that the Parliament face up to the realities of life in this area because there are many de facto couples in the community. Let me take, for example, the area of property disputes between persons engaged in de facto relationship. Often such disputes may have to rely upon complex and arcane areas of law such as the doctrine of constructive trust, which in turn usually relies upon a finding of an agreement between the parties. Often such matters require complex litigation in the Supreme Court for their resolution. That example highlights the need for legislation to take cognisance of the fact that there are many de facto couples in our community and that it is important that the law recognise the position of spouses in those relationships.

In the course of the Law Reform Commission report it was urged that same-sex couples should also be included in the definition of de facto couples. The Law Reform Commission report dealt with that matter following its detailed study of that area. Indeed, cases come before the courts where the courts have to resolve property disputes arising between persons in same-sex

relationships as well as opposite sex de facto relationships. Be that as it may, this legislation deals with what might be termed common law de facto couples. In that respect it is a step forward from the existing state of the law.

I will deal in greater depth in the Committee stage with the amendments that the Opposition will move. I acknowledge the contribution to the consideration of this matter by the Opposition that will be given by the member for Kurwongbah. She is an experienced solicitor who has a genuine compassion for the position of the surviving spouse under the current intestacy rules. She is mindful of the hardships that can be worked so long as those rules remain in their unreformed state.

This Bill certainly does not implement all of the recommendations of the Queensland Law Reform Commission. Nonetheless, it contains a number of important and useful reforms. Accordingly, the Opposition will support it.

**Mrs LAVARCH** (Kurwongbah) (5.16 p.m.):  
At some point the law of succession will touch all Queensland families. Invariably, that will be at a time of emotional distress for families and will often lead to a period of uncertainty as surviving members adjust to new circumstances caused by the loss of a loved one. In those circumstances, the law must play a role in minimising family hardship by being fair, clear and reflecting current community values and family relationships. Our current laws on succession fail those benchmarks and contribute to further personal trauma rather than being a mechanism to ease trauma. That is why reform of our succession laws is important and that is why the former Labor Government asked the Queensland Law Reform Commission to examine and report on the law with a view to recommending appropriate reforms. This Bill is the culmination of that process and the Government is to be supported for following through that process of reform.

The Bill makes major changes in two areas dealing with intestacy. The first change brings further recognition to de facto relationships and the second alters the rights of the surviving spouse. At present, the law struggles with the reality of de facto relationships. Such relationships are acknowledged by Part 4 of the Act, which deals with family provisions. They are the provisions that permit surviving family members to seek court intervention to ensure that they are provided for adequately from the deceased's estate. Section 40 defines a

dependant to include a person who has lived in a connubial relationship with the deceased for at least five years of the last six years. That means that a de facto spouse has the right to apply to the court to seek support. No automatic right to the estate occurs in the case of intestacy. This Bill amends the rules governing intestacy to place a de facto spouse of five years' standing in the same position as a married spouse. That was recommended by the Queensland Law Reform Commission and makes good sense.

However, in my view the Government's changes are still too limited. My criticisms are threefold. Firstly, the language of "connubial relationship" will mean nothing to most Queenslanders, and even I struggle with it. We are talking about de facto relationships. Succession laws of other States speak of people living together on a genuine domestic basis. That is something that people understand, not the legalese of "connubial relationship".

Secondly, the five-year time frame test is quite harsh. I appreciate that a time test is needed to establish a de facto relationship in the case of succession and that any selected time frame will be somewhat arbitrary. However, maybe three years would be fairer to a surviving partner.

Thirdly, the Government has ignored the Queensland Law Reform Commission's recommendation about the express inclusion of same-sex couples within the scope of de facto relationships. Arguably, a connubial relationship might include a same-sex relationship, but it is doubtful that this is intended. Both Labor and conservative Governments have found the reality of de facto and same-sex relationships difficult issues. Recognition of such relationships by the law poses issues of public policy and morality. In essence, there exists a conflict between having laws that deal with the legal reality of such relationships and the reservation of Governments in passing laws that critics will portray as encouraging de facto and same-sex relationships. In this Bill, the Government gives further recognition to de facto relationships, but stays well clear of same-sex issues.

In my experience, the state of the law of succession will have absolutely no influence on the relationship decisions of Queenslanders. The law enters people's minds only when circumstances arise that bring it into play. The Parliament need not be so timid in enacting laws on de facto and same-sex relationships, be it for succession or the division of property after the failure of such a relationship.

The second area of reform is the amendment of Part 3 of the Act, dealing with the entitlements of a surviving spouse of an intestate deceased. It is in this area that the historic origins of the law of succession can still be clearly seen. It is an origin that saw women having very limited rights to property.

The rules of intestacy developed alongside the common law dealing with property. This is an antecedence that largely precluded women from holding property independent of either their husbands, fathers or brothers. Originally real property, that is, land, could not be the subject of a will. Rather, it passed to the deceased's heir at law, normally the eldest son. If there was no son, the closest living male relative would inherit the land, just like in the Jane Austen novels. Wives, daughters, sisters and mothers simply could not hold property, be it inherited or otherwise. Personal property could be held by women, but again the rules of succession ensured that women would not inherit the entire personal estate of their husbands or fathers. Of course, over time these rules have changed, but the current law is still in a condition which led Mr Tony Lee, in his leading text on succession, to make the following remarks—

"The provision for the surviving spouse—statistically a widow in her late sixties to seventies—has not changed since medieval times and enshrines an antediluvian view of the status of elderly women in society. If the major asset of the estate is the family home vested in the deceased, the surviving spouse can be forced to leave it and be left with insufficient means to maintain independence. No other Australian jurisdiction treats its elderly mothers so badly."

In short, the existing rules provide that: if a deceased leaves no child or other next of kin, the spouse receives the entire estate; where there are other family members but no children, the surviving spouse receives the first \$50,000 plus one half of the balance; where there are surviving children, the spouse receives either one half or one third of the balance, depending on the number of children. The proposed changes increase the spouse's share to the entire estate where there are no children. Where there are children, the proposed changes increase the spouse's share to a statutory legacy of \$100,000, the household chattels and either one half or one third of the balance, again depending on the number of surviving children. The changes to the Act also propose

that the spouse can elect to purchase the matrimonial home.

The questions must be asked: are these proposals fair and just? Do they accommodate the principle of need? Can the law still be accused of treating elderly mothers badly?

**An Opposition member:** Certainly.

**Mrs LAVARCH:** It certainly does, and the Federal Government does as well.

In 1992 and 1993, the Queensland Law Reform Commission spent considerable time canvassing the intestacy rules embodied in report No. 42 released in June 1993. As acknowledged in his second-reading speech, the Minister has had regard to that report and its recommendations. In fact, the Bill is based on the commission's recommendations, with two notable exceptions. One of those exceptions is the rights of the spouse where there are surviving children.

When the commission applied the principle of need, it came up with a very different result to the Minister, yet he gives no reason for rejecting its views. The commission recommended that the spouse receive, firstly, all the personal property of the deceased, as opposed to just the household chattels as provided in the Bill. "Personal property" has a much broader definition than "household chattels". The commission opted for this broader definition to prevent the spouse from suffering anxiety by having to prepare an inventory and valuation of, for example, a brooch or a necklace given to the deceased spouse as a present. Such jewellery is specifically excluded from the definition of "household chattels" in this Bill.

Secondly, the Queensland Law Reform Commission recommended that the spouse receive a statutory legacy of \$100,000 and thirdly, and most importantly, the matrimonial home together with an extra \$150,000, if needed, to discharge any mortgage over the home. If there is no matrimonial home or if the home is vested in the intestate and the spouse as joint tenants, a further legacy of \$150,000 was recommended. If the intestate's interest in the matrimonial home is less than fee simple, the surviving spouse is entitled to either that interest or the statutory legacy and, finally, 50% of the balance. The other 50% would be shared between the children of the deceased.

In reaching those recommendations, the commission was mindful of a number of factors. The first factor was that intestacy rules are necessarily limited by the fact that they refer to classes of persons and, therefore,

cannot differentiate between deserving and undeserving persons within a class. For some, the application of the rules will result in unjust enrichment and for others it will be harsh injustice.

The second factor influencing the commission's recommendations was the statistical fact that intestacy rules will predominantly affect elderly women. This is based on the average life expectancy of men being 75 years and women being 80.8 years. As the children of the intestate will most probably be mature rather than young adults or infants, the rules should be drafted to cater for the needs of elderly women. After all, the law will mostly apply to them.

The third consideration of the Queensland Law Reform Commission was the importance of home ownership. No other item of property is considered more valuable or more significant than the family home. Its value is not purely monetary, but extends to the emotional investment and the sense of wellbeing and security that comes with long-term home ownership. Bearing this in mind, the commission thought that a home owner making a will would give careful consideration to the question of who should inherit the home. Custom shows that the testator leaves his or her share in the family home to his or her spouse. The commission believed that intestacy rules must reflect the norm.

The significance of the matrimonial home is reinforced by the submissions to the Queensland Law Reform Commission. It is interesting to note that in its submission to the commission, the Public Trustee proceeded from the point that the intestate owes a primary responsibility to make adequate provision for his or her spouse. The Public Trustee submitted that the spouse's share should comprise, firstly, the matrimonial home; secondly, the household chattels; thirdly, the family motor car; and then the first \$100,000 of the estate and half of the rest in residue.

A submission was also received from the Trustee Companies Association of Australia (Queensland Council). It was of a similar view to the Public Trustee in that its submission included the matrimonial home as well as the statutory legacy. That submission was based on the fact that the surviving spouse should not be obliged to share the matrimonial home and its contents.

Lastly, the commission took the view that the minimum needs of the surviving partner are a proper consideration in deciding what he or she should inherit from an intestate deceased partner. The commission cited the

principle enunciated in the family provision cases. Paraphrased, according to that principle it is the duty of the testator to the extent that his assets permit to ensure that his widow is secure in her home and to ensure that she has income sufficient to permit her to live in the style to which she is accustomed, and to provide her with funds to enable her to meet any unforeseen contingencies. If we look at the Public Trustee's and the Trustee Companies Association's submission, we see that they have had regard to that principle by giving, in this case, the surviving spouse security in respect of the home and also a sufficient income to maintain his/her lifestyle and, where the estate has the assets to permit it, further funds to enable any unforeseen contingencies. That principle is found in the case of *Luciano v. Rosenblum*, as expressed by His Honour Justice Powell.

It is worth noting the commission's view that the death of the first partner is not the appropriate occasion for the break-up of the family estate and sale of the matrimonial home. It is preferable that this should be delayed as far as possible until the death of the surviving partner. The Minister says that he supports the minimum-needs test as being the proper consideration in deciding what the surviving partner should inherit. If the Minister really had regard to that test, I think he would have reached a very different conclusion. The Minister fails to recognise the reality of this law. He fails to recognise who will be most affected. He cites the statistics but ignores their impact.

