THURSDAY, 30 OCTOBER 1997

At 8.45 a.m.,

Mr SPEAKER (Hon. N. J. Turner, Nicklin) took the chair.

VACANCY IN SENATE OF COMMONWEALTH OF AUSTRALIA

Nomination of Andrew John Julian Bartlett, vice Cheryl Kernot

Mr SPEAKER: Order! The House has resolved to meet at 8.45 a.m. this day for the purpose of the election of a senator. There being a quorum present, the meeting is now constituted. Honourable members should note that the provisions of Standing Orders and Rules shall apply to this meeting. I now call for nominations. I point out that every nomination must be accompanied by a declaration by the nominee of qualification and consent to be nominated and to act if elected.

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (8.46 a.m.): I nominate Andrew John Julian Bartlett, social worker, of 41 Swan Terrace, Windsor, for election to hold the place in the Senate rendered vacant through the resignation of Senator Cheryl Kernot. I produce Mr Bartlett's declaration of qualification and consent.

Whereupon the honourable member produced Mr Bartlett's declaration of qualification and consent.

Mr SPEAKER: Order! Are there any further nominations? As there are no further nominations, I call the Premier.

Election of Andrew John Julian Bartlett

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (8.47 a.m.): I move—

> "That Andrew John Julian Bartlett be elected to hold the place in the Senate of the Parliament of the Commonwealth rendered vacant through the resignation of Cheryl Kernot."

This is the fourth occasion since the 1977 referendum on casual Senate vacancies that the Legislative Assembly has met to fill a vacancy in the Senate due to the resignation of a sitting Queensland senator. It is, nonetheless, an historic occasion. It is the first time that this Parliament has had to deal with a vacancy caused by the resignation of a representative of the Australian Democrats.

As this Parliament does not have a representative of the Australian Democrats, I move the motion nominating the authorised Australian Democrat nominee and the Leader of the Opposition seconds the motion. I am very happy to do so, as I am sure my colleague opposite is happy to second. Despite the politics of Cheryl Kernot's precipitate resignation from the Parliament and the Australian Democrats, it is appropriate and correct that a spirit of bipartisanship is manifested today in choosing her successor.

Today is also an historic occasion because it is the first time to my knowledge that the Queensland Parliament has fast-tracked the selection process by suspending Standing Orders so that the expressed wish of the Queensland electorate is in no way diminished. Honourable members will be aware that the Government in the House of Representatives and the Senate has granted a pair so that, until the Queensland Parliament fills the vacancy, the relative voting strength of the parties in the Senate is not altered.

The Australian Democrats have nominated, as the successor to Cheryl Kernot, Mr Andrew Bartlett. Mr Bartlett is a Queenslander. He was born and has lived all of his life in Brisbane. He holds degrees in social work and arts from the University of Queensland, and before becoming actively involved in politics he was a social worker.

Mr Bartlett has a long history of community involvement, particularly in the environmental, social justice and animal welfare fields. He is a member of many community organisations and holds executive positions in some of those. I note that he is also a musician of some talent, having played in a number Brisbane bands, mainly as a drummer, but he also plays the keyboard and sings. I am informed that he has made a number of recordings. No doubt the recordings that he will make in Hansard, as the Australian Democrats senator from Queensland, will hit the right note, too.

Opposition members: Oh!

Mr BORBIDGE: It is early! Fair go; I was up all night working on that one!

A Government member: It is a bit too subtle for them.

Mr BORBIDGE: Yes. I will explain it to the Leader of the Opposition later.

Mr Bartlett has been heavily involved with the Australian Democrats for a number of years. He was secretary of the Queensland division from 1990 to 1993, Queensland deputy president in 1995 and president from

1996 onwards. He was the Queensland campaign director for the party for the 1993 and 1996 Federal elections and has stood as a Democrat candidate at local, State and Federal elections. The record shows that Mr Bartlett has been an active, enthusiastic and prominent Australian Democrat. It is no doubt for that reason that he has been chosen by his party to assume the Senate seat vacated by his former leader.

His will not be an easy job; no senator's is. The Senate plays a pivotal role in our system of Government. Senators hold a very powerful and responsible position. As representatives of Australia's States, they are elected to give a voice to their State constituencies. It is on occasions such as this, when a State Parliament has a direct role in filling a casual Senate vacancy, that the relationship between the Senate and the States is made plain.

On behalf of the Queensland Government, I am pleased to move this motion and to wish Mr Bartlett well. I am sure that when he considers Federal measures, he will keep in mind the fact that as a Queensland representative his vital role is to ensure that the interests of our great State are given their proper worth every time.

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (8.52 a.m.): I rise to second the nomination of Andrew John Julian Bartlett to the Senate vacancy. It is sensible and appropriate for the Parliament to debate a replacement today for Cheryl Kernot in the Senate. This will enable her replacement, Andrew Bartlett, to take up his position as a senator as expeditiously as possible to ensure that Queensland is properly and fully represented in the Senate. I would like to thank you, Mr Speaker, for convening this early sitting of the Parliament to resolve this matter with, of course, the cooperation of the Government.

Queensland has a sad history when it comes to replacing senators. All of us will recall the infamous day when Premier Bjelke-Petersen rode roughshod over the wishes of Queenslanders by sending the ill-fated Patrick Field to the Senate, contributing to the demise of the Whitlam Government. That dishonest and improper behaviour resulted in the people of Australia voting for a change in the Constitution to prevent that sort of behaviour being repeated. Hence today, quite rightly, a Democrat is replacing Cheryl Kernot.

I am pleased that the appointment of Andrew Bartlett is being resolved in a constitutional manner, instead of the Premier proposing a member of the National Party or Liberal Party, or some other unacceptable candidate, as was threatened by him earlier in the year in relation to another senator. All members will recall the threat that the Premier made on national television that he would ignore the Constitution and the expressed wishes of the people when it came time to nominate a replacement for Senator Colston. His first instinct, as always, was to turn back the clock to 1975 when the National Party successfully foisted the hapless Patrick Field upon the Senate and the people of Australia. This behaviour was a pale attempt to imitate former Premier Bjelke-Petersen. The Premier was trying to create his own constitutional crisis. This attempt at constitutional vandalism—this sort of ridiculous, unsustainable, ill-conceived stance by the Premier—has since resulted, of course, in another one of the Borbidge backflips.

When the Premier issued his threat, he claimed to have legal advice that he could challenge the Constitution and nominate an Independent replacement for Senator Colston. The Premier said that there were all sorts of other options, including a very long delay in his nominating a replacement. On ABC radio the Premier said—and members should listen to this because it is very interesting—

> "There is no—as I understand it—no requirement that the nominee of the political party put forward is necessarily the choice that the Parliament would have to make.
>
> There is quite a number of exciting possibilities should this occur."

The Sydney Daily Telegraph commented—

> "Queensland Premier Rob Borbidge clearly is in trouble at home and is prepared to insult the Constitution to extract himself.
>
> No one is supporting him, he has no legal justification, and even common sense says he is wrong and being bloody-minded."

Mr Horan: I never thought you would stoop to this.

Mr BEATTIE: We will stand up for the Constitution and for doing the right thing. If the Government thinks that it will get away with its half-smart attempt to slide this through, it is wrong.

The Australian Financial Review stated—

> "This intervention was mad and bad. Bad because it had shades of the disgraceful 1975 Bjelke-Petersen

> appointment of Labor rat Pat Field. Mad, because the 1977 constitutional amendment requiring a Senate replacement to be from the same party as the former Senator was designed specifically to prevent what Borbidge was canvassing."

Mr Horan interjected.

Mr BEATTIE: Is this another backflip? Do Government members not like me reminding them of what they have said? This is an appropriate time to do so.

Laurie Oakes, in the Bulletin, suggested the Premier either had a Machiavellian purpose which no-one else could fathom or he had exposed himself on national television as a dill. Constitutional law specialist John Pyke said succinctly that the Premier was absolutely wrong. It was the same sort of confrontationist stance as the Premier adopted over the Wik legislation. He demanded a one-point plan—total extinguishment. He knew it would not work and he knew it could not work. But the Premier is not a man who goes seeking solutions; he has always been part of the problem.

The elevation of Mr Field to the Senate in 1975 was a typical National Party piece of trickery designed to pay lip-service to the traditions of the Senate which required a Labor Party replacement, while in fact Mr Field was quite prepared to do the bidding of the National Party. It was the sort of con trick which people have come to expect from the National Party. Its members do not change their spots. The National Party represents itself to be a party of churchgoing respectable people who would not dream of telling even a half-truth. But the Premier constantly fails to tell the truth. It was the same old National Party with the same old disrespect for the law and the Constitution. I bet that when the Premier takes part in the republican debate he will pretend he is sticking up for the same Constitution he tried to tear up.

Government members interjected.

Mr BEATTIE: Just listen to members opposite. Do they like it when we expose their absolute humbuggery over the Constitution? When we highlight their disrespect for the Constitution, they do not like it one bit. This is an appropriate debate in which to speak about the Constitution; we are debating a senator's replacement. We will stand by the Constitution. I will not allow Government members to be the wreckers of the Constitution of this State or that of anywhere else.

Government members interjected.

Mr BEATTIE: Mr Speaker, let Government members attack the Constitution.

I also remind members that as recently as 17 October the Premier said he would not compromise what he called the exceedingly busy legislative program just to accommodate the Democrats. Since then, of course, he has ditched several sitting days from the program. Either the Premier has cancelled these sitting days because his Government has no business to place before the House or he is running scared from the Opposition.

We have said that he has been cancelling sitting days because every day Liberal and National Party members are on display on the 6 o'clock news that does further damage to their prospects of re-election. We were told that this was nonsense and that the Government had simply run out of business. But here was the Premier on 17 October saying that the Government had an exceedingly busy legislative program. He cannot have it both ways. Why did he cancel the sittings on 21, 22 and 23 October if he has an exceedingly busy legislative program? And why has he now cancelled the sitting on 31 October without nominating a replacement day? It is important that we put on the record the history of the Constitution and what the National Party has done to tear it up, because this Premier has every tendency to do exactly what his predecessors sought to do.

I am pleased to second the motion nominating Andrew Bartlett for election to hold the place in the Senate rendered vacant through the resignation of Senator Cheryl Kernot. Mr Bartlett was selected by the Australian Democrats by virtue of the decision of the party's national executive to fill the vacancy by a recount of the most recent party ballot for the Senate ticket in Queensland. Mr Bartlett had been selected by Democrat members to be on the Senate ticket behind the then current Senators Cheryl Kernot and John Woodley. The last time he was a candidate was when he stood for the seat of Brisbane in the 1996 Federal election.

An honourable member: How did he go?

Mr BEATTIE: I will tell the member about that. There were nine candidates in that seat, and I understand his vote, after preferences, was among the best Democrat vote in the country. The preferences of the voters who voted for him and the Democrats were pivotal in enabling Arch Bevis to retain his seat ahead of the Liberal candidate—something which

may or may not have pleased Mr Bartlett but which certainly pleased us in the ALP.

Andrew Bartlett was born in Brisbane in 1964. He grew up in Clayfield and has lived in Brisbane all his life. Andrew attended St Columban's College, Albion, from 1973 to 1981 and represented Queensland at Rugby Union in the under 16s in 1980. He attended the University of Queensland from 1982 to 1988, gaining a bachelor of social work and a bachelor of arts. He joins a very illustrious and long list of people with a social work background who have made a significant contribution to politics in this country.

He has been a member of the Tenants Union of Queensland executive from 1989; a member of the Community Aid Abroad Queensland executive from 1995; is a former Queensland president of Animal Liberation; and a former member of the national executive of the Australia and New Zealand Federation of Animal Societies. He is also a member of Greenpeace, the Australian Conservation Foundation, Animal Liberation, Community Aid Abroad, the Vegetarian Society and the Windsor and Districts Historical Society. He was also involved in the local music scene, both as a musician and through working at community radio station 4ZZZ where he was an announcer and finance coordinator. In other words, he has strong community links.

Andrew was a social worker with the Department of Social Security in 1989-90. He joined the staff of Cheryl Kernot when she first entered the Senate in 1990 and remained on her staff in various capacities for most of the next three years, as well as being secretary of the Queensland division of the Australian Democrats from 1990 to 1993. When John Woodley was elected at the 1993 Federal election, and until last week, Andrew worked for him as a researcher and adviser. He was elected Queensland deputy president in 1995 and president of the Queensland division in 1996—a position he still holds. In addition, he was the Queensland campaign director for the 1993 and 1996 Federal elections; he is a non-voting member of the national executive and an editor of the party's national journal; and he is convenor of the committee that addresses the party's rules and regulations.

Andrew lives in Windsor, which happens to be in my electorate, with his wife, Julie. I am delighted to see another parliamentary representative from my electorate—and one who did not take my seat to achieve it! I welcome him to the parliamentary process. He will be the fourth Queenslander to represent the Australian Democrats in the Senate, following Michael Macklin, Cheryl Kernot and John Woodley. This will be a special day for him, his family and colleagues, and that is rightly so. We can all recall our first days of nomination and election. And only the churlish would claim they were not moved and excited by the experience.

However, this is an important day for Queensland as well. We are at risk—at risk from an uncaring and increasingly tarnished Federal Government and a Prime Minister without vision and the skills and morality of real leadership. We are saddled temporarily with a lacklustre, embittered and incompetent State Government which, although it is of the same political persuasion as its Federal counterpart, is rejected by Canberra as an irrelevant joke. We have a Treasurer who simply does not have the clout or the ability to be taken seriously, and we have one senator who, through his own personal greed, no longer has the ability to represent Queensland because he is a national disgrace.

So Andrew Bartlett enters the Senate at a time when cynicism about politicians is rampant and when the political process has been brought into disrepute in many quarters. That should not be a reason for despair but a challenge to reinvigorate the political process. Importantly for the established parties, including Labor, the Liberals, the Nationals and the Democrats, we must work harder to meet the community's demand that its elected representatives listen to it and act upon its wishes so that policies will make Queensland an even greater place in which to live and work in the 21st century. This is the real challenge facing our new Queensland senator, Andrew Bartlett, and all of us here. On behalf of the Opposition, I wish Senator Bartlett well in meeting those challenges.

Mr Schwarten interjected.