**Mr Lucas:** He would not know an intestacy if it hit him over the head.

**Mrs LAVARCH:** That is true.

This law affects mostly elderly women—women predominantly in their late sixties and early seventies, women who have contributed greatly to the family and family home, women who have raised children, women who mostly have either not worked outside the family home or who have had interrupted paid work patterns and, therefore, no superannuation entitlements or other non-pension income. Her wellbeing depends on a share of the family income. Reports now show that there are greater numbers of older women living alone and living well below the poverty line.

**Mr Lucas:** It is all right now. When they are kicked out of the house, they could pay \$80,000 to go into a nursing home, thanks to the Federal Government.

**Mrs LAVARCH:** Under these intestacy laws, they will not have a home to sell to go into a nursing home.

Accommodation costs are attributed as being the cause of the very sad fact that greater numbers of older women living alone live well below the poverty line. This Bill goes only part of the way towards recognising that. It provides only some relief. It would be preferable to ensure that the surviving partner is not left without a home. The \$100,000 statutory legacy is not in any way generous.

The Real Estate Institute's September quarterly report states that the average price of a home in Queensland is \$131,000. If the home is unencumbered, this means that the surviving spouse will have to borrow to remain in the family home. If there were one child, the amount to be borrowed would be half of \$31,000. If there were more than one child, she would have to borrow \$22,000. Where the family home is of a much greater value, the situation becomes far worse.

An even greater difficulty with a stand-alone statutory legacy is that it must be updated from time to time. It has taken 17 years to revisit this Act. If it takes that long again, \$100,000 may be almost meaningless in terms of house prices. The answer to my earlier question of whether this is fair and just is: no, not quite. Does this apply the principle of need? No, it does not. Mr Lee's criticisms about the law treating our elderly mothers badly are partially but not totally addressed. The Minister gives no reason why he has not adopted the Queensland Law Reform Commission's recommendations or accepted the Public Trustee's view of what is adequate provision. He gives no explanation of why the commission was misguided or got it wrong. If he believes there are good reasons not to include the matrimonial home in the distribution, he should say so.

Even though half a loaf of bread is better than none, there seems no good reason why the Government is adopting a partial reform when relatively minor alterations will deliver Queenslanders a first-class law on succession. This is an important Bill. It is good in its direction but fails the final test. I urge the Attorney-General to rethink the points that I have raised.

**Mr LUCAS** (Lytton) (5.37 p.m.): The history of succession law has evolved over many centuries from the common law and from equity. Originally, all of a wife's property, including the wife herself, belonged to her husband, and it was he who disposed of that property by will. The common law allowed only a partial disposal by will of the husband of his property in order to afford some protection to his spouse. The family and intestacy rules

developed from there. However, those rules have not kept pace with the demands of modern society. Women have always made a major contribution to family life in terms of their contributions in a domestic sense and as primary caregivers. They are now increasingly making an economic contribution as they attain greater economic empowerment in society. However, the law has not kept up with that. The Queensland Succession Act of 1981, drafted by that great reforming lawyer Mr Tony Lee, was revolutionary in its time. Unfortunately, it still left intestacy rules back in the past. It is now some 16 years since this Parliament enacted the Succession Act of 1981, and our looking at it again is well overdue.

The current Act provides that where there are a surviving spouse and issue of an intestate, the surviving spouse takes one half of the estate if there is one child, and the child takes the rest. The spouse takes one third of the estate if there is more than one child, and the children equally take the remaining two-thirds. In his manual Queensland Succession Law, Tony Lee states—

"This provision for the surviving spouse—statistically a widow in her late 60s or 70s—has not been changed since medieval times and enshrines an antediluvian view of the status of elderly women in society. In every case where issue survive an intestate, the surviving spouse can be forced to liquidate one half or two-thirds of the estate for distribution amongst the issue. The major asset of the estate is a family home vested in the deceased, the surviving spouse can be forced to leave it and be left with insufficient means to maintain independence. No other Australian jurisdiction treats its elderly mothers so badly."

Who are we penalising at the moment? As Tony Lee indicates, it is mainly elderly mothers. In 1991, in Australia the average age of death amongst males was 72.2 years, and for women 78.8 years. This means that the children of the intestate will probably be mature rather than young adults and the intestate's parents will probably be dead. Because of this situation, it is more likely that in a typical situation the intestate's children will be able to work—they will still be of working age—and therefore financially independent, but his/her spouse will be elderly. Most Australians die leaving their house, and a small amount of savings in the bank. In the vast majority of cases, the children of that elderly surviving spouse would look forward in

due course to inheriting what their surviving parent had received from his or her deceased partner. So they would get it anyway if they were prepared to wait.

This Bill makes two important reforms. Firstly, it substantially increases the share of the estate flowing to a surviving spouse in intestacy. Secondly, it makes provision for de facto spouses to be treated fairly in terms similar to the testator's family maintenance provisions of the Succession Act. Both are long overdue reforms and are recognised in the Queensland Law Reform Commission's excellent report on the intestacy rules. But the Opposition proposes to go further because the Government has pulled up at the gate and has not adequately addressed the recommendations of the Queensland Law Reform Commission when it comes to the right of surviving spouses.

As I indicated earlier, it is the elderly spouses who get the raw deal at the moment who need the most protection. The Opposition's amendments will extend this protection. In his second-reading speech the Minister estimated that 20% of Queenslanders die intestate. I think that estimate is probably on the low side. However, 20% is still a very substantial group. I cannot stress the importance of making a will, whether it be through a solicitor or through the Public Trustee.

Time after time when I was in practice I saw injustices caused by the operation of the intestacy rules. Elderly people would come to a solicitor and they would have a problem with distribution under the intestacy rules. They might have had the ability to make a claim under the Testators Family Maintenance provisions but they were not in a position to put up the money to do that. They were not in the position to face a family fight in the Supreme Court or the District Court. That is the situation with which they are faced under the law as it currently stands.

As the Law Reform Commission stated—

"The Commission recommends that the intestacy rules should have the effect of a statutory will."

So they should. It is ludicrous to suggest that the current law does that. I drafted many wills in my practice as a solicitor, and 90% of those wills left all the estate to the spouse and then equally to the children. I cannot recall having drafted a will that followed the intestacy rules. The intestacy rules are so ridiculous and so stupid that no-one in his right mind would ever contemplate leaving a will in the manner provided for by the intestacy rules.

Once upon a time there were many properties that were owned solely by the husband but now most, fortunately, are held as joint tenancies and do not require the intestacy rules or wills to dictate their destination. I think the exception to that is where one joint tenant kills another joint tenant. In that case the surviving joint tenant does not take the share of the deceased joint tenant, for public policy reasons. However, the fact is that there are still a number of spouses who hold all the property in his or her sole name. This is why the law needs to offer protection in terms of the intestacy rules.

We increasingly see superannuation moneys held in discretionary trusts. To some extent trustees have been allowed to be even-handed and compassionate in distribution and have been able to avoid some of the problems of past application of the intestacy law. But there can be little argument that the prime responsibility of the testator is to his or her widow, particularly in the modest circumstances of most Queenslanders who have a house, a car and a small amount of money in the bank. In large estates this might be substantially different. However, it is the majority and the mainstream to which we should direct our primary responsibility in this Parliament.

One of the important issues in this Bill is to extend recognition under the intestacy rules to de facto spouses. They are currently recognised under the Testators Family Maintenance provisions. However, an elderly spouse who has not done well by virtue of the intestacy rules is left in the situation of going to the expense, inconvenience and upset of challenging the intestacy under the Testator Family Maintenance provisions. In 1991 approximately 9.6% of all Queensland couples were living in a de facto relationship. That is a very significant group. I would suspect that the figure has gone even higher since that time. This Bill provides for de facto relationships of five years' standing to claim on an intestacy and also provides a framework for disputes where there is a surviving spouse as well as a de facto.

In conclusion, this Bill has a number of important initiatives but does not go far enough in relation to spouses' rights. We welcome the recognition of de facto spouses' entitlements. Queensland will be much the better for this and will be a fairer and more just place as a result. But there are still a number of things that we have not done. The Attorney-General has done nothing about a regime for depositing wills. I frequently came across situations where a person had died and had

left a will but the will was in the possession of one particular group within the family. Other groups within the family did not know whether they had an entitlement. The only way that the latter groups could ascertain the true situation was to go to the Supreme Court and bring an action against the executor to require him to bring in the will. The problem was that if they found out that they did not have an entitlement, their intervention resulted in a costs order against the estate. That was quite a ridiculous situation and caused all sorts of animosities within the family.

We should have a situation where all executors or executrices are required to deposit wills with the Public Trustee or some other body. In that event, persons who have a legitimate interest can communicate with the Public Trustee, for instance, and the Public Trustee can say, "Yes, you do have an entitlement under this will. Here is a copy of it." Alternatively, the Public Trustee would say, "No, you do not have an interest, and I cannot give you a copy of the will." In that situation those people would have the peace of mind and the satisfaction of knowing that some objective third party had looked at the will and told them whether they were barking up the wrong tree or not. That is a very simple, very inexpensive action that the Government could take with a view to giving extra peace of mind and satisfaction to families. It would stop family disputes. It would stop whispering at family functions and funerals concerning what was and was not left. It would stop people saying, "Brother John has the will and he will not show it to me." I call on the Government to give this matter very serious consideration.

Whilst I am dealing with archaic and outdated rules, I ask the Government when it is going to do something about changing the ridiculous language that we have in succession law where a male administrator of an estate is called an executor and a female administrator is called an executrix; and a male person who leaves a will is called a testator and a female person who leaves a will is called a testatrix? There is no need whatsoever for those gender-specific terms. A simpler amendment to the Succession Act saying something like, " 'Executor' means the administrator of an estate regardless of gender" would get over the problem of the ridiculous language that people do not understand. In her excellent contribution to this debate my colleague the member for Kurwongbah referred to words such as "connubial relationships" which are words that the average person in the street does not have the ability to understand.

The intestacy rules will be much better by virtue of the passing of this Bill, and they will be even better still if the Opposition's amendments are adopted. The final word should be this: if people are not happy with the application of these intestacy rules—and there will be some people who will not be happy with them—

**Mr FitzGerald:** See you in the office to make a will.

**Mr LUCAS:** No, I am no longer in practice or available for consultation in that regard. If people are not happy with the application of the intestacy rules—whether they be the Government's proposals or the Opposition's proposals—they need only go to a solicitor or the Public Trustee and have a will prepared. The ideal situation in Queensland should be that no-one dies intestate. The reality is that people will die intestate. The people who will mostly benefit from this Bill are elderly spouses, predominantly women, and they deserve justice and a fair go. I commend the Bill, with the Opposition's amendments, to the House.