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

Motion agreed to.

Mr SPEAKER: Order! The motion having been agreed to, Mr Andrew John Julian Bartlett has accordingly been elected to fill the vacancy in the Senate of the Parliament of the Commonwealth.

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (9.05 a.m.): I will not respond to the Leader of the Opposition; this is Andrew Bartlett's day and it should be treated as such.

Mr Gibbs interjected.

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

Mr BORBIDGE: I move—

> "That Mr Speaker inform His Excellency the Governor that Andrew John Julian Bartlett has been chosen to hold the place in the Senate of the Parliament of the Commonwealth rendered vacant by the resignation of Senator Cheryl Kernot."

Motion agreed to.

The meeting concluded at 9.05 a.m.

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

PRIVILEGE

Cootharinga Home

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (9.31 a.m.): This morning I rise on a matter of privilege to outline to the House my role as Minister for Health in directing the Health Rights Commission to inquire into the Cootharinga Home. The Minister for Families obviously has an abysmal lack of knowledge of the Health Rights Commission Act, and he displayed this ignorance in his attack on me yesterday.

The facts of the inquiry into Cootharinga are these: Labor's handling of this issue was impeccable. The Health Rights Commission initially investigated a complaint about a death at the home. In the course of this investigation, the Health Rights Commissioner came across more disturbing information about events in the home during the 1980s, in other words, during the previous National Party term of Government.

Under the Health Rights Commission Act, the Health Rights Commissioner does not have the power to investigate the broader issues unless he is directed to do so by the Minister. On advice from the commissioner that this was necessary, I acted under the terms of the Health Rights Commission Act 1991. The Act says—

> "The Minister may give the Commissioner a written direction to conduct an inquiry in relation to a matter—
>
> ...
>
> (c) concerning the use of premises for the reception, care or treatment of—
>
> (i) aged care persons; or
>
> (ii) persons with a mental or physical illness; or
>
> (iii) persons with a disability ..."

As I said, after being briefed by the Health Rights Commissioner as outlined in the Act, I agreed that the information held by the Health Rights Commission was disturbing and I directed it to undertake a broader inquiry as outlined in the Act. To do otherwise would have been to cover up those issues. The allegation that the Minister for Families made in this House yesterday that I tried to stop the inquiry before the last election is totally untrue. I had neither the power nor the intention to stop such an important inquiry. In fact, there was not even a report at that time. My role stopped when I directed the Health Rights Commissioner to investigate the wider concerns that he had uncovered.

As I said, Labor's handling under myself and the Leader of the Opposition of a difficult issue was impeccable. Throughout our term of Government, we followed the processes as quickly as possible to ensure that upsetting allegations were investigated by the independent commissioner. Where the process fell down was when there was a report. That was delivered to the Health Minister, Mr Horan, in April this year. From there the process becomes murky, indeed. I think some light could be shed on that murkiness if the rest of the page, which the Minister for Families so reluctantly tabled yesterday in an unsuccessful attempt to besmirch me, was tabled in the House. The bottom half of the document was blocked out. Obviously, the information there did not fit in with the Minister's concocted story.

This Minister for Families is so ignorant of the provisions of the Health Rights Commission Act that he happily stood up in the House yesterday to share his ignorance with other members of the House. I am embarrassed for him but also angry that he thought he could deflect attention from his own ineptitude and inability to deal with the issue onto me.

Mr SPEAKER: Order! How much longer is this matter of privilege?

Mr ELDER: Two seconds. The Minister is exposed in his attempt to mislead the House, and he stands condemned. The Minister should meet his commitment that he made yesterday and table the report, unless he has got something to hide.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Resignation of Mrs M. Rose

Mr SPEAKER: I have to inform the House that a vacancy exists in the Members' Ethics and Parliamentary Privileges Committee consequent upon the resignation of Mrs Merri Rose, MLA, from that committee.

Appointment of Mrs L. D. Lavarch

Mr FITZGERALD (Lockyer—Leader of Government Business) (9.34 a.m.), by leave, without notice: I move—

> "That Mrs Linda Denise Lavarch, MLA, be appointed to the Members'

Ethics and Parliamentary Privileges Committee in place of Mrs Merri Rose, MLA."

Motion agreed to.

PETITIONS

The Clerk announced the receipt of the following petitions—

Browns Plains Police Station

From **Mr Barton** (47 petitioners) requesting the House to restore Browns Plains Police Station to a 24-hour station, operating seven days a week with additional police being recruited to Browns Plains as the population increases.

Paedophilia

From **Mrs Bird** (626 petitioners) requesting the House to act immediately to establish a royal commission into paedophilia and sexual assault against children.

Nursing Home Care

From **Mrs Bird** (267 petitioners) requesting the House to ensure that nursing home care is freely available to all who need it and further deplores budget cutbacks on services to the frail aged and elderly.

Unions

From **Mr Pearce** (877 petitioners) requesting the House to direct the Premier and/or the State Minister for Training and Industrial Relations to (a) ensure that the role of union officials is recognised as part of the collective bargaining process and (b) ensure that workers are able to retain their basic right of choice with respect to union membership.

School Funding for Airconditioning Projects

From **Mr Pearce** (106 petitioners) requesting the House to direct the Premier and/or the State Minister for Education to provide the same level of assistance to all other Queensland schools where parents and citizens associations have carried out the same level of fundraising for school airconditioning projects.

WorkCover; Car Pooling

From **Mr Santoro** (103 petitioners) requesting the House to address our concerns regarding car pooling, WorkCover and related problems.

Red Hill Police Station

From **Mrs Edmond** (337 petitioners) requesting the House to call on the Government to, at least, retain the Red Hill Police Station property and return this to a fully operational police station.

Petitions received.

PAPERS

The following papers were laid on the table—

(a) Premier (Mr Borbidge)—

Annual Reports for 1996-97—

Department of Premier and Cabinet

Office of the Queensland Parliamentary Counsel

Office of the Public Service

Residential Tenancies Authority

South Bank Corporation

Parliamentary Contributory Superannuation Fund

AFIC Annual Report to the Ministerial Council for Financial Institutions

Queensland Competition Authority

Bikeways Project Board

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

The Queensland Performing Arts Trust Twentieth Annual Report 1997

Annual Reports for 1996-97—

Queensland Museum

QSuper Board of Trustees and the Government Superannuation Office

(b) Minister for Training and Industrial Relations (Mr Santoro)—

Annual Reports for 1996-97—

The Director-General, Department of Training and Industrial Relations

The Chair, WorkCover Queensland Board

The Chair, Vocational Education, Training and Employment Commission

The Chair, Building and Construction Industry (Portable Long Service Leave) Board

The President of the Industrial Court

The Chair, Dalby Agricultural College Board

The Chair, Emerald Agricultural College Board

The Chair, Longreach Agricultural College Board.

MINISTERIAL STATEMENT

Queensland Economy

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.38 a.m.), by leave: For some time now this Government has been reporting to the House good news about the state of Queensland's economy and, importantly, the future of Queensland's economy. As Deputy Premier and Treasurer, I think it is important that the people of Queensland are told the facts about how well their State is performing. The Opposition—the Labor Party—has devoted enormous energy to distorting the facts and to talking down Queensland. To put it simply, the Australian Labor Party has an anti-Queensland policy. Today I again have the pleasant task of presenting details of yet another positive, pro-Queensland report. Today I ask the members opposite to contain themselves and allow the people of Queensland to hear about this good news.

It is often said that the only thing holding back Australia has been a lack of confidence. According to respected economic analyst Access Economics, Queenslanders have every reason to be extremely confident about where their State is heading. Access Economics has looked at Queensland's September quarter results in concert with previous quarters and, in its Five Year Business Outlook Summary, it says that Queensland is expected to have the highest GSP growth of any State in Australia. Further, this independent analysis shows that Queensland will have the highest gross State product of any State, every year, through to the year 2002! A comparison between Queensland's economic performance and the Australian national average provides a stark result—a result that is all good news for our State. Forecast national GSP growth for this financial year is 3.5%. Queensland's result? 5.7%! Over the next five years, forecast national economic growth will average 3.1%. Queensland's result? 4.2%!

Mr Gibbs interjected.

Mrs SHELDON: This has occurred under a coalition Government. In case the member for Bundamba does not know, he is sitting in the Opposition. This independent report says that "Both the short and long-term outlook for Queensland is excellent. Recent events have seen it steal a march over Western Australia." That is good news for all Queenslanders. The good news continues on the jobs front. Forecast national employment growth will average 1.5%. Queensland's employment result? 2.5%!

Access Economics has found that over coming years Queensland's unemployment rate will fall more rapidly than the national rate. This is despite the fact that Queensland has a far higher participation rate than other States which, in short, means that we have more people in the jobs market than places like New South Wales and Victoria. Access Economics has based its overwhelmingly positive report card on several key factors: strong business growth; a rebounding housing sector; and strong employment growth. I have every reason to suspect that the Leader of the Opposition and his honourable cronies opposite will again put their own political ambitions ahead of the interests of Queenslanders. I would like to make it perfectly clear to everyone in this House that these results are not Queensland Government figures; they are completely independent figures.

To highlight this, I go again to the Access Economics report. It says that both the GSP and employment growth forecasts—those terrific, positive forecasts—are higher than results forecast by Queensland Treasury in my last State Budget.

Mr Gibbs interjected.

Mrs SHELDON: A lot of Queenslanders looking for a job will be interested, I might tell the honourable member for Bundamba. They want a job and they are very interested to hear what is happening. This forecast is proof that the Government was not gilding the lily when we told Queensland that things were turning around. It proves that the Government was being responsible in publishing conservative forecasts on Queensland's economic performance. It proves yet again that Queensland is definitely doing better under the National/Liberal coalition Government.

In closing, I would like to ask Queenslanders to consider a comparison between their State and Victoria. We have heard so much over the past couple of years about how well Victoria is performing and how Victoria is supposed to be the glamour State of economic performers. Well, the real story is that it is another win for Queensland. The Treasurer of Victoria, no less, has acknowledged Queensland's superior economic position. In a recent statement published in the Australian, Victorian Treasurer Allan Stockdale said—

> "Whether Victoria will ever catch Queensland ... is debatable."

He knows that Victoria will never catch us because Queensland is a full 2.5 percentage

points ahead of Victoria in terms of economic growth. We are in front of Victoria, New South Wales and Western Australia. We are ahead of every State in Australia, and independent forecasts indicate that we will go on showing them a clean set of heels for years to come.

MINISTERIAL STATEMENT

Disability Budget Statement

Hon. K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (9.43 a.m.), by leave: I am pleased to release today the State Government's Disability Budget statement for 1997-98, a copy of which is on every member's desk. In order to address the needs of people with a disability, their families, and carers, funding of $548.2m has been provided across Government. This represents a massive increase from previous years and is far in excess of promises made at the last election.

The $548m includes more than $178m from my Department of Families, Youth and Community Care and more than $231m from Education Queensland. Funding from Public Works and Housing, Transport, Health, Justice, Training and Industrial Relations, and the Public Trust Office also contributes to the cross-Government approach. It must also be appreciated that on top of this is Federal funding, particularly in the area of employment and advocacy services, which in the last financial year amounted to $31m in Queensland. I remind all members of Parliament that across Australia the advocacy groups, who make a lot of representations to those opposite, received $13m. In the area of institutional reform, quality care includes offering choice.

Ongoing funding includes $4.3m for people who have left the Maryborough Disabled Persons' Ward, Sir Leslie Wilson Home, W.R. Black Home and Elphick Cottage and $1.5m allocated to upgrade facilities at the Basil Stafford Centre. This is all part of a $2.6m program. New funding of more than $2m has been allocated to support a number of Basil Stafford residents to relocate to the community, while a further $300,000 has been provided for people with extremely high and complex support needs.

Mr Gibbs: But you can win more than that on Gold Lotto.

Mr LINGARD: I saw a photograph of the member for Bundamba in the newspaper the other day. I put my glasses on and I read the Courier-Mail, and here is the member for Bundamba showing how great he was at sport. It was a Rugby League photo and it was taken in front of a child's swing. When I looked closely at the photograph, I saw that it was a photograph of the old days when we used to wear the little foam pads up the side of the trousers. All the little queers used to have their boxer shorts with their handkerchief at the back. What did the member for Bundamba have? What about the day he went off to Goodna——

Mr Gibbs interjected.

Mr SPEAKER: Order! I warn the honourable member for Bundamba under Standing Order 123A for the final time. I ask the Honourable Minister to make his statement. This is not a debate. If the Minister sticks to the statement, I will let him conclude it.

Mr LINGARD: So while we are assisting people to move out of centre-based care, we are also assisting those who want to stay. An initiative of the 1997-98 Budget is the $4.5m provided under the new Moving Ahead Post-school Services Program for young people, aged 18, with severe disabilities who are enrolled in special educational programs.

The list of funding goes on with $65.8m to provide direct services in accommodation support, respite and therapy services; $63m in grants to community agencies under the Disability Grants Program; $200,000 for the Developmental Disabilities Unit at the University of Queensland; and additional funding to help organisations affected by the SACS Award. I have not heard many complaints coming back about the SACS Award and what we promised to do there. There is funding of $1m for the Queensland Guide Dogs Breeding and Training Centre.

The Disability Budget statement for 1997-98 reflects more than half a billion dollars in care and support to people with disabilities, their carers, and families, from the Queensland Government. I invite all members of Parliament to read the document which I have distributed and which I now table for public information.

MINISTERIAL STATEMENT

Privatisation of TAB

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (9.48 a.m.), by leave: The State Government's TAB privatisation proposals represent an historic milestone in the life of the TAB and the revitalisation of the racing industry in this State. Privatisation

proposals have been met with an overwhelmingly positive response from the Queensland racing industry, which realises that the TAB must become more dynamic, flexible and competitive against the big fish interstate or risk being swallowed up.

The industry is keen to proceed with the first stage of structural reforms which will establish a more formal relationship between the TAB and the racing industry and deliver greater autonomy and financial return to the industry while retaining Government ownership. Far from being equivocal or indecisive, a two-stage process was deliberately adopted by the Government and the industry as a necessary safeguard to put the industry on a strong footing financially, structurally and strategically before making a leap to a privatised environment.