**Mr J. H. SULLIVAN** (Caboolture) (5.48 p.m.): In rising to support the shadow Attorney-General's proposed amendments to the Succession Amendment Bill it is with some sadness that I say that this is one of the least courageous acts performed by this Parliament. I am talking about the decision by the Minister, in bringing forward these generally very welcome amendments to the succession law, not following the advice of the Law Reform Commission to make these amendments apply to people living in same-sex relationships.

It seems to me that, despite the Minister's intention to limit these laws to people living in heterosexual relationships in terms of the application of changes to the rights of de facto spouses, there may well be some situations where he may find himself in trouble in the courts because of that intention. The Minister will understand, as I know he will, the fact that courts when dealing with the rights of individuals are now rejecting the purposive interpretive mechanism and are going to the actual meaning of the words.

The purpose of this legislation is quite clear. The purpose of this legislation in relation to extending rights to de facto partners is to discriminate against people living in same-sex relationships. The Minister said so in his second-reading speech when he said that these laws would apply to people in opposite sex relationships and he said so in the Explanatory Notes to the legislation, which also

make the same point. The purpose of the legislation is to discriminate notwithstanding the States' own legislation, the Anti-Discrimination Act 1991, which, as the Scrutiny of Legislation Committee pointed out, outlaws discrimination in work, education and accommodation on the grounds of lawful sexual activity—and homosexual activity between consenting adults is not unlawful.

That is the purpose of the legislation: to discriminate. Then we get to the words of the legislation. The Minister may wish to pick up a dictionary and look up the words used in the legislation. Under the definition of "de facto spouse" the Minister has used the word "connubial", which has been mentioned previously. If honourable members pick up a dictionary, they will see that connubial means married. So a de facto spouse is someone who has lived in a married relationship—not a person who is married, but one who is in a married relationship. So it is understandable that, if the Minister wants to apply that to heterosexual couples, he is applying it in the terms which say that they could marry, but a court may very well decide that it is the type of relationship rather than the gender of the people who are engaged in it that satisfies the word "married".

Whilst the Minister in bringing this legislation to the Parliament wants to reject the information provided by the Law Reform Commission in the great deal of work that it did, it is essential that people understand that this Parliament can override the provisions of the Anti-Discrimination Act. We have to understand that we can do that. The Minister intends to do that by introducing this legislation. But this legislation is also in contravention of a convention against the discrimination of people in employment and occupation.

I want to say a little bit more about the Minister's intention in introducing this discriminatory legislation. It seems to me that, as many members of this Parliament read the work of the Scrutiny of Legislation Committee and talk about the fact that things are offending against the fundamental legislative principles, many people still do not grasp that it is okay for this Parliament to do that provided it gives some reasons and explains why it is doing that. Similarly, I think that it is probably all right for this Parliament to introduce legislation that affects people's rights and is in contradiction, one might say, of the Anti-Discrimination Act. But it is important that whenever we do so we explain to the community why it is that we are doing that.

In the debate today, in the Minister's second-reading speech and in anything I have seen, there has been no explanation for this discrimination. The community at large deserves an explanation and this Parliament, which is going to pass this legislation, ought to have the common courtesy and guts to give that explanation to the community. I would like to hear the Minister's explanation as to why, contrary to the advice of the Queensland Law Reform Commission and in contravention of the Anti-Discrimination Act, he is taking this action. It may well be something that I might agree with, but I have not been given the reason, so I do not know. All I can deduce is that somehow or other politicians in this State believe that talking about extending rights to homosexuals is somehow going to affect the vote at the next election. It may or it may not, but at least if we are going to do it we should have the guts to say that we are going to do it.

**Mr McElligott:** Intestinal fortitude.

**Mr J. H. SULLIVAN:** Yes, I mean intestinal fortitude.

**Mr Beanland:** You didn't have it.

**Mr J. H. SULLIVAN:** I am not levelling my criticism at the Minister or his party; I am levelling my criticism at this Parliament—both sides. Some speeches from this side of the Chamber have glossed over this issue and I am not happy about that. This is a valid issue and ought to be talked about, and people in this State ought to be given the reason for this Parliament overriding an Act. If the reason is homophobia maybe the people can be given that, too. If there is a sensible reason, I would like to hear it. I repeat: this legislation is contrary to the advice of the Law Reform Commission, contrary to our own anti-discrimination legislation and contrary to a convention to which this country is a signatory.

In conclusion, I think that I can offer no better advice than was offered by the member for Lytton in his contribution just a moment ago; there is absolutely no substitute for the making of a will—no substitute whatsoever. Our own mortality is something that we ought to face up to. There is no doubt that recent events have reminded people that death can be unexpected. As they said in Pollyanna, death comes unexpectedly.

**Mrs Wilson:** It is very final.

**Mr J. H. SULLIVAN:** It is final and it can be unexpected and people should never gamble on the fact that it is not going to happen to them because sometime or other they are going to lose. There is no better advice that people in this State could be given

than to make a will and that, having made that will, they make sure that all interested parties in the outcome of that will are well and truly aware of it. In conclusion, as I said at the beginning of my speech, I am happy to support the shadow Minister's amendment to this legislation.

Debate, on motion of Mr Beanland, adjourned.

### FUEL TAXES

**Mr BEATTIE** (Brisbane Central—Leader of the Opposition) (5.57 p.m.): I move—

"That this House condemns the State Government for its mismanagement of the new tax arrangements for petrol, and in particular—

- (1) its failure to deliver on its assurances to Queensland that petrol prices would not increase;
- (2) its failure to meet its commitment that it would give priority to ensuring that petroleum users are not disadvantaged as a result of implementing the so-called 'safety net';
- (3) its failure to anticipate the potential problems in the tax arrangements it had negotiated with the Commonwealth;
- (4) breaching its commitment that "there will be no need for price increases in ... petroleum products ...";
- (5) wasting thousands of dollars of taxpayers' money on full page newspaper ads describing the workings of a 'safety net' which does not work;
- (6) exposing Queensland families to a \$400 increase in their annual cost of living;
- (7) exposing the competitiveness of Queensland industry by allowing a dramatic jump in its transport costs; and
- (8) taking two months to recognise there is a problem with new petrol tax arrangements and still having no answer to stop prices increasing next Monday."

In moving this motion, I set on the public record my deep concern about this Government's poor performance in relation to this whole issue. We listened to the Treasurer this morning. Her performance in this Parliament on this issue can be described only

as an absolute disgrace. One can be forgiven for coming to the conclusion that this Government actually wants the arrangement that it has purported to reach with the Commonwealth to fail so that it can introduce a tax by stealth to fund election commitments and to try to blame the Commonwealth or the oil companies for its incompetence. Why else would this Government have claimed in full-page advertisements that this matter was resolved? Those are not my words, they are the Treasurer's words and this Government's words in an ad on 1 September in the Courier-Mail.

Because of the incompetence of this Government, Queensland is now exposed to a massive economic crisis. After being assured for the last two months by this Government and by this very Premier and Treasurer that the loss of State taxes would not cost Queensland consumers, we have just learnt that petrol prices could jump by more than 8c a litre in the city. Again, they are not my words, they are the words of the oil companies—the people who are involved in the matter. We were told that this was fixed. Why were Queenslanders lied to? I asked this question this morning, and I ask it again in this debate. Of course, the Treasurer does not even have the courtesy to be here in the Chamber. Why were Queenslanders lied to? Why do we have a 13% fuel hike hanging over the heads of all Queenslanders?

In a press release dated 5 August, Treasurer Joan Sheldon promised—

"Queensland consumers will be no worse off as a result of the High Court decision".

Then there was a threat to beer prices which, after two weeks of uncertainty, was finally put to bed. Then the cost of cigarettes increased by 20c a packet. We can really believe this woman! On 1 September, the Queensland Government put a full-page advertisement in State newspapers talking about how the safety net works, wasting taxpayers' funds to try to espouse the virtues of this safety net, which does not work. The Government promised that it had given priority to ensuring that petroleum users are not disadvantaged. In that advertisement, the Government promised—

"There will be no need for price increases in liquor or petroleum products ..."

The advertisement stated also that the Government fully supported the arrangements put in place. Those arrangements are on the brink of total failure. Queensland is facing the spectre of paying an extra 8.1c a litre for petrol

in one hit. The Government cannot blame the media for misquoting it. Those were the Government's own words, paid for by the long-suffering Queensland taxpayers, whom this Government believes it can rip off on every occasion and use their money as if it were its own. This goes to prove that Queenslanders should not believe what they see and read in a huge volume of taxpayer-funded advertisements on behalf of the National and Liberal Parties. They are full of lies, they are National Party lies and Liberal Party lies, and here is a good illustration of another Liberal Party lie.

The massive hit of an 8c a litre increase will send the Queensland economy reeling. It means a one-off inflationary impact of 1.2%, which will multiply through prices, profits and wages. Regional and country Queensland will suffer the most. I put on record tonight a very clear warning to this Government: if it betrays the people of Queensland through this shonky failure, we will campaign in every provincial city and every country town across the State about what this Government has done in relation to petrol prices, because it will hit regional and country Queenslanders the hardest. Many of those members on the Government back bench will not return after the next election.

Let us look at what happens in some of the country areas now. The current price in Mount Isa is 76.9c a litre for unleaded, super is 79.9c a litre and diesel is 78.9c a litre. That is going to increase.

**Mr FitzGerald** interjected.

**Mr BEATTIE:** The Leader of the House does not care about the people of Mount Isa, but we do. He is laughing at country people and provincial city people. I do not. What will that 13% hike mean? It will mean another increase. Let us look at Cloncurry, where unleaded petrol costs 77.9c a litre, super is 79.5c and diesel is 81c. In Kynuna, unleaded petrol is 79.9c a litre, super is 81.9c and diesel is 89c. At Doomadgee, unleaded petrol is 85c a litre, super is 88c a litre and diesel is 90c. On top of that, we are going to get a 13% hike. People will not be able to afford to drive their cars to the corner store. That is what will happen under this Government.

The average Queensland family will have to find another \$400 to pay for the increased cost of living caused by this Treasurer's and this Premier's incompetence. The Treasurer still has not joined us for the debate. Every car owner will pay an extra \$188 on fuel each year, and the cost of filling the tank of a six-cylinder car will soar by more than \$5. These are conservative estimates. The Motor Trades

Association of Queensland has estimated that Queensland motorists who use an average of 60 litres of petrol a week will pay \$250 a year more for their fuel. More than one quarter of a billion dollars will be added to the prices of goods sold in Queensland. Families will be paying \$74 extra a year for their food and another \$120 a year extra for clothing and other goods. If the Premier and the Treasurer let Queenslanders down on this fight, it will be the ultimate betrayal of Queensland. They must stand up to the Federal Government and stand up for Queensland. They should stand up to the petrol companies and say, "This is not a problem of our making. Why do Queenslanders have to suffer for the greed of other Governments?" That is what this is about. This shows that there is no value to Queenslanders in having a Liberal Treasurer in Brisbane and a Liberal Treasurer in Canberra and a coalition Government in Brisbane and a coalition Government in Canberra.