Formal joint venture and product and program agreements between the racing industry and the TAB must be drafted in this Stage I precursor to privatisation. This will lock in the two parties, making the TAB/racing relationship and landscape crystal clear to potential investors ahead of any privatisation. Another key element of the pre-privatisation package is the formulation of a comprehensive strategic plan to guide the racing industry into a privatised age with new demands, including increased professionalism in management, administration, product and marketing of the industry.

A Stage I financial package has been agreed to assist the industry through this transitional phase, including the wagering tax rate being dropped from 34% to 28.2%; a fixed product fee of $33m, plus 18.8% of wagering revenue, a 25% stake in TAB wagering profit and a 25% interest in the TAB's gaming and sports betting business. Procedure to Stage 2, that is, actual privatisation, would deliver increased profit-share arrangements, a lowering of the wagering tax rate to 25%, an up-front capital injection of $10m plus industry debt forgiveness worth an estimated $31m. The first full-year recurrent benefit to the racing industry at this stage is expected to be $109m—up $18m from current industry funding. The industry will have a greater level of autonomy and control over racing than ever before, with distribution of the financial windfalls determined by the industry. The bulk funding will obviously be split between the three codes, and from there each code will control its prize money distributions, capital works priorities and incentive program allocations.

The special needs of developmental race clubs have been catered for in a five-year agreement between the Government and the industry. The deal specifically guarantees a minimum funding package for the first five years of a privatised environment. This commitment will give clubs and communities confidence that the funding package to local race clubs will be safeguarded through any transition to a privatised environment.

MINISTERIAL STATEMENT

Government Medical Officer Services

Hon. M. J. HORAN (Toowoomba South—Minister for Health) (9.51 a.m.), by leave: As part of the coalition State Government's ongoing commitment to improving services across Queensland, a number of initiatives are currently being implemented to enhance Government Medical Officer services. The overall aim of these initiatives will be to upgrade and improve the services supplied by GMOs to the Queensland Police Service, the Department of Justice and the Queensland community.

Late in 1996, the Chief Government Medical Officer position was upgraded to Director, Government Medical Officer Services. This new position was given the added responsibilities of training and for providing professional support to part-time GMOs throughout the State. A deputy director position was also created for Brisbane, as was a GMO position to cover the Logan, Beenleigh and Ipswich areas. All these positions have been filled.

New initiative funding has also been utilised to fit out a new Government Medical Officer facility in Townsville. This facility is located at the Nathan Business Centre, Aitkenvale, and consists of a reception area, two consulting rooms, an examination room, a separate entrance and waiting area for victims of crime and their families, as well as a nurses station for history taking and medical screening procedures. A full-time deputy director position and a full-time Government Medical Officer position for Townsville have been created, supported by a nursing officer and administrative officer. Candidates have been now chosen for each position.

Training for GMOs has also commenced with the publication and distribution of three new training manuals. A two-day GMO orientation training workshop was conducted at the John Tonge Centre in Brisbane in July this year and was well received by participants. Topics at the workshop included post-mortem

techniques, counselling, sexual assault examinations, dealing with child abuse, drink-driving, statutes which affect GMOs, forensic science and a moot court involving prosecutors and defence counsel. It is expected that these workshops will be held at least four times a year until all Queensland Government Medical Officers have participated.

A new fee structure for GMOs has been implemented with Cabinet approval, based on Visiting Medical Officer rates, to adequately renumerate GMOs, as well as to enhance recruitment in areas of need. This is the first time since 1993 that GMO remuneration levels have been reviewed. Part of this remuneration package includes a $1,000 payment to each GMO to attend Queensland Health GMO training forums, plus practice expenses and accommodation.

The State Government has also moved to set up rosters of female general practitioners to assist our GMOs in sexual assault examinations. These rosters are now operating on the Gold Coast, in Townsville and in the Ipswich/Logan areas. Queensland Health has provided expert training to these female general practitioners in dealing with forensic examinations and providing evidence in court.

From new initiative funding, $240,000 a year has been allocated to the nurses in watch-houses project, as previously announced by my colleague the Minister for Police. This excellent initiative has targeted 18 watch-houses Statewide for this service. The Brisbane City Watch-house has contracted St Vincent's Community Service to provide a nursing service for two hours a day, seven days a week. Watch-house prisoners are assessed and medication reviewed, with the GMO called in when medical examination or assessment is required.

Once again, the coalition State Government has moved quickly to improve GMO services to Queensland, as well as significantly enhancing working conditions for Government Medical Officers in what is a very difficult job.

MINISTERIAL STATEMENT

Connect-Ed Project

Hon. R. J. QUINN (Merrimac—Minister for Education) (9.54 a.m.), by leave: Earlier this month, the Premier and I announced the most ambitious roll-out of information technology infrastructure in Queensland's history. Over the next 15 months, this Government will invest $53m to connect every one of our 1,300 State schools to the Internet. The Connect-Ed project will lay the foundation for our $131m Global Classrooms program, with the balance of $78m being directed to Schooling 2001 over the next three years.

Queensland students will have unprecedented access to the educational benefits and opportunities of the information superhighway, driven by a massive increase in computer hardware, computer software, curriculum support and teacher training. This Government is also determined to ensure that all material is carefully filtered by the time it reaches the classroom. We do not want our children exposed to pornography, we do not want them learning how to make bombs, we do not want them gambling in cyberspace and we do not want them wasting their valuable time on silly games and other pointless pursuits. Such sites and material will be blocked by a revolutionary software filter developed by the Schoolsnet company, a member of the Telstra consortium which won the Connect-Ed contract. Attempts to access inappropriate sites on the Internet will trigger an alarm monitored by Education Queensland's network administrators.

Schoolsnet will enable the department to view access statistics and the use of censorship services by schools, individually and collectively. It will also monitor and report on Internet traffic patterns, usage and activities. This system will allow schools to determine whether Internet usage is education related and alert them to attempted abuses. E-mail will also be scrutinised, and messages containing prohibited words or phrases will be redirected to administrators. This system has already been trialled in more than 200 schools throughout Victoria and the ACT, and is setting a new standard of Internet management in education. No program can ever provide a 100% guarantee, any more than we can guarantee that a student will not smuggle a copy of an adult magazine or other inappropriate material into school, but the security will be rigorous. Teachers, students and parents will be made aware of the risks, safeguards and benefits associated with using the Internet.

Schoolsnet will also provide several other important services. It will allow the department to manage and maintain school web sites, home pages and electronic mail services, including access to news and discussion groups. It will also provide us with the capability to provide every one of our 450,000 students and 30,000 teachers with their own

e-mail addresses by the end of next year. This is not science fiction. Global Classrooms will be a reality within 15 months. In short, this Government is getting on with the job of ensuring that our children are well equipped for the many challenges and opportunities which await them in the new millennium.

MINISTERIAL STATEMENT

Base Load Power Station, Townsville

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (9.57 a.m.), by leave: I am delighted to inform the House that the Stanwell Corporation and its joint venture partner, Destec Energy Incorporated, are finalising plans for the construction of a 766-megawatt, gas-fired combined-cycle, base load power station at Townsville. This follows their selection by Chevron Asiatic Limited to build the power project. This development is welcomed by the Queensland Government as fitting well within the Government's strategy for a deregulated and competitive electricity market where market forces dictate where electricity generation capability will be established. It is clear that our policy is on track and working well for Queensland. This project is one of a number of hallmark projects which are essential for the ultimate construction of the Chevron Papua New Guinea to Queensland natural gas pipeline. Such projects as this underwrite the project in terms of gas flow and, ultimately, make the project possible.

Honourable members would realise that the Queensland Government has given considerable time and effort to facilitating the Chevron gas pipeline. As late as yesterday, legislation was introduced into this Parliament by myself to facilitate this project. The Queensland Government is playing its role. This announcement by the Stanwell Corporation and the joint venture partner, Destec Energy Incorporated, underscores the fact that industry is also playing its role to bring this exciting new opportunity to Queensland.

Stanwell Corporation is a Government-owned generating corporation, and is currently the operator of the 1,400-megawatt Stanwell Power Station near Rockhampton and two small hydro power stations in far-north Queensland. Queensland will benefit in a number of ways from this project. It means the introduction of high quality gas at world's best prices into north Queensland for future industrial development, power generation which is environmentally friendly, and an enormous boost for job creation in the northern regions of the State. It is more good news for Queensland. But most importantly, it means a much-needed and somewhat overdue base load power generation facility to be established in Townsville. I take this opportunity to congratulate all of those who have taken part in progressing this important initiative for Queensland.

MINISTERIAL STATEMENT

WorkCover

Hon. S. SANTORO (Clayfield—Minister for Training and Industrial Relations) (9.59 a.m.), by leave: This morning I table the annual report for WorkCover Queensland. Honourable members would be aware that this is the first annual report for the Queensland workers' compensation scheme since the passing of the WorkCover Queensland Act 1996 and the establishment of WorkCover Queensland from 1 February 1997 as a new, commercially focused organisation led by a commercially experienced board chaired by Mr Frank Haly. An important aspect of the report is the Actuary's latest assessment of WorkCover's outstanding claims liabilities.

I am pleased to inform the House that last financial year, that is, the year to 30 June 1997, it was not necessary to make substantial additional provisions for earlier injury years as was the case in the previous two reporting years. The report discloses an unfunded liability at 30 June 1997 of $125.95m, which is a most pleasing result, representing an improvement of $193.85m compared with the 30 June 1996 deficit figure of $319.8m. It is important to note that, although the unfunded liability has been reduced by 60%, or $194m, almost 90% of this improvement can be attributed to exceptional investment returns and Government contributions.

The return on provisions invested with the Queensland Investment Corporation for the financial year increased by $106.7m, or 98.2%, over the 1995-96 returns to total $215.43m. This represents a rate of return of 15.95% for the year, which I believe all would acknowledge as being an outstanding performance by Jim Kennedy and the QIC board, which accounted for 55.1% of the turnaround in the unfunded liability. It is important to note that the QIC advises that that level of return is not expected to be sustained in the long term and recent stock market movements reinforce the need for caution.

The other major factor contributing to the turnaround was the contributions to the fund by the Queensland Government in the form of capital injections and tax equivalents refunds. The Government made the first of three annual contributions of $35m to capital as recommended by Jim Kennedy. On top of that, the Government has agreed to refund to WorkCover its tax equivalents payments until the fund reaches minimum solvency standards. That amounted to $32.5m for 1996-97. Those combined contributions by the Government totalled $67.5m and accounted for 34.8% of the improvement in the deficit.

The improved underwriting result was attributable to three major factors. Firstly, premium income increased as a result of a 6.2% increase in declared wages for the year, which is a clear reflection of the growth in the Queensland economy under the Borbidge/Sheldon Government. At the same time the coalition has maintained its commitment, in line with the Kennedy recommendation, not to increase the average net premium rate set by Labor of 2.145%. Secondly, I am advised that the actuarial reports to WorkCover indicate that the statutory claims experience continued its trend of improvement as experienced over the past few years. Compared with 1995-96, total claims payments reduced by 11.4%, while claim numbers reduced by 8.5%. There has been a 21% reduction in the number of claims over the past two years, due essentially to the introduction of the five-day excess from January 1996.

The third area of improvement has been in the common law claims area, where the aggregate number of non-Government claims intimated during 1996-97 was 13% lower than expected, which was due to lower than expected intimations for the 1993-94 and 1994-95 years, while the 1996-97 intimation year was still heavy relative to the long-term past but still lower than previously modelled. While the average cost of non-Government settlements made during 1996-97 was 15% lower than expected, the estimated average settlement size by injury year has increased from $92,200 for 1990-91 injuries to $97,500 for 1996-97 injuries, while total settlements for the year amounted to almost $150m.

While the initial indicators for common law claim numbers and costs are positive, I stress that it is too early to predict with certainty the long-term effects on WorkCover's outstanding claims liability. Because workers have three years to elect to take common law action, it will be at least another 18 months before we can accurately assess the impact of the past two years' legislative changes on the underlying incidence of common law claims. It is important to remember that, although the financial position has improved significantly in the past year—and I stress this for the benefit of honourable members—this was due only in small part to underwriting experience and WorkCover has a long way to go to achieving full funding. WorkCover requires 30% solvency to achieve full funding. In dollar terms, based on current claims liability, this means that WorkCover needs an extra $636.73m to meet this requirement. Actuarial projections based on current claims and trends suggest that it will take at least until the year 2007 for WorkCover to achieve full funding.

In conclusion, I should like to express my appreciation to the board, management and staff of WorkCover for their efforts in developing and implementing the WorkCover Queensland Act and the transition from the old Workers Compensation Board to WorkCover Queensland. The efforts of all involved have been exemplary, but the bad news for them is that I expect them to keep it up in the years to come to ensure that full funding is attained as soon as possible and that never again will this State be faced with a black hole of unfunded liability as was left to us by the previous Government. We should all learn from the past and the experiences of other States. This State needs a scheme that can react quickly to changing trends—both up and down—and I believe that WorkCover Queensland is now capable of doing just that.

MINISTERIAL STATEMENT

Mice Plague

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (10.06 a.m.), by leave: I am pleased to advise the House that, in response to an application made by my department, the national registration authority has extended the permit for the supply and minor off-label use of aerially applied zinc phosphide bait for mice in Queensland until 31 May 1998. The permit now includes preplanting use in pumpkin and melon crops. That represents a breakthrough for land-holders in central Queensland who still have serious mice problems.

In some instances, crops have been decimated. Aerial application of zinc phosphide is the only tool left for land-holders. This new permit provides land-holders with some relief for current crops and protection for summer crops. Monitoring by my department

shows that, although mice are no longer a problem in the Dawson Valley, numbers are still high in other parts of central Queensland, particularly in the Callide Valley. The rush for baiting by land-holders has subsided in the Dawson Valley, with mice numbers now much lower and winter crops reaching maturity. However, the aerial operators still have sufficient bait for land-holders who are considering baiting as an option in the Callide Valley.

Mice caused problems in late summer crops on the Darling Downs before the permit for zinc phosphide baiting was issued in July. By that time, no baiting was needed as numbers had declined sharply. No baiting is expected there in the near future. Hot spots of damage are occurring in wheat crops around Goondiwindi. Indications are that baiting may be required for summer crops in that area. My department will continue to monitor mice numbers in grain-growing areas, keeping land-holders informed of trends in the mice population.