The petrol companies are pushing for the price hike because they are nervous about the arrangements that the State Government is proposing. These arrangements involve a complex system of agreements between the Government, petrol wholesalers, retailers and bulk suppliers. The proposal is that suppliers have to undertake to only sell subsidised petrol to buyers who will consume that fuel in Queensland. This mechanism is not designed to help Queenslanders. It is designed to bail out the petrol companies which, for years, have been hurt by private interstate trade in petrol. Why is the Treasurer looking after the petrol companies? When is she going to start thinking about Queenslanders?

The petrol companies see the new tax arrangements as an opportunity of closing out their independent competitors in southern States, but they are nervous because the complex arrangements proposed look like being unconstitutional and in breach of the Trade Practices Act. If Queensland simply dropped its attempt to stop private interstate traders and insisted that the subsidy be paid to all purchasers of fuel from Queensland, the legal hitches might well disappear. In other words—and I put this to the Treasurer—if the Commonwealth pays Queensland for all the extra excise collected in Queensland and then Queensland passes that fully onto the wholesalers, there should not be a problem for Queensland motorists. There may well be some difficulties for the oil companies, but not for the Queensland motorist. So when is the Treasurer going to fight for Queensland and look after the people she is supposed to represent? And Queensland industry and

motorists would be saved from a 13% fuel price hike.

It has nothing to do with Queensland, and this Government should have the guts to say so and stop grovelling to the petroleum companies. That is what it is doing. This whole arrangement is designed to look after this Government and its Liberal and National Party mates in Canberra. It should tell the petrol companies to sort out their own mess. It should tell the Federal Government to compensate Queensland properly for the extra fuel excise which is paid in Queensland. But all the Treasurer can do is throw up her hands and say, "It is out of our control." It is like unemployment: "I can't handle this problem. It's too difficult." Queenslanders are not going to cop that, and we will make certain that from one end of this State to the other they do not. This Government has surrendered Queensland's interests to the whims of Peter Costello. It got rolled on Federal/State revenue sharing, and now it is getting rolled on petrol taxes. It is about time that the Treasurer stood up for Queensland or stood aside for someone who will. We are prepared to stand up for Queensland.

I remind members that this full-page advertisement, which was authorised by the Commonwealth Government, stated—

"The Commonwealth has agreed to this request on the clear understanding of the States and Territories that the increase in excise and wholesale sales tax represents a State tax imposed and collected by the Commonwealth at the request of the States and Territories."

Is it little wonder then that some would be cynical enough to suggest that the Treasurer wants this whole arrangement to collapse because then she will have extra revenue from what is in essence a State tax by stealth? Why has she not stood up and fought for Queensland? She has simply sold out. She is simply not up to the job.

Time expired.

**Hon. J. P. ELDER** (Capalaba—Deputy Leader of the Opposition) (6.07 p.m.): I second the motion before the House. The Borbidge/Sheldon Government stands condemned for the litany of broken promises and poor decisions that it made before it came to power. Before the 1995 State election, Treasurer Sheldon promised with her hand over her heart that the coalition Government would not introduce new or increased taxes. But what happened in its first term in the first Sheldon Budget? There was not one but seven new or increased taxes and charges—

Sheldon's seven deadly taxes. The Treasurer cannot be trusted. Her comments that a safety net arrangement for fuel, tobacco and liquor price increases was in place were just as hollow as the promises that she has made in relation to taxes. On 5 August, the Treasurer said that there was no need for price increases in cigarettes, liquor or petroleum products. Wrong again! She should just ask Queensland smokers, who are now paying an extra 20c for their packet of cigarettes. That was another broken promise. It is almost two months since the High Court decision, so how long does it take for the State and Federal Governments to get their act together? The Treasurer said that they knew that the case might have gone against them, and they had contingencies in place. What contingencies? Where are they? Where are the negotiations between the State and Federal Governments?

Is it not fortunate that we have conservative Governments at State and Federal levels? Honourable members can imagine how difficult it would be if opposing parties were in power. Imagine if we were to see a repeat of the Wik legislation scenario. It has been almost a year since that High Court decision, and we have similar Governments at both State and Federal levels. We do not have the luxury of waiting a year; we have 10 days to reach a solution. The Treasurer is running around talking about proposed legislation which, as the shadow Treasurer articulated this morning, would be knocked out by the courts. It is a sham. Bland assurances and ridiculous statements just do not rate. The fact of the matter is that there is still no solution to this problem.

The Treasurer came up with the revelation that petrol wholesalers were buying petrol in Queensland and selling it for higher rates in New South Wales. What a revelation! She spoke as if that were new. It is valued at \$2m a week. That has been going on for a long time. Blind Freddy could have told her that. The reality of life is that, if she considered doing the deal not on a per capita basis but on a volume trading basis, she might find a resolution, because then she could knuckle the wholesalers. She could put the weights on the wholesalers and it would not flow on to the motorists in Queensland. She asked for a bit of advice. I suggest that she consider negotiations on a volume basis rather than a per capita basis.

**Mr Hamill:** They did the deal, though.

**Mr ELDER:** That is the point: they did the deal on a per capita basis. She sold the State out. All this "changes won't mean an increase"

is nonsense, because she has sold the State out. Regional Queensland will be paying extra. She should forget the cross-border issue. Everyone in regional Queensland will pay a minimum of 8.1c. Some unscrupulous operators will ratchet it up higher. Families in Maryborough, Hervey Bay and Bundaberg, for instance, will be paying approximately \$140 more a year for food and clothing. The cost will be around \$188 extra per car. It will be a bigger slug for two-car families. Families in Toowoomba, Dalby and Warwick will be paying an extra \$168 per year for food and clothing. That figure does not include the cost of fuel. In Rockhampton, Gladstone and Emerald, families will be paying an extra \$165 a year. I wonder what the member for Gladstone's view is about that. That is the impact of extra transportation costs for food and clothing. In Mackay and the Whitsundays, families will be paying an extra \$161 a year. The further one goes north, the more expensive it becomes to live in regional Queensland.

One has to ask: why is the Treasurer taking her time? As the Leader of the Opposition outlined, the real reason is that, if she does not fight hard enough in Canberra, if she puts up her hands and says "It is too hard", she receives a \$550m payout in the form of extra taxes.

Time expired.

**Mrs CUNNINGHAM** (Gladstone)  
(6.12 p.m.): I move the following amendment—

"All words after 'House'—

omit, insert—

'confirms the State Government's ongoing negotiations in relation to the new tax arrangements for petrol as a result of the Federal High Court Decision, and in particular—

- (1) reaffirms its commitment to Queensland that petrol prices not increase;
- (2) endorses its commitment that it would give priority to ensuring that petroleum users are not disadvantaged as a result of implementing the 'safety net';
- (3) recognises that Queensland complied with Commonwealth Government requirements to advertise safety net conditions;
- (4) is committed to protecting Queensland industries' competitive position, including transportation costs; and

- (5) recognises the co-operation to date of fuel companies and seeks their continued co-operation for a solution which reflects the status quo in each State.'"

The purpose of moving this amendment is that this is an incredibly important issue. As the Leader of the Opposition and the Deputy Leader of the Opposition have stated, if the cost of fuel in this State did rise 8c a litre, that would have a significant impact on families in Queensland, not just at the petrol bowser but through the cost of clothing and staple items, particularly in rural and regional Queensland. It is vital that as a Parliament we show a united front to the Federal Parliament about the importance of maintaining and protecting the current petrol users in this State.

The first point in my amendment reaffirms this House's commitment to Queensland that petrol prices will not increase. I do not think that there would be one person in the House tonight who would disagree with that. It is untenable. It is not able to be accepted at all. Secondly, we endorse the Government's commitment that it would give priority to ensuring that petroleum users are not disadvantaged as a result of implementing the safety net. In any new scheme—albeit one that is to help road users—there can often be a significant impost on petrol suppliers. The Treasurer and Deputy Premier has already indicated her concern for road users.

The third point recognises that Queensland complied with the Commonwealth Government requirements on the advertising. When notice of this motion was given this morning, reference was made to taxpayers' money being used for full-page advertisements. I certainly asked some questions about that. I was advised that Queensland carried those ads in order to comply with Commonwealth Government requirements. If there is an answer to that, that is fine. If in negotiating protection for our petrol users the Commonwealth has required the State Government to carry those ads, that is part of the negotiation process. It needs to be recognised that the ads did not originate in the State.

The fourth point recognises that we are committed to protecting the competitiveness of Queensland industries. This is not just an opportunity for the Opposition side of the House or the Government side of the House to offer their support for this amendment; this amendment is an opportunity for all of us to say to industry in Queensland that we want to protect its competitive position. The fact that

Queensland is the only State that does not have a State fuel tax indicates that commitment of Governments over a period to maintaining lower costs for business in Queensland. That commitment needs to be reinforced, not just to uphold the confidence of Queenslanders but also to the Federal Government, by saying, "We have worked hard and gone without under successive Governments and forgone State fuel taxes and we want the resultant benefits maintained for the people of this State. We are not just going to trade it off because of a High Court decision. We want to protect that competitive edge because we have gone without that revenue in the past. We want to see that hard work pay dividends in the future."

The fifth point recognises the cooperation to date of the fuel companies and seeks their continued cooperation. I listened to what the Leader of the Opposition said about fronting the fuel companies. Perhaps the Deputy Premier could explain why that line cannot be taken. I am not party to the negotiations. I have not been around the table. I value the briefings that I have received from the Premier, the Treasurer and their officers to keep me up to date with the negotiations. It has not been easy. It is very easy for those of us not involved to take the simplistic line and say, "We should do this, this and this." Having decided on a course of action because of the Federal High Court decision, a number of legalities have to be addressed. I understand that that has been the difficulty for members of the Premier's Department staff.

I do not think that anyone in this House will support steep price rises for fuel. It is a staple of our State. We are a diverse and very decentralised State. I do not believe that anyone on either side of the House will support an 8c a litre increase. Through this amendment I am seeking unanimous support that will show the Federal Government that we stand united on this issue, that it will not become a political football, and that it is an issue that we believe is worth fighting for for our community—for regional, rural and city folk.

**Mr HARPER** (Mount Ommaney) (6.17 p.m.): I rise to second the amendment. In doing so I believe that it is well worth considering some of the facts of this particular case. I believe that the facts will well and truly bear out that some of the points raised by the Opposition are without firm basis and are totally incorrect. All States and Territories except Queensland collected petroleum licence fees until 5 August 1997 when, due to the uncertainty arising from the invalidation of New South Wales tobacco franchise fees by

the High Court, the States decided to cease collecting all business franchise fees. Under agreed safety net arrangements with the States and Territories, the Commonwealth increased the excise duty on fuel products by 8.1c per litre on the understanding that subsidy payments would be made to fuel companies to avoid any increases in prices. That is especially important where, thanks to previous coalition Governments, there has been no fuel tax. Queensland's objective under the safety net arrangements has always been to maintain the State's revenue position in order to ensure that the capacity of the State to deliver essential services is not adversely affected by the High Court actions.

Despite extensive discussions between the States, the Territories and the fuel companies over a period of some eight weeks on ways in which an effective and sustainable subsidy arrangement for fuel could operate, it has been difficult to reach a final agreement. In particular, it has become apparent that there are those who may seek to profit from Queensland's generous subsidy arrangements by purchasing fuel in Queensland and transporting it to other States for subsequent sale and consumption. Intelligence reports indicate that companies are setting up in this State with the sole purpose of exploiting the subsidy arrangements in Queensland.

That exploitation of our subsidy arrangements creates problems not only for Queensland but also for the other States and Territories and for the fuel companies. Firstly, Queensland is providing a subsidy based on actual sales whilst getting back from the Commonwealth only a fixed share of the fuel safety net revenue. Indeed, in the first instance Queensland is out of pocket solely because of the carrying or financing costs involved in paying the subsidy before it is reimbursed by the Commonwealth Government. For instance, under the distribution formula, Queensland's receipts from the Commonwealth for the period 7 August to 29 August totalled \$30.9m. Subsidy claims for that same period, 7 August through to 31 August, totalled \$38.4m, leaving Queensland short by \$8.3m.

Accordingly, cross-border trade effectively results in the taxpayers of Queensland underwriting petrol sales in other States. Clearly, that is an untenable situation for the Queensland Government. Of course, the distribution formula can be changed, but only with the agreement of and at the expense of the other States and Territories, whose revenue would suffer correspondingly. As members could imagine, the other States and

Territories are not so keen to help Queensland if interstate trade is out of control and their payments from the Commonwealth could be adversely affected.

In addition, fuel companies are legitimately concerned that this cross-border trade will undermine their profitability by a rapid expansion in the activities of independent distributors. Attempts to deal with the issue of cross-border trade within the subsidy arrangements have encountered a number of administrative and legal difficulties, the most significant being the legal validity of any scheme that contravenes section 92 of the Constitution.

On 25 September this year, the Honourable the Premier met with the Prime Minister to discuss the safety net arrangements and more specifically options that would address issues of concern to both fuel companies and the Queensland Government. The Prime Minister committed the Commonwealth Government to ensuring that it would assist to the maximum extent possible to find a workable solution to the safety net arrangements.

The States and Territories have long been aware of the legal and practical difficulties involved in setting up subsidy arrangements for fuel, and prior to the decision being handed down had already developed a number of options. Further, and contrary to the assertions of the Opposition, throughout this whole process State and Territory Treasury officials as well as officials from the fuel companies have continued to work night and day to develop workable subsidy arrangements. State Solicitors-General and legal advisers to the fuel companies have also been providing ongoing input as to the legality of subsidy proposals. In addition, as recently as last weekend the Queensland Government sought advice from a prominent QC as to the constitutional validity of various subsidy schemes. It is fair to say that the High Court decision has turned into an administrative nightmare.

Time expired.

**Hon. D. J. HAMILL** (Ipswich) (6.22 p.m.): I rise to support the motion moved by the Leader of the Opposition and to oppose the Government's amendment, which was moved by the member for Gladstone and seconded by the member for Mount Ommaney. I want to spend a few moments discussing the amendment that was moved by the member for Gladstone to illustrate just how inadequate it really is. In the preamble, the amendment suggests that the House confirms the State Government's ongoing negotiations. I remind

the member for Gladstone, the mover of this amendment, that two months ago we were told that the Queensland Government had done a deal and that the Queensland Government had put in place a safety net not only in relation to fuel prices but also in relation to liquor prices and tobacco prices.

**Mr Borbidge:** Commonwealth and States.

**Mr HAMILL:** The Premier who interjects was the very person who, at the time, ran around claiming that he had done the deal. That is why only a fortnight ago before he went on holidays he was again down in Canberra grovelling and asking, "What happened? Why has it all gone wrong? What did I do wrong in the negotiations? Why is the deal that I promised the people of Queensland not now being delivered either by the Queensland Government or by the Commonwealth Government?"

The next point in the amendment moved by the member for Gladstone refers to us reaffirming the House's commitment to Queensland that petrol prices not increase. I am sure that that will really give great comfort to motorists in Queensland! I am sure that those motorists in Queensland who happen to be smokers will believe that the Queensland Government has reaffirmed its commitment. Over the past two months, that very commitment in relation to tobacco prices was breached. We were told that there would be no impact on the prices of tobacco, liquor and fuel.

The third point of the amendment recognises that Queensland complied with Commonwealth Government requirements to advertise safety net conditions. I am sure that the Commonwealth Government required the Queensland Government to whack out a big full-page ad with the usual Queensland Government propaganda rolled along the bottom.

**Mr Borbidge:** They worded it.

**Mr HAMILL:** And who paid for it? The Government paid for it! The Commonwealth Government put the words in the Government's mouth and we all paid for it. It was just the usual squandering by the Queensland Government of Queensland taxpayers' money. What did the advertisement say about how the arrangements will work in Queensland? The advertisement stated, "There will be no need for price increases in liquor or petroleum products." I suggest that that advertisement is of the same calibre as much of the other Queensland Government taxpayer-funded advertising, that is, it is all about promotion of the Queensland

Government and not much about information and not much about the truth.

The next point of the amendment states that we are committed to protecting the competitive position of Queensland industries, including transportation costs. If the Government was genuinely concerned about that point, why did it do the deal to distribute the funds not on the basis of the volumes of petroleum products sold but rather on a per capita distribution? Once the Government did a deal on a per capita distribution basis, it undercut the trading position of Queensland companies that buy their fuel in Queensland. The Government has underwritten the position of those jobbers who move across the border to sell fuel interstate.

The last point of the amendment recognises the cooperation of the fuel companies and their continued cooperation for a solution that reflects the status quo in each State. What a load of nonsense! The Government had the opportunity to do the deal and it stuffed up the deal mightily for Queensland and Queensland industry.

I am trying to imagine the situation in which First Mate Sheldon reports to Captain Borbidge, "Captain, the ship is sinking in the wake of the High Court decision in relation to our taxes. We are letting in water." What did First Mate Sheldon advise? "Let us drill another hole in the bottom of the ship to let out the water." That is exactly what the Queensland Government did. However, it is not only letting out the water but also it is letting out the whole tax base of Queensland. They have betrayed Queensland. We are seeing the formula for a State fuel tax introduced through the back door. This Government knows all about backdoor means; in most of the things it has done, it has been a great proponent of backdoor means.

In this case, we are looking at a 13% increase in fuel prices in Queensland. The Government has betrayed the trust of Queenslanders. As the Government betrayed Queensland in relation to tobacco prices, it is betraying them in relation to fuel prices as well.

Time expired.

**Hon. R. E. BORBIDGE** (Surfers Paradise—Premier) (6.27 p.m.): Honourable members opposite might like to listen to the facts. They should be aware that the High Court decision of 5 August invalidating New South Wales tobacco franchise fees has had an enormous impact on Commonwealth/State financial arrangements. Prior to that decision, States and Territories were well aware of the legal and practical issues involved in moving

from a State-based to a Commonwealth-based taxation system for tobacco, liquor and petroleum products. Consequently, options were developed in advance. However, no definite decision could be made until the High Court decision was known on 5 August.

In discussions with the other States, Territories and the Commonwealth, Queensland's fundamental position both before and after the High Court decision has been that the safety net arrangements were not to result in increased taxes for Queenslanders. Queensland remains fully committed to ensuring the safety net arrangements set in place following the adverse High Court decision of 5 August remain workable.

On that day, the High Court found that New South Wales tobacco franchise fees were invalid under section 90 of the Constitution. That left sufficient doubt over the constitutional validity of business franchise fees on tobacco, fuel and liquor that States and Territories had little choice but to cease collecting them. As a result of that decision, States and Territories face an annual revenue shortfall in excess of \$5 billion. Claims on the States and Territories for many billions of dollars for refunds of fees paid in the past could also arise as a result of the decision. These revenues have been used in the past and they are needed in the future to finance expenditure on vital Government services such as roads, health and education.

The revenue loss to the States and Territories meant that there was no alternative but to ask the Commonwealth to use its tax powers to collect revenue previously raised by State and Territory business franchise fees on liquor, tobacco and petroleum. The Commonwealth has agreed to this request on the clear understanding by the States and Territories that the increase in excise and wholesale sales tax represents a State tax imposed and collected by the Commonwealth at the request of the States and Territories. The safety net arrangements involve the States and Territories repealing their business franchise fees, the Commonwealth imposing higher Commonwealth taxes on liquor, fuel and tobacco products and then returning the additional amount raised to the States and Territories to compensate for the amount previously raised by the BFFs.

All of the revenues collected by the Commonwealth at the request of the States and Territories will be returned to the States and Territories. The Commonwealth only retains sufficient revenue from the safety net to meet its administrative costs. The States

and Territories will retain from the safety net revenue that income that they would otherwise have raised under their franchise fees. The balance or excess revenues will be returned to taxpayers to avoid, as far as possible, price increases for consumers.

Subsidy arrangements have been put in place for liquor products and they provide for the return of additional revenue over and above that which would have been collected had the State franchise fees remained in place. There will be no subsidy payment in respect of tobacco products as a result of an agreement between the tobacco companies and all States and Territories. The tobacco companies initially approached the Commonwealth and sought an alternative taxation arrangement because of the distortional effect on sales that would have resulted had the additional tax been based on the weight of tobacco products rather than sales value. The States later endorsed those arrangements. Queensland agreed to participate in the safety net arrangements in the national interest, thereby providing an environment that would ensure the viability and protection of State and Territory Budgets while minimising impacts on industry participants.

Following lengthy discussions with liquor and tobacco companies, the safety net arrangements affecting the liquor and tobacco industries have been resolved. In relation to fuel, discussions have been held with the major fuel companies and industry representatives, including the Australian Institute of Petroleum, since early August and these are continuing. Queensland was always aware that the fuel safety net arrangements would be more complex due to the absence of a fuel tax in Queensland and constitutional difficulties associated with controlling cross-border trading. Queensland remains committed to ensuring that this State retains its competitive advantage as the low-tax State, notwithstanding the difficulties presented by the High Court on 5 August 1997.

A number of options are under consideration by both the Commonwealth and the Queensland Governments. Further discussions are continuing at this time and, unlike the Labor Party, the Government will resolve this issue.

Time expired.