Zinc phosphide baiting was carried out over 34,000 hectares of crops in central Queensland between July and September this year under the previous permit. The baiting was very successful, with most farmers reporting very little damage from mice after the baiting. The conditions, as laid down in the previous permit and by the Department of Health, have been rigorously complied with in all baiting activities. The effects of zinc phosphide baiting on non-target species have been monitored to meet the conditions of the national registration authority permit and Department of Health approval. The results of that monitoring have shown that the level of non-target mortality from the broadacre use of zinc phosphide coated grain in central Queensland is extremely low. The mice plague has the potential to cripple the grain industry. I am sure that all members will support the Government's action in seeking to control this menace.

MINISTERIAL STATEMENT

Kinetic Power Limited

Hon. B. W. DAVIDSON (Noosa—Minister for Tourism, Small Business and Industry) (10.09 a.m.), by leave: It is my very great pleasure to inform the House today of a major new investment in Queensland. Some time ago, my department began negotiations with Kinetic Power Limited to facilitate a major new manufacturing and export operation in our State. As a result of those negotiations, I was very proud to be able to offer Kinetic Power a package of investment incentives under the Queensland Investment Incentives Scheme. Following their acceptance of the Government's offer, Kinetic Power has begun operations in Queensland.

On 7 August this year, Kinetic listed on the Brisbane Stock Exchange, and I am very pleased to be able to tell honourable members that the float was successful with the support of a number of institutional investors. As a new start-up company, Kinetic is one of this year's great success stories. The company was listed on the Australian Stock Exchange in August this year following a successful period raising capital of $16m for the project. Since then, Kinetic has gone from strength to strength, notching up important achievements for Queensland. It has established a world-class manufacturing centre at Carole Park in Brisbane to produce a range of valve regulated lead acid batteries for the overseas market. That facility is already up and running and is now ready to ship.

The type of products being produced are crucial in the revolution towards portable and decentralised power supplies that have become so important in our society. They provide power to the telecommunications industry as it grows at high rates to keep pace with current communication demands. Portable power tools and computers, medical equipment and solar energy systems are further examples of the factors driving the growth of the market for Kinetic Power's product. It is a fantastic opportunity for this State and for this country. I am sure I do not need to point out to honourable members that these are some of the world's most rapidly expanding markets. This leading edge technology is being designed and manufactured here in Queensland by Queenslanders.

This opportunity for Queensland involves $26m in investment and it means employment for up to 200 Queenslanders over three years. One hundred and sixty of those people will be starting this year. Kinetic has committed itself to a cooperative, productive working environment at the forefront of workplace relations. I cannot think of too many investments in Australian manufacturing which come near this in terms of new employment creation and the development and application of new technologies.

I am very proud to have been able to bring this project to Queensland and I would like to congratulate those people in my department who helped to make this happen.

With export orders in excess of US$180m for the next six years, Kinetic Power will become one of the most important manufacturers in this State—a thriving business bringing investment and jobs to Queensland. Kinetic will be selling all over the world and will be concentrating on Europe and north America.

It is always very rewarding to have a small part in a great Queensland success story. We as a Government always find it very rewarding to know that we have played our small role in putting more Queenslanders into jobs. Kinetic Power thought about going to other States. It thought about going to Malaysia or Thailand, but Kinetic came to Queensland.

FUEL SUBSIDY BILL

Remaining Stages; Allocation of Time Limit Order

Mr FITZGERALD (Lockyer—Leader of Government Business) (10.10 a.m.), by leave, without notice: I move—

> "That so much of Standing and Sessional Orders be suspended to enable the Fuel Subsidy Bill to pass through its remaining stages at this day's sitting."

Motion agreed to.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Reports

Ms WARWICK (Barron River) (10.11 a.m.): I lay upon the table of the House report No. 9 of the Members' Ethics and Parliamentary Privileges Committee, which is titled Report on a Citizen's Right of Reply Nos 5 and 6.

I also lay upon the table of the House report No. 10, which is titled Report on a Matter of Privilege: Alleged contempt by the Criminal Justice Commission—Matter referred to the Committee on 3 December 1996. I commend both reports to the House. I also lay upon the table of the House submissions received by the Members' Ethics and Parliamentary Privileges Committee on its inquiry into parliamentary privilege in Queensland.

On behalf of the committee, I would also like to take this opportunity to inform the House of the progress of the committee's code of conduct inquiry. Firstly, I wish to advise the House that the committee's inquiry is quite advanced. The committee is striving to complete the inquiry by the end of the year. Unfortunately, the committee's inquiry has been delayed owing to the number of privilege matters that have been referred to it for its consideration. Since November last year, this committee has had eight matters of privilege referred to it. To put that in context, in less than 11 months the committee has had more matters referred to it than two former select committees of privileges had referred to them during a six-year period.

The committee believes that it is vital that its code of conduct inquiry be completed as soon as possible. For that reason, the committee is temporarily changing its policy in respect of privilege referrals. To date, the committee has given priority to matters of privilege referred to it by the House or Mr Speaker. The committee has adopted this course of action in order to ensure that those alleged to have committed a breach of privilege could be assured of receiving due process. However, it has become patently clear to the committee that to continue this policy in the immediate future will only result in the continued delay of the code of conduct inquiry.

Therefore, on 27 October the committee resolved that all matters of privilege currently before the committee on that date will still be given priority, but from that time onwards the committee would be giving priority to its code of conduct inquiry. Privilege matters will take precedence only when the committee is requested by Mr Speaker or by the House.

LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE

Report

Mrs GAMIN (Burleigh) (10.14 a.m.): I lay upon the table of the House the Legal, Constitutional and Administrative Review Committee's annual report for 1996-97. Under the Parliamentary Committees Act, the areas of responsibility of the committee are in relation to administrative review reform, constitutional reform, electoral reform and legal reform. The committee's annual report outlines how it has discharged these responsibilities during the year. As chairman of the committee, I also wish to acknowledge the dedication and valuable contribution made by the members of the committee and the committee staff throughout the year. I commend the committee's annual report to the House.

I also lay upon the table of the House additional submissions received by the Legal, Constitutional and Administrative Review

Committee regarding its inquiry into privacy in Queensland.

PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE

Report and Supplementary Submission

Hon. V. P. LESTER (Keppel) (10.14 a.m.): I lay upon the table of the House the CJC publication titled The Investigation of Paedophilia by the Criminal Justice Commission. I also lay upon the table of the House a further publication CJC titled Supplementary Submission to the Attorney-General on the Draft Criminal Justice Legislation Amendment Bill 1997.

I should indicate that this supplementary submission by the CJC has previously been released publicly and distributed by the CJC to all members of the House. The committee is tabling these documents as it believes that it is in the spirit of the Criminal Justice Act that all non-confidential publications by the CJC be published and tabled in Parliament. However, the committee stresses that it has not necessarily conducted an inquiry into the matters that are the subject of these publications and that it is the CJC that has determined that the publications are not reports of the commission for the purposes of section 26 of the Criminal Justice Act.

NOTICE OF MOTION

Unmet Needs

Ms BLIGH (South Brisbane) (10.16 am.): I give notice that I shall move—

> "That this Parliament recognises that the unmet needs of Queenslanders with a disability, their families and carers are at critical and unacceptable levels, and expresses concern that—
>
> - the Borbidge-Sheldon Government has failed, for two consecutive budgets, to meet its 1995 election promise to increase spending on disability by $34m per year for three years;
> - the allocation of $500,000 for unmet needs in this financial year falls so far short of requirements that there will be no funding round in 1997-98 for the first time since funding rounds were instituted under the Commonwealth/State Disability Agreement; and
> - Government Ministers, including the Minister for Families, Youth and Community Care, have spent more than three times this amount, $1.7m, on renovating and upgrading their own ministerial offices; and
>
> calls on the Government to make an immediate allocation of $5m in crisis funds from the Treasurer's Advance to meet the critical need for accommodation support, respite care and other needs of Queenslanders with a disability throughout the State."

PRIVATE MEMBERS' STATEMENTS

Job Losses

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.17 a.m.): When it comes to jobs, the record of the Borbidge/Sheldon Government is a reign of error. Over the past year, this Government has lost 7,000 full-time jobs. Yesterday, that reign of error continued when the appalling total grew by another 400.

Four hundred Mackay families face Christmas on the dole because the local meatworks has closed indefinitely. Is the National Party not supposed to represent the grazing industry? The reign of error has seen 440 jobs lost at the Bowen meatworks and now the same thing is happening in Mackay. Mr Perrett himself has closed down the Bundaberg meatworks with the loss of 20 jobs.

The Premier claimed that he was intervening to prevent Metway from being lost to this State. When is he going to intervene to save the jobs of the workers at Bakers Creek in Mackay and the jobs of the workers in Bowen? When is the Premier actually going to do something for this State?

Under the Borbidge/Sheldon Government, Queensland is suffering a reign of error. We have Joan and Jonah. Wherever Jonah goes, catastrophe follows. It will not be long before people will be begging him not to visit their communities and not to come anywhere near them. Look at what the Premier has done. Just about everywhere he has gone there has been a disaster. Bundaberg and Bowen have both had a visit from Cabinet, and look at the disaster that occurred. The same thing has happened in Mackay, where there is a meeting on Monday—another disaster. What can the people of Mackay expect? Nothing more than empty words! People in other communities will be saying, "Do not come anywhere near me or there will be another disaster."

Did the Premier not visit Hong Kong recently? Did the Premier not visit Jakarta recently and half the place caught fire? Good heavens! I hope that the Premier does not visit anywhere in my electorate. With his track record, we do not want him anywhere. What about petrol prices? They have gone up. The Premier tries to claim that petrol prices have been restrained, but ask anyone in the community what is happening with petrol prices. A petrol tax is what he has imposed.

Time expired.

Queensland Manufacturing Institute

Mr CARROLL (Mansfield) (10.19 a.m.): The Queensland Manufacturing Institute at Eight Mile Plains technology park in the Mansfield electorate has recently helped three local producers of cast metal products to develop advanced technology that will reduce products cycle time and improve product quality. As many in the House would be aware, the Queensland Manufacturing Institute was establish by the Department of Tourism, Small Business and Industry in conjunction with the State's leading manufacturing, research, training and support agencies. The institute is a now a world-class facility that provides Queensland industry with access to leading-edge manufacturing technology and applied research. Its capabilities include high-speed prototyping, rapid development of prototype tooling, casting techniques and computer-aided design. These types of technology and research are not often readily available to many Queensland companies, so they are pleased that the institute provides these services at a reasonable cost.

With assistance provided through the AusIndustry program, administered in Queensland through Minister Bruce Davidson's Department of Tourism, Small Business and industry, three local producers recently joined forces to work on a special project with the Queensland Manufacturing Institute. These companies are the Toowoomba Foundry, ANI Bradken at Runcorn and Tubemakers of Australia at Currumbin. The purpose of this joint effort was to evaluate the potential benefits of casting solidification modelling software. This software allows manufacturers of cast metal products to analyse and predict the cooling properties of these products.

The Minister for Tourism, Small Business and Industry informs me that while these modelling techniques are in frequent use in the plastics industry, until now they have been lacking in metal casting due to the relatively high cost of the software. By combining their efforts under Queensland Manufacturing Institute project management, these companies have now been able to evaluate metal casting modelling techniques economically. As a result, they have developed software that will enable them to reduce production cycle times.

Time expired.

Minister for Emergency Services

Hon. D. M. WELLS (Murrumba) (10.21 a.m.): The mind boggles at the thought of the Minister for Emergency Services doing a backflip, but he has brought a new dimension of chaos as well as a new dimension to the art of the Borbidge backflip. In him, Fawlty Towers meets Le Grand Bouffe.

In a recent edition of Sector Wide, the Premier declaimed agency reorganisations would only take place when Cabinet considers it essential and subject to arrangements approved by Cabinet. No agency reorganisation will proceed unless there are clear improvements for the public and, should it take place, it can only go ahead if planned and done in consultation with the staff.

However, what is happening in the Department of Emergency Services? As if in direct contradiction, and doing a complete backflip against the trends that the Premier is supposed to be setting, the Minister for Emergency Services has created complete chaos. He has purged both sections of his department. All the senior positions in the Department of Emergency Services have been declared vacant.

The other day in the House I tabled a copy of the Francis report that stated that the department had to redo a whole range of appointments because they had not been done in accordance with due process. Today I can tell the House that the same sort of thing has now clearly happened with the Ambulance Service. We need, and I call for, a Francis report or some similar review into the appointments in the Ambulance Service, because the same sort of thing has happened.

The final outcome was influenced by first-hand knowledge of selection panels, to use the Francis phrase, which, of course, is code for cronyism. Applicants were appointed to positions that they did not apply for. Apparently the paperwork was in such poor order that they had to get a reference to

complete it after the interviews had been done and the successful candidates had been advised. They completed the process by getting a reference from an officer who was junior to the officer for whom the reference was written.

Time expired.

Emergency Services, Redland Shire

Mr HEGARTY (Redlands) (10.23 a.m.): The provision of additional emergency services in the Redlands electorate is progressing well. Following the allocation of $400,000 in this year's Budget for the establishment of an ambulance station at Redland Bay, I am pleased to advise the House that the negotiations with the Redland Shire Council for a suitable parcel of land, which it is generously providing, are well advanced and that construction is scheduled to commence next year.

A further $160,000 has been allocated for the construction of a combined fire, ambulance and emergency services centre on Macleay Island. Work on that facility is set to go. A meeting is planned for next week to discuss construction details and work is scheduled to start as soon as leasing details for the land are finalised by the Redland Shire Council's solicitors.

In accordance with the planned population growth in the shire, particularly in the southern part which my electorate encompasses, the Queensland Fire and Rescue Authority south-east and Brisbane regional offices are currently undertaking a major planning study on the present and future needs to provide further fire and emergency services in that area.

The recent provision of a full-time ambulance officer to the recently constructed ambulance centre on Russell Island is working well. This is the first permanent officer that any of the islands have had and is in direct response to Minister Veivers' recognition of the need to adequately resource all Queensland communities, irrespective of their location.

Only this week tenders were called to construct a new ambulance centre at Cleveland to replace the old centre, which has served the shire for many years. The centre's new location will enable a fast response to emergency situations throughout the shire. The emergency services facilities, current and planned, will service my electorate and others so that citizens can expect the degree of security that they deserve. The Minister should be commended for his speedy response to all of these emergency service measures. I thank him for what he has done for my electorate and the people who live nearby.

Time expired.

Minister for Education

Mr BREDHAUER (Cook) (10.25 a.m.): I wish to add to the litany of backflips performed by the Borbidge Government by turning to what has happened in education in the past two years. Who can ever forget "Backflip Bob", the Minister for Education, saying that he was going to sack 6,000 school cleaners and then went backflipping down the corridor as he was told by the Premier that he could not sack them and their positions were restored?

What about when the Minister said, when in Opposition, "We will double the number of guidance officers in Queensland", and actually identified that there were then 350 guidance officers in Queensland. It did not take him too long to do a backflip there either. In answer to a question from the member for Bulimba the other day, the Minister said that so far in two years they have employed 21 extra guidance officers in Queensland. That is a long way short of 350 extra guidance officers and is another backflip.

What about when he said on the Anna Reynolds program that under the Leading Schools program it would be all right for the school principal and the community to decide to trade off the teachers against resources or other enhancements to school resources. He has had to do another backflip there. After pressure from the Opposition and the Queensland Teachers Union, he has had to say, "We will not do that any more. We will give you a guarantee that those positions will not be traded off."

What about the classic backflip—which was actually backflip, backflip, backflip—over Helens Hill State School. That school burnt down and the Minister said that it would be rebuilt. Then he did a backflip and said that it would not be rebuilt. Then he did a backflip and said it would be rebuilt. Then he did a backflip and said, "We will put a permanent building there." Then he did another backflip and said, "We will install a temporary building." It was like watching a Chinese gymnast on steroids!

An Opposition member: Without the muscles.

Mr BREDHAUER: Yes, without the muscles. Who could ever forget the time when he said—

> "Teachers are human beings, and they can stand only so much change. I believe that it is now time for a settling-in period and stability of direction."

Then what did he do? He tore the guts out of the education system, which was another backflip, and introduced the Leading Schools program which abolished all the regions and all the school support centres. Then he said that an integral part of the issue is teachers' morale. What does he care about teachers' morale? That is another backflip. There has been no pay increase and teachers' morale is down the tube.

Time expired.

Gold Coast Sexual Assault Support Service

Mrs GAMIN (Burleigh) (10.27 a.m.): I am pleased to advise the House that financial problems have been solved for the Gold Coast Sexual Assault Support Service. This very important and necessary service has enjoyed rent-free premises ever since its inception in 1989-90, firstly at the Gold Coast Hospital and then in a Department of Housing property located just behind the hospital. However, some months ago the hospital purchased this house from the Department of Housing and, although it has allowed the Sexual Assault Support Service to stay on while accommodation problems were sorted out, the hospital is anxious to move in and utilise the property for its own purposes.

Having to find other premises at a commercial rental presented huge problems for the Sexual Assault Support Service. It has been able to manage its budget, albeit with some difficulty, because funding is always tight for this sort of operation in these days of ever-increasing needs. However, commercial rental is quite beyond its means.

Over the past few months, strong representations have been made to the Minister for Health by all local members of Parliament and other sections of the community in order to achieve the necessary funding increase to cover commercial rental for the service's accommodation. Having been involved with the service from its earliest planning days, I have taken a keen interest in this matter myself and have put forward some pretty heavy pressure.

The day before yesterday, the Gold Coast Sexual Assault Support Service was formally advised that the problem has been solved, as the required funding of $30,000 will be made available. I thank the Minister for Health for his assistance, as it is vital that this very important service continues to operate for the benefit of women who find themselves victims of sexual assault, which is sadly only too common, particularly in an area like the Gold Coast.

Minister for Environment

Mr WELFORD (Everton) (10.29 a.m.): "Backflip" Borbidge has been at it again in the environment. This Government has done more backflips than Greg Louganis when it comes to the environment. Members only need to look at the oil tax that it proposed, which it did a backflip on. What about the famous park pass that would protect all the national parks of Queensland? The Government did a backflip on that. "Backflip Brian" was going to privatise Fleay's Wildlife Park. He spent $40,000 on private consultants to find out that he should keep it within public ownership. What a backflip that was!

The Government was going to have the most stringent controls on Hinchinbrook, but what it has done since is expanded it without even so much as an EIS. This Government is full of backflips on the environment. How can "Backflip Bob" and "Backflip Brian" get any worse?

QUESTIONS WITHOUT NOTICE

Super Stadium

Mr BEATTIE (10.30 a.m.): I ask the Premier: can he confirm that Cabinet's decision to site the super stadium at the old airport site was made at the request of Gold Coast developer Brian Ray?

Mr BORBIDGE: As usual, the Leader of the Opposition is wrong.

Mr W. Nioa; Gun Buy-back Scheme

Mr BEATTIE: I ask the Police Minister: will he give the House an update on the investigation into allegations that National Party identity and gun dealer Bill Nioa rorted the Queensland gun buy-back scheme to the tune of $300,000 by surrendering to the scheme for $60 each 5,000 World War II surplus Owen gun magazines? In particular, is it not true that Mr Nioa was acting as an agent for a Victorian gun dealer, Mike Warwick, who originally purchased the magazines from the Commonwealth for 6c each? Is it not true that Mr Nioa was the chief valuer for the Queensland gun buy-back scheme and himself put the $60 value on the magazines because he had a deal to get as a commission any money over $30 received for

each magazine? Is it not true that under the gun buy-back arrangements gun dealers were not allowed to act as agents for other gun dealers?

Mr COOPER: As the Leader of the Opposition should know, that matter is under police investigation. I am advised by the Queensland Police Service and the people who have been handling the gun buy-back scheme right from the start that the compensation claim met all the conditions of proper payment at the time and all discussions were based on stated ownership, including claim declaration and purchase invoice. The allegation currently is under police investigation. The Commonwealth accepted Category R parts for compensation in October 1996. The investigation is continuing.

Mr Beattie: How long is it going to take?

Mr COOPER: How would I know? I will keep the Leader of the Opposition posted.

New ALP Policy Commitments

Mr SPRINGBORG: I refer the Premier to claims by the ALP concerning its latest five new policy commitments for Queenslanders, and I ask: what initiatives has the coalition Government already taken on those issues?

Mr BORBIDGE: I welcome the opportunity to respond to the latest campaign effort by Labor for the election that we are going to have in December, January, February, March, April, May, June or July, depending on the election alert put forward by the Leader of the Opposition.

Mr Fouras: Bring it on now.

Mr BORBIDGE: I can assure the member that I am looking forward to bringing it on.

The latest little effort by the Labor Party is a five-point policy statement. It is very interesting, because it shows that the election campaign, whenever it will take place, will be a repeat of its performance in 1995. The five new commitments from Labor should be called "five new Labor lies".

I intend to put on the record the facts in respect of what the Labor Party is alleging. In a document headed "Five new commitments from Labor", points one and two combine a lie, which is that Labor's jobs initiatives will be funded by "slashing recent increases in the Treasurer's slush fund". The so-called Treasurer's slush fund is exactly the same tool of Government that Labor used to fund a range of initiatives known as the Treasurer's Advance.

An Opposition member: It's the amount in the fund.

Mr BORBIDGE: It is the amount in the fund. Members opposite are saying that we have increased it.

In 1996-97, the coalition's first Budget since returning to office, the Treasurer's Advance was $259m. In the last Budget, that for 1997-98, the Treasurer's Advance was $156m. Where is the increase? There is no increase. Another Labor lie! But as usual, the Labor lies have a sting. If Labor were to slash the Treasurer's Advance we would have to consider the impacts. What is the Treasurer's Advance used for? It is used, among other things, to cater for enterprise bargaining pay increases for public servants—alone a $73m expense in 1996-97. How will the Leader of the Opposition pay for funding increases for public servants—for salary and wage increases—if he slashes the Treasurer's Advance? $15m went on the maternity allowance that this Government provided. Will the Leader of the Opposition slash the maternity allowance? What about drought funding? That is in there, too. Natural disasters were allocated $40m in 1996-97. Major projects incentives were allocated $5.5m in 1996-97. The Queensland Cultural Centre development will receive $10m this year to fund a project that Labor had in its policy throughout its term in Government but simply never funded. Will it cut that as well?

The next lie concerns law and order, where the promise is to increase police beats. Very cleverly, they will not increase police numbers; they will increase police beats. The police will walk further! The record of Labor speaks for itself. Labor left the coalition with a police to population ratio of 1 to 524—the worst in Australia. We are repairing the damage. The ratio will improve rapidly under our three-year, $76m staffing plan for 800 additional police and 400 civilians. The coalition's 10-year plan is for 2,780 more police than there were last year—1,360 more than the Labor Party has promised. Between 1993 and 1995, despite spending $800m more, Labor managed to reduce the actual police strength by 79. That is the record in respect of the Labor Party. Then they go on with another Labor lie that they will fund all of this to cut back on the massive spending that occurred——

Mr T. B. Sullivan: You know all about lies, Borbidge; you're a consistent liar.

Mr SPEAKER: Order! I heard that remark. It is unparliamentary. I ask the member to withdraw it.

Mr T. B. SULLIVAN: I will withdraw.

Mr SPEAKER: When the member interjects, he will refer to the honourable member as "the Premier", not as "Borbidge".

Mr BORBIDGE: That is about the standard that we have seen from the Labor Party this morning. I would not expect any better from the honourable member.

They will fund extra police beats through cutbacks in Government advertising. I indicated earlier this week, and I provided the Parliament with the figures, that we are spending considerably less on Government advertising than the previous Labor Government spent. As I detailed to the House earlier this week, Labor spent $6.9m on advertising in calender 1994 and $7.2m in calender 1995 compared with $5.9m under the coalition in calender 1996.

The first three initiatives in this latest compendium of Labor lies will be financed by minus $105m—deficit funding. Once again, from the Opposition Leader who gave us a massive spending overrun in Health, whose Government gave us a $400m black hole in workers' compensation, which we are rapidly filling, and from the party that left the State with an underlying Budget deficit of almost $200m comes a promise of more of the same. No wonder the Leader of the Opposition will not rule out a fuel tax and no wonder he wants to borrow for capital works; his jobs and police initiatives will be funded by minus $105m. And so on it goes.

The next Labor lie concerns Health, where Labor's ability to lie is well established. No honourable member can or should forget the infamous claim of privatisation of public hospitals which a desperate Labor Party resorted to in the dying days of the last campaign.

Mrs Edmond: Tell us about Robina.

Mr BORBIDGE: The pledge from the Leader of the Opposition, believe it or not, is to reduce waiting times. This is from the Government that gave us the longest waiting times of any public hospital system in Australia. When the coalition came to power, Queensland had the longest elective surgery waiting lists in the country. Eight months later Queensland went from having the worst Category 1 waiting lists to now having the best. Under the Government's Surgery on Time program, the Category 1 elective surgery long wait list has consistently been kept well under 5%, the original coalition target. Currently, the figure is 3%—an outstanding result—and Queensland has maintained its lead of having the shortest Category 1 waiting times in Australia.

Mrs Edmond: That's because you can't get on the list.

Mr BORBIDGE: The Labor Party's five new lies document deals only with waiting lists for emergency patients. It says nothing about elective surgery waiting lists, which 75% of Australians say is their greatest concern about the public hospital system. How can there be a waiting list for accidents and for emergencies?

Mr Elder interjected.

Mr BORBIDGE: The Minister who gave us the longest waiting lists in the country has the nerve to say that his Government would reduce the waiting lists.

The document goes on about helping kids with special needs. Let us deal with that particular issue. The Labor Party is going to fund that by not holding wasteful Government inquiries. Let us look at the Labor Party's record on inquiries. The Public Sector Management Commission was a standing review machine. Every State Government department went through the Coaldrake wringer in one of the most dysfunctional, disruptive, unproductive rolling review processes ever devised in this country at an annual cost of $8m each and every year. Let us not forget the Office of the Cabinet, another rolling inquiry machine that cost Queenslanders another $8m each and every year. That office had such stunning outcomes as stalling the north west minerals province, not making decisions anywhere and writing policy initiatives such as trying to close down one third of the Queensland Rail system. Between them, the PSMC and the Office of the Cabinet consumed over $100m of taxpayers' money.

In conclusion, let me quote from the record in relation to helping kids with special needs. Special education funding under Labor was $164.8m; under the coalition it was $223.3m, an increase of $58.5m or 35% in under two years. Funding for specialist teachers for students with special needs under Labor was $2.590m and under the coalition it was $2.832m, a 9% increase in just two years. Teacher aide hours for students with special needs under Labor was 25,800 and under the coalition was 33,948, an increase of 31% or 8,148 hours in just two years. The record speaks for itself. Labor's campaign of lies has started and our record any day totally devours its record.

Gun Buy-back Scheme

Mr ELDER: I refer the Police Minister to the blistering attack on Queensland's gun buy-back scheme by the member for Burdekin in the North Queensland Register on 9 October in which the Premier's representative in north Queensland claimed that "because of the impractical requirements of the scheme, many people are now alienating or in conflict with the law" and then blamed the Federal Government for the situation. I ask: does the Minister agree with the assessment of the member for Burdekin, or does he not have the heart to tell the member that he is aiming at the wrong target because the Minister, not the Federal Government, was the author of Queensland's gun laws under which the gun buy-back scheme is administered?

Mr COOPER: Again, it is interesting to hear the hypocrisy coming from the other side of the House. Can honourable members guess which party had to attach itself to our coat-tails because it was not game to do anything and did not have the courage of its convictions? Everyone knows that the gun buy-back scheme has been a very difficult issue right the way through, from 28 April when it first arose to 10 May when those resolutions were reached in Canberra. Once I saw the 11 resolutions in Canberra I, too, wondered how on earth we were going to make legislation out of them. It was a very difficult task and, yes, it is true that those resolutions were reached by people who obviously did not know much about firearms at all.