**Hon. R. J. GIBBS** (Bundamba) (6.33 p.m.): What an appalling contribution from a Premier of this State—somebody who is expected to show leadership—and, more

importantly at this time, from a former Minister for Tourism who knows the dreadful impact that this fuel price hike will have on the State's second largest industry. This comes at a tragic time for Queensland tourism. I was delighted to see that at least the Federal Minister for Tourism showed some spine and initiative by being in Cairns today, defending the industry and trying to cool down the situation surrounding the tragic murder of a Japanese tourist in north Queensland.

Currently, Queensland's share of the Japanese market is declining, our share of the north American market is slipping behind that of other States and our domestic market is starting to lag alarmingly, yet we have little leadership from the Premier and former Queensland Tourism Minister, and even less from the current Minister for Tourism. Where is he this evening? We are discussing the State's second largest industry. At least the Opposition is putting up a fight for the people of the industry whom he is supposed to represent, but again the Minister is missing in action.

I shall tell the House of the disastrous results that Queensland can expect once this fuel price hike takes effect. Let us look at the four-wheel-drive market and two of the favourite destinations of four-wheel-drive hirers. Obviously, I refer to the World Heritage listed destination of Fraser Island and another great place to visit, Moreton Island, which is off the coast near Brisbane. Obviously, people who hire four-wheel drives to go to those great destinations for holidays will be dramatically affected because of the increased price that they will pay for fuel. The motorbike industry is becoming huge in Queensland, particularly when one considers the Harley Davidson tours that are becoming extremely popular among all age groups. People will pay through the nose for those tours. I see Mr Speaker smile. I know that he is an old bikie from way back, and I know that he appreciates what I say.

Users of mopeds and rental cars will be affected by a rise in the price of fuel. Members can imagine the disastrous effect that a decline in the rental car industry would have on the Queensland tourist market. The rental car industry plays a major part in the holidays of many domestic tourists. People arriving at the airport hire cars from whatever company, and drive to innumerable destinations throughout Queensland, whether on short-term or long-haul holidays. They will have to pay through the nose for those cars. Those who rent cars for business purposes will also be drastically affected by the price hike in the cost of fuel.

A couple of other industries that will be adversely affected include the jet ski industry and the speed boat industry. Self-drive holiday makers and small delivery truck drivers who supply food, alcohol, hardware and other goods to the tourist industry will also be affected.

Some of the State's greatest tourist destinations are island resorts that rely on generated power. Those generators are not all diesel driven. The member for Hinchinbrook was going to interject, but I pre-empted him because it is obvious that he has never been to a number of those resorts to find out the facts for himself. Many of the island generators are still petrol driven. The fuel price hike will have disastrous consequences for islands that rely on petrol-driven generators.

The increase in the price of fuel will lead to increases in domestic air fares for flights into Queensland and international fares for flights into the country generally. This comes at a time when Queensland is finding it increasingly hard to compete with overseas destinations such as Bali and Noumea, which are offering very cheap 7-day to 10-day holidays. Tourists from Melbourne and Sydney are opting to go to those destinations, because they are cheaper than coming to Queensland. This fuel hike will not help that situation.

Other Queensland industries that will be affected include those that rely on the use of minibuses, taxi cabs, mobile food vans, construction vehicles for the provision of tourism infrastructure, bobcats and so on. Of course, the burgeoning limousine hire industry is developing a huge market, particularly within the wedding industry. Indeed, the wedding industry is the only one experiencing growth among those associated with Japanese tourism and, therefore, it will also feel the adverse effects experienced by the limousine industry as a result of the rise in the price of fuel.

Time expired.

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (6.38 p.m.): The coalition Government is totally and unequivocally committed to finding a workable solution that establishes safety net arrangements which deliver no price increases in petroleum products. No effort has been spared in seeking the support of the Federal Government and the cooperation of the fuel companies in reaching a solution that will see fuel prices maintained at their current levels. On 25 September, the Premier met with the Prime Minister, Mr Howard, to explore ways in which the Commonwealth could assist. There

have been many meetings with the fuel companies to achieve a workable solution. No-one could have done more than the Queensland Government has.

No-one should pretend that this is an easy problem to solve. The High Court decision that effectively invalidated business franchise fees has had repercussions throughout Australia. Interim safety net arrangements have had to be put in place to protect the revenue of the States—revenue essential to basic public services such as hospitals, schools, police and roads. In order to put in place an interim safety net that protects the fuel revenue from the other States and Territories, Commonwealth taxes on fuel products have had to be increased across all of Australia.

Under the Federal Constitution, the Commonwealth cannot discriminate between States in imposing taxes. Whether we like it or not—and we certainly do not like it—the additional Commonwealth fuel excise now applies in Queensland. Arrangements have been put in place to reimburse wholesalers for the financial impact of the additional Commonwealth tax. The purpose of these arrangements is to ensure that prices charged by the wholesalers to retailers do not increase. This removes any need for motorists to pay higher prices for fuel. These measures have so far succeeded. So far they have kept down the price of fuel in Queensland. However, these arrangements are under pressure. There are those who are taking advantage of Queensland's resolve to remain the low-tax State. They have profited by taking cheaper Queensland petrol over the State's border. Motorists and petrol retailers in New South Wales are now enjoying the benefits of cheap Queensland petrol. The Federal Constitution severely limits the ability of the Queensland Government to stop this unintended subsidy to interstate motorists.

The Opposition is aware of all of those facts. The ALP knows that the Government has done everything possible to look after Queensland motorists. However, to further its own selfish political ambitions, it has chosen to ignore the facts. The Labor Party has chosen to put its own interests above those of the average Queenslanders. It must be made absolutely clear, and there should be no misunderstanding, that a petrol tax was not sought by the Queensland Government. We never wanted it and we do not want it now or in the future. This whole debate has come about because of the High Court decision that strips away the longstanding revenue-raising powers of the States. Queensland is now even

more dependent on Canberra for the resources we need to provide a better future for all Queenslanders.

Again, this is not our doing, and members opposite know that. This was forced on us by the High Court decision. The coalition Government will continue to work until a solution is found to this difficult and complex problem. The coalition Government will only accept a solution that leaves Queenslanders no worse off. There are no grounds for saying that the annual cost of living for Queensland families will rise by \$400. That is what the Leader of the Opposition said in the House today. His statement is an outrageous misrepresentation and a furphy that has no basis whatsoever given the facts of the matter. Nor is it true for the Opposition or anyone else to say that the competitiveness of Queensland industry will be exposed.

The Labor Party has again been exposed for engaging in the worst sort of scaremongering—a nasty political stunt that is anti-Queensland and also patently untrue. Finally, it would seem that the Opposition is quite happy spending money on telling the people of Queensland that the State economy is not moving. However, the truth of the matter is that Queensland has taken off. Of course the Opposition has a right to say whatever it likes, no matter how ludicrous its statements might be. However, this time it has gone too far. The ALP has now criticised the coalition Government for telling the truth. The coalition has been knocked by Labor for doing the right thing and for running newspaper advertisements explaining the safety net arrangements in respect of tobacco, liquor and fuel. The Government is right to place those advertisements and to keep Queenslanders informed about the arrangements put in place. Is the Labor Party saying that the people of Queensland should be kept in the dark? That type of political skulduggery should have been stopped when Labor was kicked out of office 20 months ago.

Time expired.

**Hon. T. McGRADY** (Mount Isa) (6.43 p.m.): I support the motion so ably moved by the Leader of the Opposition and I oppose the amendment signed by the member for Gladstone but which, I suspect, was written by somebody else. To me, it is simply an apology for a failed Government and shows the true colour of that lady's politics.

I am delighted that the Opposition has brought on this debate tonight, because it will expose this Government as a bunch of incompetent administrators who are stumbling

from crisis to crisis. Yesterday, Rural Communities was added to my shadow portfolio. Therefore, tonight I wish to bring to the attention of this Parliament the economic pain and suffering that will be imposed on rural Queensland if this Government cannot resolve the problem that it has allowed to develop in this State.

Every one of us in this place remembers the promises made by the Premier and the Deputy Premier, at taxpayers' expense, that no Queenslanders would pay more for their petrol. We all remember the huge full-page advertisements placed in all of our newspapers, and yet today Queenslanders are faced with the real prospect of a 13% increase in fuel prices. This will have a devastating effect on all of us in this State, but in particular on those of us who live in country Queensland. Fuel is the blood that runs through the veins of the bush. As we all know, through sheer necessity people in the country travel more than their city cousins.

As members know, country people do not have the luxury of subsidised transport. Fuel is required for every journey we make. Transporting freight from the capital city adds to the cost of the commodities brought into rural Queensland. Price rises automatically increase the cost of living in both country and regional areas. Thirty years ago, the late Sir Robert Menzies brought legislation into the Federal Parliament that guaranteed that nobody would pay more than four pence a gallon more than capital city prices. As the Leader of the Opposition pointed out, if we use those figures today, it would mean that people in Mount Isa, Cloncurry and Doomadgee would be paying 10 shillings a gallon more than our sisters and brothers in Brisbane. Sir Robert Menzies would turn in his grave if he knew what was happening today, and that does not take into account the 13% increase which we will see if members opposite do not get their act into gear.

Next week, the Premier of this State will be flying to the Ernest Henry and Century mines to make some big announcements. Will the Premier tell the management of Ernest Henry and Century what costs will be imposed on those operations if this 13% increase goes through? The following week, when the Premier stands beside Hugh Morgan to announce an investment of three quarters of a billion dollars in Monument, which was all part of the work of the previous Labor Government, will he tell Queenslanders what this 13% impost will mean? In the coalmining industry, companies are laying off people. I do not condone what those companies are doing, but

this 13% impost will make it easier for them to justify laying off more and more people. The National Party is supposed to look after the people of the bush. It is now neglecting those people at a time when it is needed the most.

I have not yet mentioned the effects that this will have on local authorities. At the recent annual conference, did the Minister for Local Government tell the delegates what it will mean in terms of additional rates? Once again, the battlers out in the country will be paying more in council rates because of this impost by members opposite. How can any National Party member oppose the motion which the Opposition has moved tonight?

Time expired.

**Hon. J. M. SHELDON** (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (6.48 p.m.): Firstly, I wish to correct a misconception that has been peddled deliberately by the Opposition. The member for Gladstone has spoken already. This was her amendment. Just as happens when the Opposition moves an amendment, the member for Gladstone presented hers to us and we looked at it. It was essentially very sensible. She has followed that up with her speech in the House. She has indicated—and rightly so—that this is such an important issue that the whole Parliament should work together on getting a resolution and saying to the Federal Government, "We need a resolution and we should be working together on this issue, because it is very important for Queenslanders." Those are great words from the honourable member for Gladstone, but members opposite will not do that. That was indicated very clearly by the actions today of the Leader of the Opposition, the Deputy Leader and the shadow Treasurer. I do not think that helps them whatsoever.