It was a case of we in Queensland trying to make sure that we catered for the honest, decent people out there who enjoy shooting. A lot of people enjoy playing golf, tennis, cricket, vigoro and all sorts of things, and they should be allowed to do that. I know that vigoro is the Leader of the Opposition's favourite sport. Gun clubs, rifle clubs and pistol clubs should be allowed to get on with their business, and all of those people who enjoy shooting should be allowed to get on with their sport. Those clubs are run by honest, decent people. They run probably the strictest and most disciplined sporting event of all. One does not hear of many accidents, if any, on rifle ranges because the operators are strict, as are the operators of gun clubs and pistol clubs.

The members opposite have gun clubs in their own electorates and they should be looking after them, not raising stupid issues such as this. The gun buy-back scheme is a massive scheme. It was a huge thing right from the start when the Federal Government took $500m out of Medicare to add to the $18.25m that the scheme costs to administer in this State. There is no doubt that the scheme did cause disruption to honest, decent people. We have tried to make it as commonsense and practical as we possibly can for the benefit of those decent people who are affected.

Mr BARTON: I rise to a point of order. The Minister knows full well that we gave him genuine bipartisan support for the scheme, but he also knows that the buy-back scheme has been rorted shamelessly.

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

Mr COOPER: That was an absolutely ludicrous point of order. We know that we have made these laws as practical and as sensible as we possibly can. We will continue to do that to ensure minimal disruption to those people who enjoy the pursuit of shooting, be they recreational shooters, occupational shooters, rural people or people who are members of gun clubs, rifle clubs and pistol clubs. This scheme has been extremely disruptive to those people, who should be able to get on with their sport. We will continue to make the scheme as reasonable as we possibly can so that they can do that. The members opposite should understand, but, of course, they do not. They do not know anything about firearms.

Mr Schwarten: You should take Valium.

Mr COOPER: Do you want to interject? What sort of support have you given to the firearms people? None!

Mr SPEAKER: Order! The Honourable Minister will refer to members by their electorates, not by the word "you".

Mr COOPER: I know darned well that the member for Rockhampton has done little or nothing to help the decent, honest shooters out there. I do not care who knows it. The world is going to know how little the member did. He could have helped the sporting shooters in his electorate, but there was no way that he was going to do anything for them. He was not going to help them one little bit. It has been left to the members on this side of the House to defend and support those people, and we will continue to do so.

It has been an enormously difficult task from 10 May right through to now. We recognise that there has been a tremendous influx of people applying for licences. We introduced a six-month extension so that their applications can be processed. We wanted to

ensure that they are legal right now, and that is the way it is going to stay. We have done an enormous amount of work to try to accommodate those people, and we will continue to do so. If the member for Rockhampton wants to start making these sorts of interjections, I will let everyone in this place, the readers of Hansard and everyone else know just how little support he has given his constituents.

Hospital Privatisation

Mr CARROLL: I refer the Honourable the Deputy Premier to claims in today's newspaper that the member for Mount Coot-tha had not found one example of a successful transition from public to private hospitals. I also refer to that member's criticism of Australian Hospital Care Limited, the manager of the existing Latrobe Hospital in Victoria. I ask: can the Deputy Premier inform the House of the real facts?

Mrs SHELDON: I thank the member for his question. It would delight me to give some of the true facts about the situation. It seems that the Opposition Health spokesperson is suffering from a malady known as clue deficit syndrome. Her bleatings in recent days have shown just how clueless she really is when it comes to the hospital system. People in the hospital system are currently laughing at her. I would like to cut through her hysterical hyperbole and look at the facts.

First of all, I would like to read a letter that I have received from Mr Robert Glynn, general manager of the Greenslopes Private Hospital. Mr Glynn is very concerned about the disparaging comments the member for Mount Coot-tha made about private hospital care. I will not read the whole letter, but I will table it. He speaks of the hospitals which, under Ramsay Health Care, have been highly successful. He writes—

"Dear Mrs Sheldon,

> I write in response to an article published in the Courier-Mail today which questioned the success of all privatisations in the Health Care Sector in Australia. I refer, of course, to the former Commonwealth Repatriation Hospitals in Perth and Brisbane which were purchased and subsequently operated by Ramsay Health Care."

He goes on to say—

> "The savings over the life of these contracts have been estimated in excess of $200 million by the Department of Veterans' Affairs. The Department has continually expressed its delight at the success of these privatisations."

He then goes through other things that the hospitals have achieved. He then says—

> "All parties affected by the privatisation—staff, Commonwealth Government, University of Queensland and most importantly, the veteran community are delighted with the results achieved by Ramsay Health Care."

He concludes—

> "I believe the private sector has much to offer in health care and thank you for your support."

Mrs Edmond: We support private companies.

Mrs SHELDON: Let us get the facts right: the honourable member dumped all over them yesterday. I would now like to turn to the comments made by the member for Mount Coot-tha in her criticism of Australian Hospital Care Limited, the organisation which she was dumping all over in its operation of the Latrobe Hospital in Victoria.

Mr Hamill: It's not operating.

Mrs SHELDON: The honourable member should listen. From what the member says, I know he does not listen. I am talking about the comments the member for Mount Coot-tha made concerning the existing regional hospitals.

Mr Hamill: Not the one you thought existed.

Mrs SHELDON: I will get to that. The Victorian State Government projected a loss of $2m in 1996-97 for the hospital that the member for Mount Coot-tha was speaking about yesterday. I will read out the facts contained in a letter regarding the hospital. It should be clearly said that that hospital had to go through a process where the three existing local hospitals were amalgamated and the care was given under one regional hospital. The hospital's facilities are ageing.

Australian Health Care Limited assumed management of the existing hospital on 3 February 1997. After five months of public sector operation AHC managed to limit the loss for the year to less than $1.8m, significantly bettering the State Government's forecast. For the first time, this loss includes provision for long service leave for the employees—the workers that those opposite say that they look after. In fact, AHC's management has been so successful that for

the first time the Victorian Auditor-General did not qualify the hospital accounts.

Mr Elder: It's better than the State accounts here, then.

Mrs SHELDON: In fairness, I will read and table the letter that I have received from AHC. The letter reads—

"Dear Treasurer,

I am aware of the questions asked during the last two days Question Time in the Queensland Parliament in relation to the Latrobe Regional Hospital project in Victoria and your commendation of the economic model.

Comments made by the Opposition Health Spokeswoman, Ms Wendy Edmond, contained some inaccuracies"—

surprising, that—

"which I would seek to correct.

The comparison of an operating surplus in 1996 with a $1.8M deficit in 1997 is just not possible. Changed accounting methods and vastly different employee entitlements, including an additional $1.2M in long service leave provisions make comparisons nonsensical."

Mr Elder: Is he going to do the Treasury books?

Mrs SHELDON: I know that the honourable member has trouble with figures, but if he listens, he will work it out. The letter continues—

"... including an additional $1.2M in long service leave provisions make comparisons nonsensical.

However, what can be pointed out is that the hospital's performance was ahead of Government expectations as detailed in the Government' Business Plan for Latrobe Regional Hospital. In fact, Australian Hospital Care Limited management reduced the deficit by approximately $250,000 from the July 1996 hospital forecast of a $2M deficit. It should also be pointed out that this was achieved in less than five months since AHCL only took on the Interim Management from February 1997. All throughput targets set out in the Business Plan were achieved. The apparent deterioration in the operating result in accordance with the budget prepared by the Government was caused by the ageing facilities and duplication of service provision. These were in fact the two key reasons the Government chose to consolidate services on one site."

He goes on—

"I am also happy to report that construction of the new Latrobe Regional Hospital is currently substantially ahead of schedule."

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

Mrs SHELDON: I will read the comments I made during the Estimates hearings so that they are put accurately on the Hansard record. With respect to the new Latrobe Hospital, Australian Hospital Care Limited, the preferred proponent for the new Latrobe Regional Hospital, has accepted full commercial risk of the project, including construction risk, financial risk, changes in financial costs, and inflation, etc. These are borne by the proponent. With regard to full demand risk, if there are no patients through the doorway, AHC does not get paid. It has accepted case mix risk. If the funding mechanism for the public hospital moves over time, AHC will be subjected to the changed regime. That is, it takes full risk on the prices it receives for services delivered to Victorian Health. It also takes on full ownership risk. AHC must maintain the facility, ensure the provision of reliable services and be a full risk for obsolescence. This will be the case for the full economic life of the facility which will remain under AHC ownership.

The Victoria Auditor-General has reported on the Latrobe Hospital arrangement and said that the clear risks have been substantially transferred to the private sector. The Auditor-General is satisfied with the arrangements entered into by the Victorian Government and AHC. The Victorian Treasury has reported that the process has resulted in substantial and acceptable risks transfer and a contracted cost which is below the benchmark cost for comparable public sector service delivery for a greenfield hospital.

Mr Livingstone: Come on, we're asleep, Joan.

Mrs SHELDON: When we have a member who misrepresents the facts, they must be cleared up. I would like to finish by reading into Hansard the comments I made during Estimates committee hearings. In that way it can be very clearly seen where we were coming from.

Mr Hamill: It isn't built.

Mrs SHELDON: The honourable member does not want to hear the facts, does he? I quote from part of the Hansard record—

> "When developing the Robina and Noosa Hospitals, the Government will benefit from the experience of the delivery of public health services by the private sector in other States. The Health Minister has been going through this in some detail. For example, Latrobe Regional Hospital is a private sector built"—

Mr Hamill: "Built"?

Mrs SHELDON:—"built, owned and operated project in Victoria."

Mr LIVINGSTONE: I rise to a point of order. They have used too much Valium in the water.

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

Mrs SHELDON: I stated further—

> "It serves as a useful benchmark for how to achieve real efficiencies for the private sector delivery of public health services. In this case, the private sector is taking full market risk, except for emergency care. It will deliver services below the most efficient public sector cost."

At the other end of the spectrum, I spoke about the Port Macquarie Hospital, which was not delivering that.

An Opposition member: Oh, come on!

Mrs SHELDON: The member just does not want to hear the real facts. I will table this document and have it incorporated, if I may.

Finally, I do hope that the Courier-Mail will print in detail the full facts, as it has been only too interested in what was happening in a Victorian hospital.

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

Mrs SHELDON: I am, Mr Speaker. This Government supports the private provision of public services where they are appropriate. Indeed, we expect to achieve savings of between $20m and $35m over 20 years with the private provision of health services to the Noosa Hospital.

Racing Industry Training Centre, Deagon

Mr GIBBS: I refer the Minister for Sport to the Racing Industry Training Centre at Deagon racecourse, established by the former Labor Government, for Queensland and foreign students to be taught all facets of the racing industry, and I ask: is it true that the Minister is finalising a deal for a private consortium called Interfinancial Ltd to take over and operate the training centre? Is it also true that the deal allows the consortium to buy Deagon racecourse in five years' time for just $5m, despite the complex being valued at $8m by the Lands Department in 1994, and subject to an earlier offer of $12.5m by the former company McDonnell and East? Why should that valuable international training facility not remain under the ownership of the Queensland racing industry or, at the very least, why has the centre not been put out to public tender?

Mr COOPER: The short answer is that no deal has been done. As far as the Racing Industry Training Centre is concerned—yes, we support it. It is going extremely well. As the member probably knows, about 75 or 77 Japanese trainee jockeys are coming in from Japan. Last year, about 44 or 45 were brought in, generating about $2m or $3m for the economy.

An Opposition member interjected.

Mr COOPER: I am coming to it. A few members might not understand this, and I thought that this would be a good opportunity to talk about the training centre. It is a good idea. We want to expand and improve it in any way possible, making sure that the racing industry itself is the beneficiary, together with those people involved in it, whether they be jockeys, people who want to do riding work or whatever. It is working successfully. There are also some jockeys from central Queensland at the training centre. It is not just for international jockeys; it is for domestic ones as well. People in harness racing have also been involved, and that will continue.

I believe that the centre is doing a lot for the racing industry. Why on earth would we want to do anything that might be detrimental to it? We do not. There are certainly people who are interested in the concept, and we are continuing to talk to them. That is aboveboard. There will be opportunities for any investors who want to make that a better program. If it can be done in the best interests of the racing industry, then it will be done. The member can have a briefing on this any time he likes.

Cairns City Council Offices

Ms WARWICK: I refer the Minister for Environment to representations that I have made to him on behalf of Cairns residents regarding speculation concerning the site for the Cairns City Council's new offices, and I ask: can the Minister advise the House of the current status with regard to possible

contamination issues raised by those Cairns residents?

Mr LITTLEPROUD: I have some comforting news for the honourable member for Barron River. Following her representations, I made contact with the Cairns office and, subsequently, with the Contaminated Sites Section. The member is correct. Allegations have been made that, during the wood treatment processes that were formerly conducted on that site, a substance called CCA, which is made up of copper, chrome and arsenic, was used in treating the wood. Obviously, when the word "arsenic" is mentioned there is always some sensitivity to it.

I can tell the member that the levels of arsenic on the site have been tested, and that soil is no different from other soil samples taken around Cairns. The Cairns City Council has been cooperating with my department. It had an independent consultant prepare a report on the state of the site in terms of contamination. The site contains a number of lots. The Contaminated Sites Section of the department has looked very closely at the independent report and made its own assessment. Now, all lots on that site have a restricted status.

The member would be aware that yesterday I introduced into the House legislation that will amend the current contaminated land legislation. I assure the member that all actions being taken by the Cairns City Council are meeting the requirements of my department. The people of Cairns have no need to be worried about any contamination on that site. Some comments have been made about contaminated soil being taken off site. That was not the case. I understand that soil will be placed on that site to a depth of something like 1.5 metres, and that a lot of the soil that is coming out of where they are digging the piers for the foundations will be used as fill on the site. There is an assurance from the Contaminated Sites Section that all actions taking place on that site are in order and that the contamination allegations have no substance.

Construction of New Prisons

Mr BARTON: I refer the Minister for Police and Corrective Services to media reports that quote Roma Mayor Don Hatchet as saying that the Minister favours three small prisons in country Queensland instead of one large one and that this boosts Roma's chances of getting a prison, and I ask: is it not true that the Minister is promoting building a prison in almost every town he visits and, so far, he has promised a prison for Warwick, Roma, Chinchilla, Dalby, Inglewood, Goondiwindi, Stanthorpe and now Maryborough? Is the Minister going to build eight new prisons, or is this just another example of him building up false hopes for people in country towns with promises that he has no intention of keeping?

Mr COOPER: No promises have been made about new prison sites. Certainly a large number of districts and shires have expressed an interest in them. They have expressed that interest because of the massive downturn in the economy over a long period, particularly in the rural sector, because of drought and low commodity prices. Those districts and shires are willing to put up their hands and have a go at getting a prison. We will not discourage them if they put up their hands and say, "Yes, we want to have a go." Esk, Crows Nest, Goombungee and Yarraman have expressed interest. The list goes on. I could certainly add to the member's list.

We call this SEQ2. No money has been allocated in the Budget for the acquisition of those sites, but eventually there will be because, unfortunately, we have to keep building gaols. The people in those shires recognise the need for an economy boost. If they can obtain employment for their residents and some involvement in the building of a new prison, how could we blame them? The member spoke about the Mayor of Roma. Of course, Roma is in there having a go. Why should it not be? So are Warwick and Inglewood.

Mr Dollin: And Maryborough.

Mr COOPER: Maryborough has had a go, too; that is right. It is interesting to see these people putting up their hands, and it does make the job a lot easier. But when it comes to selecting a site, it will be up to a selection panel—a team—to make sure that they get all of the facts and all the qualifications right. That is what is going to happen.

As to my comment about three 200-bed prisons—I believe that should be considered. If it is too expensive, quite obviously we cannot do it. But these things should be circulated for comment, and they are. No individual place has ever had a promise from me that it will get the new prison. I have met with them. The QCSC people have been sent out to talk to them and tell them what a gaol is all about—be it a 600-bed or a 200-bed prison. Those things have to be assessed,

and those assessments will be undertaken. The member will know the cost, as will everyone else. If it is too expensive to do the three 200-bed prisons, then we will have to make a decision in the public interest. If it is too expensive, then it will not proceed. But those ideas should be out there, and they are going to be out there.

This Government is going to continue to promote these concepts because, when building another gaol, there is every opportunity to try to get it right, or spread it around a bit. If we can do that, fine. If it is too dear, then it simply will not happen. The member will be able to see all the applications. Very shortly we will be sending letters to all the shires that have put up their hands. Close to 20 shires and districts have put up their hands. We will be letting them know exactly what is required of them, so that everyone will be on a uniform basis—a level playing field—and everyone will know what is required of them. If Roma can come forward with some good innovations, fine. But Inglewood and Esk might, too. Who knows? It will all be open so that everyone can see it. All of those people have been open about their desire for a prison.

Once upon a time, we did not have a hope of getting a prison site in a rural community. Now the rural sector is looking for industry of any kind. As members probably realise, a 600-bed gaol has about 250 staff, costs about $70m to build and has approximately $17m or $18m recurrent expenditure every year. That is attractive. If that can be cut into three and spread around a bit, that may even mean better prison management. Even if those figures are cut by three, there are still benefits. If I were members opposite, I would not knock it; I would be trying to support those people, which is exactly what I am trying to do.

Women's Prison Farm, Numinbah

Mr BAUMANN: For the information of the House, particularly the member for Waterford, could the Minister for Police and Corrective Services and Minister for Racing inform the House of the progress regarding the women's prison farm being built at Numinbah?

Mr COOPER: I am very, very happy to do so. I know that the member for Albert has taken a lot of interest in this——

Mr Barton: He looks like one.

Mr COOPER: He looks like what? What did the member call him?

Mr Barton: He looks like one that's escaped.

Mr SPEAKER: Order! The interjection does not escape me. I now warn the member for Waterford under Standing Order 123A.

Mr COOPER: He is blushing. Does the honourable member know why he looks like that? He got a "crop a cop" for a very, very good cause. Obviously, the member would not be in that. I say to the member for Waterford: please don't do it. I could not bear the sight of him. It is difficult enough to bear to look at the member now without his having a bald head.

Mr SPEAKER: Order!

Mr COOPER: He asked for it, Mr Speaker. I cannot help it if he provokes me. I do not agree with the member for Waterford when he says that the member for Albert looks like an escapee. I think he looks like a fine sort of fellow. I hope one day, when his hair grows back——

Mr SPEAKER: Order! We will not take a vote on it. The Minister will answer the question.

Mr COOPER: Back to Numinbah, because that is where the 25-bed low and open facility is now complete. On Tuesday we started to move to that facility the low and open category prisoners from the Brisbane Women's Boggo Road facility. It is the first time in this State that a low and open facility has been constructed for female prisoners. That is a milestone and it should be recognised as such. About eight prisoners went in on Tuesday; the rest are going in today. That will alleviate the overcrowding at Boggo Road.

This State has never had facilities of that classification for female prisoners to be moved to. It has always been high security at Boggo Road. Males can be classified high security, medium, low and open. They can get onto the WORC scheme. That is something that women have been able to do at Warwick—a scheme which was commenced during the time of the previous Government. That scheme is proving to be very successful. It shows that it can be done. Honourable members may recall that about 13 prisoners are involved in the Warwick program. That is working extremely well. We want to make sure that we expand those programs. Females are just as entitled as males to have a low and open security facility. The first of its kind is at Numinbah. I believe that that is the way to go. That is the sort of thing that we should expand on. Some sensible members opposite are nodding, because they know very well what I

am talking about. At times we have worked closely together on this particular issue. I am quite happy to continue to do so, because overcrowding is occurring at the Brisbane Women's Prison. Overcrowding is not the only issue. As I have said, never before in Queensland's history have female prisoners been able to be housed in facilities with that sort of classification. Today is a very auspicious day in that regard.

Consumption Tax

Mr HAMILL: I refer the Treasurer to her refusal yesterday to clarify exactly where she stands on the introduction of a broad-based consumption tax. As she indicated on page 8 of the Queensland position paper on national tax reform that "A broader, less distorted national indirect tax system is desirable", and as the introduction of a 12% goods and services tax was proposed at the Queensland National Party central committee meeting in Proserpine at the weekend, I ask: what does a broader, less distorted national indirect tax mean if it is not a GST by another name?

Mrs SHELDON: I thank the honourable member for his question. I see that the Opposition is endeavouring to beat up a bit of fear on this issue. There is no issue. They beat up the fuel issue and allowed petrol stations to increase their prices and gave them a reason to do so. People are paying more for their fuel because of what the members opposite did. The irresponsible actions of the——

Mr Elder interjected.

Mr SPEAKER: Order! The honourable member for Capalaba! I heard that remark. It is unparliamentary. I ask him to withdraw.

Mr ELDER: I withdraw.

Mr SPEAKER: Order! I call the Deputy Premier and Treasurer.

Mrs SHELDON: Thank you, Mr Speaker. The Leader of the Opposition and the Deputy Leader of the Opposition went on a fear tactics campaign up and down Queensland, putting fear into the hearts of ordinary Queenslanders and rural Queenslanders. As regards fuel—the Government is returning every cent to the fuel companies.

Mr Hamill: What's a broad-based indirect tax if it isn't a GST?

Mrs SHELDON: I will answer the question as I see fit. I think that the Opposition tactics are very clear: fear, smear and untruths.

As I said at the press conference yesterday and I will repeat it today: the proposition that the Government favours is, very obviously, a broad-based tax, namely, an income tax. We believe that the best position this State can have——

Mr Hamill: "A broad-based indirect tax".

Mr SPEAKER: Order! The member for Ipswich!

Mrs SHELDON: If I may answer the question, we believe that the best position is for our State to have a fixed share of the income tax that is collected by the Federal Government with a growth factor incorporated within that. Then we can return to the Federal Government some of the taxing powers that we currently have, which I think are pretty iniquitous, such as payroll tax and gaming tax. I do not think they are good taxes; however, because there is such a poverty of taxes that a State can impose, we are limited to a very few. The Premier will be speaking to the other State leaders tomorrow. He and I will be going to the Premiers Conference and COAG next week, where we will be discussing our position with the Premiers and Treasurers around the nation, with the Commonwealth Treasurer and with the Prime Minister. That is the correct forum in which those discussions should take place.

Base Load Power Station, Townsville

Mr TANTI: In view of the ministerial statement of the Minister for Mines and Energy this morning outlining the plans of the Stanwell Corporation and its joint venture partner, Destec Energy Incorporated, to establish a 766 megawatt base load power station in Townsville, can the Minister outline to the House the difference between the Government policy for the electricity industry and the recently announced policy of the Opposition?

Mr GILMORE: I thank the honourable member for his question. I recognise the efforts of the honourable member and the member for Burdekin in particular in respect of this project. The effort that they have put in must not go unremarked upon. Yesterday the honourable the Leader of the Opposition and his erstwhile spokesman for Energy spent quite some considerable time in a debate on the Gladstone Power Station Agreement Amendment Bill—not speaking on the Bill, but launching their latest energy policy. During my response to that debate I said to the Leader of the Opposition—and I have said it before—that he really ought not take his advice from the member for Mount Isa, who is obviously yesterday's man. Not only ought he

not take advice from yesterday's man but also he ought not take advice from yesterday's man who does not know what is going on and does not understand the issues.

This morning it is quite clear that yesterday's man has no idea of what is happening in terms of the process of reforms of the electricity industry and the industrial processes that are going along to complement it. Clearly he did not know that Chevron Asiatic had called for expressions of interest for base load power generation in Townsville as an attribute of the Chevron gas pipeline for Papua New Guinea. He clearly did not know that a decision was imminent. I repeat my advice to the honourable Leader of the Opposition: he ought not accept information from somebody who knows not what he is doing. As a result of the wonderful announcement that was made this morning of the base load power generation for Townsville and far-north Queensland, Labor's policy, as it was announced yesterday in Parliament, now stands naked and exposed as being old, out of touch and a policy that will not take this State forward.

This Government has been able to make the hard economic decisions. Indeed, its policy is based on pragmatic economic decisions that are going to bring Queensland forward. It will bring far-north Queensland—and indeed, might I say, north Queensland and Townsville—forward into the future, which the policies of the Labor Party would not. In respect of the electricity industry, Labor's policies are designed to wind Queensland backwards—as I said yesterday, backwards to the future—to regulation.

Yesterday, the Leader of the Opposition said—and look at him cowering in his seat—"We are going to call for tenders for the provision of a power station in Townsville." In response I said, "We will not interfere in the marketplace." The market is where these decisions will be made. This morning we have seen that the market is up and functional and working as prescribed by the changes that we have made, and I am proud to be here to be able to say so. This morning's announcement by the Stanwell Corporation and its joint venture partners——

Mr Foley: A great week to talk about the success of the marketplace.

Mr GILMORE: I remind the member for Yeronga that the market has somewhat recovered from its small hiccup. However, it made no difference whatsoever to the choice of these companies to progress with power generation into north Queensland, to provide a future in base load generation for Townsville and, in terms of the Chevron pipeline, to provide a future for new industrial development in far-north Queensland and north Queensland. Nothing changed because of the world's problems.

This decision to put 766 megawatts of base load power into Queensland is fundamental to getting it right in north Queensland for the future. I am very, very pleased indeed to have been able to announce it.

Department of Emergency Services Consultancy Contract Files

Mr WELLS: I ask the Honourable the Minister for Emergency Services: can he confirm that sensitive file material relating to consultancy contracts for his Fire Service review mate, Lyn Staib, went missing for a number of weeks in his department when they were the subject of a CJC search? If so, how could this sensitive Lyn Staib material go missing or be tampered with in the Minister's department?

Mr VEIVERS: The short answer is that I do not look after the files in the department so I would not know what the member is talking about. Let me answer this question from the shadow Minister for Emergency Services by referring to a letter to the Warwick Daily News dated Saturday, 4 October 1997. I may take just a little time to refer to this letter because it explains everything about the honourable member opposite. The letter is titled "Emergency response" and states—

> "I am writing to you with regards the recent criticism of the emergency services response times both locally and across the State."

I have referred to this letter because the honourable member opposite has been running up and down the State of Queensland saying that there is no response from emergency services—he is claiming that the Ambulance Service is in disarray and the Fire Service is not any good—and just generally scaremongering. The letter states—

> I recently had need to call the Ambulance so I rang 000 not sure who or where I might get. Expecting Toowoomba I was somewhat surprised to get the officer in Charleville, however, he was more than helpful and dispatched the Warwick Ambulance, then returned my call to inform me as to this fact, he then spent time calming me down."

This is what the ambulance people do; this is what the emergency service people do. The letter stated further—

> "The Warwick officers then rang me twice while en route to our house. We live almost one hour from Warwick on one of the worst roads in Australia"—

and I say to the Minister for Transport that it is not a main road; it is a local government road—

> "... they arrived here in just under 50 minutes.
>
> Perhaps those who live within shouting distance of these services should spare a thought for those who have no choice but to be patient and wait. We do appreciate the service that is provided and have nothing but praise for all who were concerned and with my care and the great response I got when I needed it most."

The letter concludes—

> "I would like to take this opportunity to thank the Queensland Ambulance Service, the RFDS and the staff of the Warwick Hospital and Mater Mothers, Brisbane."

This bloke has been at this all around——

Mr SPEAKER: Order! The member is the honourable member for Murrumba.

Mr VEIVERS: I am speaking of the honourable member for Murrumba. I have to say that I use the term "bloke" loosely because I am sick of him. He has been running around denigrating the great emergency services in Queensland. He has indicated by hollow bleatings and even theatrical beat-ups that he lacks any semblance of understanding of the issues currently before Emergency Services. The honourable member's most notable contribution to this situation has been to cast illogical, irrational and emotive slurs on Emergency Services and these great people who work in it—hardworking officers of the Queensland Ambulance Service——

Mr WELLS: Mr Speaker——

Mr VEIVERS: Hello, I have him.

Mr WELLS: I rise to a point of order. The suggestion that I cast slurs on Emergency Services workers is offensive and untrue and I ask that it be withdrawn.

Mr SPEAKER: The honourable member for Murrumba has found that remark offensive. I ask the Minister to withdraw.