Right from the outset, I wish to reassure all Queenslanders that the coalition Government has no intention of introducing a petrol tax. I want to make it absolutely clear, especially to the ALP and its current leader, that we reaffirm our commitment to Queenslanders that petrol prices will not rise. The Queensland Government is determined to sort out the taxation mess which was created by the High Court's decision. Treasury officials from the Commonwealth and all States and Territories, including Queensland, held extensive negotiations on possible safety net arrangements in the lead-up to the decision of 5 August.

Queensland's fundamental position in discussions with other States and Territories and the Commonwealth, both before and after

the High Court decision, has been that the safety net arrangements were not to result in increased taxes for Queenslanders. The safety net arrangement involved the States and Territories repealing their business franchise fees, the Commonwealth imposing higher Commonwealth taxes on liquor, fuel and tobacco, and then returning the additional amount raised to the States and Territories to compensate for what they previously raised via the BFFs. We are honouring our commitment and we are returning the subsidies that we received from the Commonwealth to the petrol companies—a fact of which the Leader of the Opposition does not seem to be aware.

This is in line with the Commonwealth's commitment—and especially the Prime Minister's commitment—to ensure that fuel prices do not increase. Furthermore, we are currently paying the subsidy directly to the oil companies out of Queensland's Consolidated Fund in advance of reimbursement from the Commonwealth. Queenslanders are bearing the financial costs of these arrangements as well as bearing the risk that our payments to the companies exceed our reimbursements from the Commonwealth. We have done all this to make sure that prices do not increase.

Since the High Court decision on 5 August, an enormous amount of work has been undertaken behind the scenes. Queensland Treasury officers have been heavily involved in detailed negotiations with fuel companies for weeks. These negotiations initially focused on the development of a non-legislative administrative scheme. When it became clear that this was unworkable, the focus of discussion shifted to possible legal options. Extensive discussions have also been held with other State and Territory Treasuries.

As indicated by previous speakers, the Premier met with the Prime Minister and the Minister for Finance on 25 September. The Prime Minister committed the Commonwealth Government to assisting to the maximum possible extent in finding a workable solution to the safety net arrangements. I similarly spoke with the Prime Minister and the Federal Treasurer last week. They have both given their full commitment and are working with us to this very minute on getting a solution. There have also been discussions with Commonwealth Treasury officials and the Australian Competition and Consumer Commission. Legal advice has been sought from the Solicitor-General and the Crown Solicitor in Queensland, and from the Commonwealth Attorney-General's Department. In addition, expert legal advice

has been sought from an independent Queen's Counsel.

It is fair to say that it is the States that are the primary victims of the High Court's decision. However, rather than adopt the Opposition's tactic of complaining, whingeing and grandstanding, the coalition has left no stone unturned in searching for an answer to the problems caused by the High Court decision. The solution we are seeking—and the one that the Prime Minister is supporting—is the solution that means no price increases for Queenslanders.

I say to the House and to the people of Queensland that there are no grounds for the Leader of the Opposition to be saying that the annual cost of living for Queenslanders is going to rise by \$400. That is what the ALP is putting about. It is simply an outrageous misrepresentation of the facts. It is not true. The Leader of the Opposition should hang his head in shame.

Safety net arrangements are in place and have been effective so far in keeping the price of petrol down to previous levels. However, Queensland has been left open to massive financial exposure by unscrupulous traders or "jobbers" who are taking advantage of Queensland's subsidy payments. These "jobbers" are profiteering by purchasing cheap petrol in Queensland and freighting it all over Australia. Motorists and petrol retailers in other States are reaping the benefits of cheap Queensland petrol at the expense of the Queensland taxpayer. This heinous practice is now possible because, under the old business franchise fee scheme, cross-border trade to avoid appropriate tax payments was illegal.

Time expired.

**Mr CAMPBELL** (Bundaberg) (6.53 p.m.): The first option that was open to overcome the problem facing Queensland consumers was to introduce faulty, unconstitutional legislation. That was out. We now hear tonight that we are going to put a safety net in place. However, the Government has not told us what that safety net is. If those opposite really know that there is a safety net present they should let us know what it is.

It is not simply a matter of worrying about the tourist industry. The Government sold out the sugar industry with the tariff. Is the Government going to sell out the sugar industry on fuel as well? That is what is happening. Each farmer has lost \$3,000 as a result of the tariff measures. The Government cannot show us how it is going to apply the safety net. This is a problem for the tourist

industry, for the sugar industry, and for the battlers. We are asked to continue with the cooperation given by the fuel companies. However, the member for Mount Ommaney came into the House and said that people are already starting to set up companies to rot the safety net.

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, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, 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, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson. Tellers: Springborg, Carroll

Pair: Goss W. K., Woolmer

Resolved in the **negative**.

**Question**—That the words proposed to be inserted be so inserted—put; and the House divided—

**AYES, 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, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson. Tellers: Springborg, Carroll

**NOES, 42**—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pair: Goss W. K., Woolmer

Resolved in the **affirmative**.

Motion, as amended, agreed to.

## ADJOURNMENT

**Mr FITZGERALD** (Lockyer—Leader of Government Business) (7.08 p.m.): I move—

"That the House do now adjourn."

### Education System

**Mr DOLLIN** (Maryborough) (7.08 p.m.): In his summing-up of the Education (General Provisions) Amendment Bill debated in this House on 28 November 1996, the honourable member for Merrimac and Minister for Education stated, when debating suspensions and exclusions of students from schools, that "we may have to address that matter further down the track." I believe we have arrived at that point and that this Government should urgently review some of those amendments if we are not to see thousands of low achievers thrown onto the education scrap heap, left without hope of employment and without any hope at all. To demonstrate my concerns I will read a letter I received from a concerned parent, Mrs Staatz, about her son Ben. This letter is alarming, to say the least. It states—

"In light of the position my 14 year old son finds himself in because of Section 30J. of the Education 'General Provisions' Amendment Act 1996. At this point in time my son has been excluded from all high schools in the Wide Bay region. At present he is enrolled at Brisbane School of Distance Education. My child was one of the lucky ones for the time being. He is not 15 years old or he would have been thrown on the scrap heap like numerous other children in the Wide Bay district. Those young people it seems are put in the too hard basket so the system used Section 30J. to rid themselves of the student. This way they only have to deal with the high achievers. I find myself in the position that if my son does return to Aldridge S. H. in 1998 in June when my son turns 15 am I going to be asked to remove him or take the chance of him being told to leave school with a good report or be thrown out with a not so good one.

Mr Dollin the system is failing the young people it leaves them with no self esteem not to mention what it is doing to the parents. I personally do not feel I have failed my child as I will do anything to see to it my boy receives the best education possible. Despite anything they decide. As a young Australian he has the right to an education and nobody has the power to take that from him."

Benjamin Staatz received the following recommendation from the Maryborough State High School in this letter to him—

"In accordance with Section 30J of the Education (General Provisions) Amendment Act 1996, I have considered

the recommendation to exclude you from Maryborough State High School. I am reasonably satisfied that grounds exist for your exclusion. Therefore I have decided that you be excluded from Maryborough State High School and all other state schools except the Brisbane School of Distance Education."

Mrs Staatz has seven children and is now a sole parent. She and her family are having to make a lot of sacrifices to afford the extra expenses of continuing Benjamin's education, and it is to her great credit that she is doing this. Mrs Staatz told me that her 14-year-old son now has trembling hands and is completely demoralised and depressed.

I have been made aware of cases where parents are given the option of signing their children out of school voluntarily and receiving a good reference or being given a dishonourable discharge. Many parents are taking the first option, well knowing that the latter destroys all job opportunities. So the figures showing the number of expulsions could be just the tip of the iceberg. They could also be the reason for the large number of 14 and 15-year-olds now not attending school. I ask: could these expulsions be contributing to our youth suicides? Young people can take only so much putting down.

If these expulsions were applied to drug addicts, rowdy and consistently misbehaving students or bullies, I would not be raising this matter in the House today. However, everything that I am told indicates that these exclusions are because of low academic achievement. I do not direct any blame for these exclusions at hard working teachers who are so stretched through lack of resources that they are unable to help students with learning problems. This new Education Act places a great deal of emphasis and incentive on high achievement. With their limited resources and new powers to expel, school principals might focus on credibility as a high achieving school rather than seeking a good education across-the-board for all young people. Of course, there may well be times when behavioural problems are mistaken or confused with learning difficulties and that could be potentially disastrous for some students. Many individuals have special needs and require different resources and approaches to help them achieve their potential.

At this point I would like to recognise a newly published book named C. A. T. Spells Rhinoceros by Maryborough author and editor of the Fraser Coast Chronicle, Nancy Bates. She is raising awareness of learning difficulties,

in particular dyslexia, through her personal experiences with her daughter Amber, and I recommend this book as a resource for schools to assist them to identify students with special needs. I table the book for inclusion in our library. The main thing that has to be done is to ensure that schools are adequately resourced and that students are not disadvantaged.

I hope that this present system of education is not going to turn our schools into elitist institutions which look after high achievers and throw on the scrap heap those with learning problems. If this is the case, we are generating a social time bomb that will blow our society apart within the next 12 months to two years. I ask the Minister to look into the matter.

Time expired.

#### **WorkCover Premiums**

**Mr ELLIOTT** (Cunningham) (7.13 p.m.): I wish to raise a matter which is associated with workers' compensation premiums under WorkCover Queensland. This is a subject which I raised a number of times with the previous Government. The problem affects grain growers in particular and some cotton growers who run a handful of cattle. Often a property will have a few grass verges around it and, naturally enough, those farmers will run a few breeders and/or milkers—for the family, so that they do not have to buy milk—or they might just run a few vealers. Those farms were categorised as being cattle operations, which put them into a much higher premium category. I raised this subject a number of times with the then Minister, the Honourable Matt Foley. Although he listened and brought in his bureaucratic people who were responsible for the Act, nothing ever happened; he did not solve any of the problems. So I am pleased that this coalition Government Minister has moved to rectify this problem.

A series of rates exists. The old rate that those people were charged was based on a premium of about 8.89%. The rate for a grain grower who had no cattle at all was 3.81%. Unfortunately, a small anomaly has been overlooked. It would appear, from what I have discovered from some of the people who have rung me recently, that for the remainder of the 1997-98 financial year those people who just accept their WorkCover premium as it comes through, having put their figures in first, will still be charged at 8.89%. But if they had cancelled their WorkCover and said, "No, I don't want it any more" and then a week later

said, "Hang on. I've made a mistake. I want to reapply for this", they would be charged under the new rate of 3.64%. Obviously, this anomaly has escaped those people who are trying to do the right thing and ensure that everyone is being charged according to the correct classification.

It is really important for all of us to ensure that WorkCover is seen to be transparent, that people understand how we arrive at the premiums, and that they are reasonable and realistic. I do not believe that we can sit idly by and allow an anomaly like that to continue. I urge the Government to look at this particular problem. Obviously, and quite transparently, we are going about our business and fixing up a problem which has been a long-running sore for many farmers. Numerous representations were made to me while the previous Government was in power. As I said, I brought it to the then Minister's attention and thought we were getting somewhere, but in fact we were not. So shame on that Minister and full marks to this current Minister, who is attempting to sort out this problem.

It is important to understand how this all fits together and to understand that that anomaly should not be allowed to remain in place for another 12 months, because it is going to be an impost on people who in many instances cannot afford it. For instance, for someone who is paying \$40,000, \$50,000 and up to \$100,000 in wages—which would be quite realistic in many of the areas that I represent—the difference between 8.89% and 3.64% is a massive amount of money in anyone's language, and it would put real pressure on those farmers who are trying to survive under very trying circumstances. So I call on the Minister to have another look at this problem. Let us see if we can sort it out. I will be talking to him about it. I felt that I should raise this matter to ensure that producers in my electorate understand that I am aware of the problem and that this Government is doing something about it.

Time expired.

#### **Curragh Coalmine Strike**

**Mr PEARCE** (Fitzroy) (7.18 p.m.): I wish to bring to the attention of the House a matter that causes me great concern, that is, the misrepresentation of facts by the member for Clayfield and Minister for Training and Industrial Relations, the Honourable Santo Santoro, who, by his statement to the Parliament on Wednesday, 20 August, misled the Parliament, and by his media release intentionally misled the people of Queensland

on the facts relevant to the Curragh mine picket line. In his statement to the House and in his media release, the Minister said—

"The Government will not allow the CFMEU to continue with its irresponsible actions which are damaging the state economy."

The Minister intentionally singled out the CFMEU when in fact there were three unions participating in what was a legal action. He said in the House and in his media release that the 14-week strike had cost the Queensland economy \$100m.

The first point requiring clarification is that the picket line at Curragh was legal under Division 3 of the Workplace Relations Act. The Minister failed to tell the House that the picket line was initiated by the unions because the majority of employees at the mine site sought to reach a collective agreement with the company pursuant to the provisions of the Act. The enterprise bargaining period was initiated by the unions. The company failed to negotiate, so the unions initiated a protection action for the purpose of securing an agreement pursuant to Division 3 of the Act. It was not a strike. It was a legal picket line as allowed under the Act.

The greatest misrepresentation of the truth was when the Minister said in his statement—

"This dispute must not be allowed to drag on and drag this state's reputation as a reliable producer down. It is too important to the welfare of Queenslanders to let it drag on."

From that statement, Mr Average Queenslander would assume that the Minister was determined to do what he could to end the picket line and get the miners back on the job. But nothing could be further from the truth. The following day, Mr Douglas, QC, on behalf of the Government, argued in support of ARCO Coal for the bargaining period not to be terminated. He argued for the status quo, that is, for the bargaining period to continue and for the picket line to stay in place. That was hardly a genuine attempt to end the dispute.

In the Parliament and in his media release the Minister said that the dispute had cost the economy of Queensland more than \$100m. Mr Martin, appearing on behalf of the Curragh mine, said that there was no evidence of that. Counsel for the company and Mr Santoro both said that the dispute was not causing significant damage to the economy.

The Minister has been caught out being untruthful, misrepresenting the facts and, worst of all, deliberately misleading the Parliament and the people of Queensland—all in the interest of aiding and abetting a mining company whose agenda is to deunionise the Curragh mine site and which wanted the dispute to continue so as to put the company in a strong position to exercise its right under the Act to prosecute and sue the CMFEU.

I have written to Mr Speaker on behalf of the Curragh mineworkers, who are deeply offended by the behaviour of a Minister of the Crown. The workers have said that they respect his position as the Speaker. They have requested that I refer this matter to him for his consideration and referral to the Members' Ethics and Parliamentary Privileges Committee. A Minister has a moral obligation to present the facts to the Parliament and to the people in an honest and balanced manner. Not to do so is to show contempt, which must be dealt with. The action of the Minister was a deliberate attempt to inflame the dispute. He has duded Queensland families, small business and rural towns. He should hang his head in shame. Mr Santoro is not worthy of the respect that his position of a Minister of the Crown attracts. With the announcement today of a further 100 jobs to go from the Blair Athol mine near Clermont, a mine owned jointly by Rio Tinto and ARCO Coal, a cloud of despair, frustration and anger now hangs over the Bowen Basin coalfields. The Minister must feel proud of his contribution to the erosion of jobs in the coalfields.

We have heard not a whimper from the member for Charters Towers nor from the member for Gregory. We have heard not a whimper from the member for Capricornia. How quickly he forgets his grassroots. What has happened here is a disgraceful misrepresentation by a Minister who should know better in a deliberate attempt to undermine the credibility not only of the mining unions but also of the families and individuals who work in those communities in the Bowen Basin.

#### **Australian Labor Party, Townsville**

**Mr TANTI** (Mundingburra) (7.22 p.m.): In my speech this morning I said—

"Now I will give the good news: 'ALP stalwart quits over leak'; 'Federal Police probe vote rigging allegations'; 'Labor loyal outraged by allegations'; 'process a mystery says Goss' ..."

An article in the Courier-Mail states—

"Australian Federal Police are investigating ALP pre-selection processes in the state seat of Thuringowa.

In a letter ... Townsville Federal Police Co-ordinator Mark Ney confirmed that inquiries into enrolment fraud in Herbert were under way.

Investigations come after a third parcel of internal party documents and records were leaked to the media and political opponents. The first batch, which contained ALP Disputes Tribunal minutes, letters, ALP records, plebiscite register and affidavits was tabled in State and Federal Parliaments.

...

Further documents, compiled and leaked from within the ALP detail electoral movements and alleged financial payments for numerous party memberships ..."

We do not know who was providing them. Given the contents of those documents, the only appropriate action to take has been to pass them on to the relevant authorities. It is simply Labor versus Labor.

As to the validity of the claims contained in the leaked documents—we have taken the attitude of wait and see. In the meantime, if discontented Labor supporters choose to drop the information, we will continue to pass it on. On 16 September our FEC chairman received a letter stating—

"Enclosed within this correspondence is documentation pertaining to the Heatley/Vincent and Hermit Park branches of the Townsville ALP along with other 'damaging material'. "

A list enclosed with the letter stated—

"After investigating the Heatley/Vincent Branch ...

It is believed that there has been up to 79 acts of fraudulent enrolment of members of both the Heatley/Vincent and Hermit Park Branches of the ALP on the electoral rolls of the Herbert Division.

ALP Head Office over a period of time were supplied with at least 121 Heatley/Vincent members addresses which appear to be 'dubious' or 'spurious'.

5 financial members of the Heatley/Vincent Branch in 1996 could not be detected on the electoral rolls since 1994.

27 financial members of the Heatley/Vincent Branch in 1996 no longer dwell in the Townsville district, some for a period of up to 4 years.

Up to 12 members of the Heatley/Vincent Branch according to ALP records maintained P.O. Boxes in the Townsville District. However, according to the electoral rolls, they had relocated elsewhere sometime prior.

It is also believed that up to 26 members of the Heatley/Vincent Branch (according to ALP records) had P.O. Boxes listed as their address (for ALP purposes) without their knowledge.

...

Of the 140 members of the Heatley/Vincent Branch in 1996, 116 members had their ALP fees paid for them.

It was also observed that copious members of the Heatley/Vincent Branch relocated to new abodes (according to ALP records), thus informing ALP head office prior to enrolling on the electoral rolls at times up to six months prior."

Also enclosed with that letter was a letter from Lyn Rooke, Mr McElligott's secretary. I will read the letter. It is dated 26 August. It states—

"It is with the deepest regret that I formally put on paper my absolute despair with the Australian Labor Party. After many months of soul searching, I have come to the decision that I can no longer retain my membership of the Labor Party. The necessity to take this action angers me because I have come to a point where I have absolutely no faith and trust in many aspects of the Labor Party membership and organisation.

Events in relation to recent plebiscites have caused me too much shame.

I have brought honesty, integrity, dedication, commitment, honour and a hard work ethic to the Labor Party. I have not seen these same ideals showered back on the rank and file members of the Party.

...

To be frank, the rank and file members deserve better from the Party. I have waited too long for inspiration from officials, ALP Members of Parliament (in the Queensland Legislative Assembly) and leaders but it is not forthcoming, and the up and coming aspirants to these

positions leave me cold and despairing for the future.

...

My resignation is effective immediately."

When Wayne Goss visited Townsville he said that the process in Townsville is a mystery. An article in the Townsville Bulletin states—

"The ALP in Townsville had a special preselection process for candidates, former Queensland premier Wayne Goss said yesterday.

He refused to elaborate, as he said he did not personally understand that process."

I turn now to an article headed "Labor loyal outraged by allegations". Mr Jim Bunnell is outraged by those allegations. He has been a member of the party for 20 years. He is appalled at the actions of the party. In many ways, that sort of action continues to go on in Townsville. The article states—

"It is believed the agents have uncovered evidence of people being enrolled to vote at addresses ..."

Time expired.

#### **Accident Investigation Squad, Gold Coast**

**Mrs ROSE** (Currumbin) (7.27 p.m.): I would like to draw to the attention of this House a gross underresourcing of the Accident Investigation Squad on the Gold Coast. On 18 September 1994, Wayne William Eckstein died as a result of being struck by a vehicle less than a kilometre from his home. Wayne, affectionately known as "Dogs" to his friends, was a life member of the Currumbin Surf Club due to his length of service and commitment to the public by patrolling the beach. He shared victory with me on 19 September 1992 when I successfully contested the seat of Currumbin by turning up at my place not with

just a bottle of champagne but a bottle of champagne in a bucket of ice. Dogs was 44 years old.

Exactly one week after Wayne's death, a young man was killed in a hit and run accident at Surfers Paradise. Anthony Watson was 28 years old when he died. The parents of Wayne and Anthony live within a couple of streets of each other in Palm Beach. They have been struggling to come to terms with the sudden and senseless deaths of their sons for the past three long and empty years. In both cases the tragedies were made harder to deal with because of lengthy delays in the investigations into the accidents. It was obvious that the resources of the Accident Investigation Squad were stretched to the limit. Mrs Eckstein still believes to this day that there would have been a different finding by the coroner had a more thorough investigation been conducted into the hours preceding Wayne's death. There were several hours unaccounted for and there were a number of people who had information but were never interviewed.

In the case of Anthony Watson, there were lengthy delays in the gathering of evidence and samples for forensic testing. When the case finally went to court, even the Office of the Director of Public Prosecutions recognised that more could have been done to better prosecute that case. After three years, the Eckstein and Watson families are still not satisfied with the outcomes of the investigations, inquiries and trials following their sons' deaths. There is a desperate need for the Police Department to have a look at the resources of the Accident Investigation Squad on the Gold Coast. I hope that the Office of the Director of Public Prosecutions is more conscious of its responsibility in keeping the parents of victims informed when a case goes to trial.

Motion agreed to.

The House adjourned at 7.30 p.m.