Mr VEIVERS: The member surprises me. Mr Speaker, I withdraw. Whether it is in this Parliament or in the electorates, the member for Murrumba's contribution can be described only as basic, baseless and unhelpful to all concerned in the worst possible way. He has been derogatory of every service. He is not welcome in most fire stations around the State because he just bags them all the time. I say to all the Queensland ambulance officers to beware the dispassionate——

Mr WELLS: I rise to a point of order. Mr Speaker, I refer to your ruling of 30 seconds ago and I ask that the offensive and untrue remark be withdrawn.

Mr SPEAKER: The honourable member has asked for a withdrawal. He has found that remark offensive.

Mr VEIVERS: I do not know which remarks the member wants me to withdraw, but I withdraw.

Mr SPEAKER: Thank you. I ask the Minister to conclude his answer.

Mr VEIVERS: I say to all Queensland ambulance officers, and indeed Fire Service officers throughout the State to beware of the dispassionate misunderstandings and the theatrical meanderings of the member for Murrumba.

I reiterate that the coalition Government is strongly committed to the provision of the best possible Ambulance Service for Queenslanders. This Government has provided more money, more ambulance officers, many new vehicles and new buildings for our Ambulance Service. Let me state very clearly that I will leave no stone unturned in my quest to secure additional funding for the Queensland Ambulance Service when I can. Let me also just say that, no, I do not look after any of those filing cabinets up in the Department of Emergency Services.

Consumer Credit Code

Mr HEGARTY: I ask the Attorney-General and Minister responsible for Consumer Affairs: as the Consumer Credit Code has been operational for more than one year, can he inform the House about the steps that the Government has taken to provide funding for consumer organisations to increase awareness, financial rights and obligations under the code.

Mr BEANLAND: I thank the member for Redlands for that very timely question today, National Consumers Day. I am sure that he is

aware of that as he has shown a great deal of interest in consumer affairs.

This Government has been very pro-active in relation to consumer affairs. On a number of occasions, it has introduced amendments to credit legislation into this Parliament. The Government is also very pro-active in educating the community not only through the distribution of material, brochures and leaflets but also by putting on seminars with various business groups to ensure that traders and business groups are very well aware of their consumer obligations.

In addition, only recently the Government made an announcement of the distribution of some $70,000 from the Consumer Credit Fund—funds that it obtained through penalties imposed upon people. Those $70,000 in funds were distributed to a number of groups in Queensland, such as the Bundaberg District Community Neighbourhood Centre, the Islamic Women's Association at Logan City, the Townsville Community Legal Centre and the Toowoomba Community Legal Centre, to enable those groups to better educate their communities in relation to consumer rights and obligations.

I think that it is very important that these groups have the ability to undertake financial counselling. Under this Government, Queensland has a very proud record of being very active in the enforcement area. As I have indicated previously in this House, when it comes to imposing penalties and acquiring funds through enforcements, Queensland has a better record than even New South Wales. In the 1995-96 financial year, we had over 150 enforcements and obtained almost $250,000, compared with $204,000 obtained in New South Wales, a State with a considerably greater population. This Government is very pro-active in relation to business groups and consumer groups.

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

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Matter raised by Member for Ipswich

Mr SPEAKER: Order! I inform the House that I have referred a matter of privilege raised by the member for Ipswich to the Members' Ethics and Parliamentary Privileges Committee.

POLICE POWERS AND RESPONSIBILITIES BILL

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (11.30 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act about the powers and responsibilities of police officers."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (11.31 a.m.): I move—

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

In introducing this Bill I am sure that members will agree that this is landmark legislation which will have positive lasting effects well into the next millennium. It has not been a fast process. It commenced some seven years ago, and in fact some of the people who were involved with the police powers legislation began that work back in 1982.

In its preparation, the Government has recognised the fundamental need of the people of Queensland to be protected from criminal activity. Never in the history of this House has there been a single piece of legislation containing the "bread and butter" powers on which police rely to protect members of our community. This is, to the Queensland Police Service, an effective yet balanced means of fighting crime in our community. Effectively, the consolidation and rationalisation will rid police of well over 90 reference Acts on which they need to rely to find their powers. Yet the Bill is not limited solely to a strict consolidation of policing powers. Where it is necessary, the powers of police will be extended to adequately combat modern criminal activity.

At the same time I can alleviate any concerns that the Bill will erode the fundamental legal rights and entitlements of any person suspected by police of having committed an offence. A basic examination of this Bill will reveal that a person's rights are irrevocably preserved and enhanced in this legislation. Indeed, where police have been

provided with what may be considered an extraordinary power, provision has been made for a totally independent public interest monitor to overview police operations.

This is not a Bill which results from knee-jerk reactions to media reports on crime. Nor does it increase police powers as a result of any unsubstantiated request for greater powers. Nor for that matter does it restrict police powers as a result of any unfounded protestations that police might abuse a particular power if it should be granted. Nevertheless, I wish to leave no doubt in the minds of the criminal element that no longer will the scourge of criminal activity be tolerated by this Government. This Government is totally focused on ensuring the safety and wellbeing of the majority of honest people it serves.

Without doubt, this Bill is the most important piece of operational policing legislation ever introduced into the Parliament of Queensland. It is the culmination of a vast number of recommendations considered by Government as a result of detailed research and community consultation. No stone has been left unturned in ensuring that this Bill is consistent with community expectations. To my knowledge, never before has a Government of Queensland ensured that every member of the community could voice a considered opinion on the need to provide police with additional powers.

A public discussion paper was printed and released for comment. The contents were also placed on the Internet in order that it reach the maximum number of people. Additionally, public forums were conducted in every major centre throughout the State. In fact, to ensure a balanced approach existed when the Bill was ultimately drafted, my counterpart, the Opposition spokesman for Police, and a representative of the Queensland Council for Civil Liberties were invited to accompany me throughout the State in order that they might be present at and, should they desire, address public forums. I feel reassured in introducing this Bill that the concerns of the community with respect to the control of crime have been addressed on a bipartisan level.

I am sure that members will recognise the extent to which the Government has gone to ensure an equilibrium exists in a Bill that is essential to providing public safety in Queensland. This is a properly considered piece of legislation designed solely with the interests of the community in mind. It is written in such a way that every member of the community is fully aware of their rights.

Before proceeding to the general clauses in the Bill that I intend to address, there are two fundamental matters that I draw to members' attention. The first, I am sure, may be a matter of concern to members and that is that there be sanctions on police officers who deliberately flaunt the powers provided to them by Parliament. In passing this Bill it is to be made clear that it is the intention of Parliament that police abide by any obligations or responsibilities that Parliament requires of them in the exercise of those powers. I refer to clause 5 of the Bill. This is a clear statement of Parliament's intention that police officer's comply with the Bill. A failure to comply with Parliament's intention amounts to a contravention of the Bill. The examples incorporated in the clause indicate the action Parliament requires for non-compliance with its intention. These range from a minor unintentional non-compliance which may be dealt with as the commissioner sees fit to a deliberate criminal breach which may be dealt with under the provisions of the Criminal Code.

The second matter I wish to address is that of the responsibilities code. Clearly, the responsibilities code which will be, under clause 135(2), a regulation is not open to debate at this time. However, for the purposes of accountable Government, I give an undertaking to the House that at the commencement of the Committee of the Whole I will table, with the consent of the Chairman of Committees, a ministerial statement of intent which will outline the substance of the proposed responsibilities code. I stress though that, for obvious reasons, the document cannot be a finished product. It will merely be a statement of intent which will be subject to further consultation. I also undertake that the consultation will include my counterpart, the Opposition spokesman on Police. Because of the lengthy nature of the Bill I intend to address the key aspects only.

Roadblocks

Currently, police have no statute power to establish a roadblock for criminal offences. They must rely on the common law right to preserve life and bring offenders to justice. However, the common law has not been tested and thus the uncertainty of a roadblock power is unacceptable. Clause 24 provides that police may establish a roadblock to stop, detain and search a vehicle in order to apprehend an offender where that person is reasonably suspected of having committed a seven-year indictable offence, having deprived someone of their liberty, having escaped from

lawful custody or who may be endangering the life or safety of someone else. The establishment of a roadblock is an essential aid in ensuring the fast apprehension of a person wanted for a serious offence.

Additionally, where a person has been deprived of their liberty, police will be empowered to establish a roadblock to stop and search vehicles for the person. This may involve requiring a person to open the boot of their vehicle. Although members of the community may be temporarily inconvenienced by this type of police action, I have little doubt it will be accepted in the public interest.

Search Warrants

The Bill prescribes powers and safeguards for searching places with a warrant. In the normal course of events, police may enter and search a place for evidence of an offence after first obtaining a search warrant from a justice. The application for the warrant must be based on a police officer having a reasonable suspicion that property the subject of the application is on the premises or will be on the premises within 72 hours of the application being made. In circumstances where a search may result in structural damage being caused to a building, a police officer must obtain a search warrant from a Supreme Court judge before commencing the search. Where structural damage is done to a building, that damage will be compensable.

Unarrest

The Bill imposes a duty on police to unarrest a person who is no longer a suspect at the earliest possible opportunity. There has previously been no provision for police to unarrest a person. The Bill provides that where the holding of the person in custody is no longer necessary and it is more appropriate to issue a notice to appear or summons, then police have an obligation to release the person. Unarrest provisions are ruled out in instances where the arrest was necessary to apprehend a person in the first instance or because of the serious nature of the crime—for example, murder, robbery, rape, drug trafficking, multiple burglary offences of use or threatened use of a firearm.

In cases where charges are to proceed for an offence, release from custody may be satisfied by a bail undertaking or notice to appear. In providing the power to unarrest, the ability to rearrest the person for the same offence is restricted. The legislation provides that where a person was arrested for an indictable offence and subsequently unarrested, the power to rearrest for the same offence would only exist in instances of harassment or interference with a potential witness, where new evidence comes to light or where the person is likely to fail to appear before a court. Police must take an arrested person before a justice as soon as practicable unless they are being detained for post-arrest questioning or investigations, have bail or have been unarrested.

Notice to Appear an Alternative to Arrest

The Police Powers and Responsibilities Bill will enable police to issue a notice to appear in court as an alternative to arrest or complaint and summons. Police will be able to issue an on-the-spot notice where it is not desirable to make an arrest. While it may be argued that the summons process provides a necessary safeguard in that a justice of the peace issues the summons, a police officer may arrest a person without reference to a JP. The notice, containing a short statement and brief particulars of the offence, would require a person to appear, at a given time and date, before a specified court. If the person failed to appear, the magistrate could issue an arrest warrant, or deal with the matter in the person's absence.

The adoption of this process, coupled with a power to obtain the fingerprints and photograph of a suspect, would address the current over-reliance by police on their arrest powers while retaining a person's right to have a matter determined by a court. In addition, this process will significantly reduce the number of persons taken to police watch-houses.

Post-arrest Detention for Questioning

The Bill provides for post-arrest detention for questioning. This alternative to arrest is in the spirit of the commission of inquiry into Aboriginal deaths in custody. Police will be able to detain people for questioning in relation to an indictable offence for a period of no more than four hours within an eight-hour detention period that includes time out for allowing the suspect to speak to a lawyer, receive medical attention and time spent on some investigative procedures. Any extension of the detention period would have to be approved by a magistrate or prescribed justice of the peace upon satisfying certain specified conditions.

The questioning period may be extended for a reasonable period not exceeding eight hours at a time. A second or subsequent extension to the questioning period may only

be authorised by a magistrate. Safeguards include—

the arresting officer having reasonable grounds to suspect the person had committed an indictable offence;

preservation of the right to silence and requirement for police to advise detainee of that right;

electronic recording of interviews, inadmissibility of admissions and confessions not electronically recorded;

the right for the detainee to have an interpreter or legal representation or other desired person in attendance; and

a requirement for police to inform the person of the right to telephone a lawyer, friend or relative.

Tracking, Listening and Surveillance Devices

Police will be able to add tracking, listening and surveillance devices to their armoury for the investigation of serious crime under strict conditions. But warrants authorising use of the devices will only be available for serious indictable offences which involve serious risk of injury or actual injury or actual loss of life; serious damage to property when lives are endangered; serious fraud; serious loss of revenue to the State; official corruption; serious theft; organised crime; conduct relating to prostitution or SP bookmaking; child abuse, including child pornography; and drug offences punishable by 20 years' or more imprisonment.

The use of listening devices is currently authorised under the Invasion of Privacy, Drugs Misuse, Commissions of Inquiry and Criminal Justice Acts. Under the Police Powers and Responsibilities Bill, the installation of a listening device would be restricted to the place specified in the warrant. Under certain circumstances, one warrant may cover the use of a device in a number of locations within a specified class, for example, a rental car or motel room, with the approval of a judge. The power to use a listening device is balanced by strict safeguards which adequately protect against unnecessary interference with an individual's civil rights. Safeguards include—

use of devices will be restricted to serious indictable offences;

an application for use of the devices must be made by an officer of the rank of inspector or above;

a warrant can only be issued by a Supreme Court judge, upon satisfying specified conditions, including the gravity of the offence, privacy considerations, and the effectiveness of conventional policing;

the duration of a warrant is to be restricted to a maximum of 30 days and extensions are permitted on approval of a judge.

Judges may order the destruction of any recordings not relating to the offence mentioned in a warrant.

Tracking devices would only be available for investigation of indictable offences. A magistrate may authorise the installation of a tracking device on a vehicle or other moveable object where installation did not require covert entry into a building. Where entry to premises was required, a warrant would have to be authorised by a Supreme Court judge. The judge or magistrate would be able to impose conditions, limitations and restrictions considered necessary in the public interest.

Police also will have the power to use visual surveillance devices on private property for the investigation of serious indictable offences, subject to approval by a judge, and with strict safeguards. A commissioned officer will be able to use surveillance devices in life-threatening situations without the need to first obtain a warrant in instances where there is risk to life or serious injury, for example, in a hostage situation.

Covert Search Warrants

The Police Powers and Responsibilities Bill will enable police to apply to a Supreme Court judge for a warrant to covertly enter premises to gather evidence of specified organised crime activity, for example, to enter a building where an illicit drug laboratory is believed to be producing a dangerous new "designer" drug such as fantasy. Applications could be made only by a commissioned officer when there were reasonable grounds to suspect that entry could provide evidence of organised crime offences. In considering an application for a warrant, a judge would have regard to the gravity of the matter being investigated; the extent to which the prevention or detection of the offence being investigated is likely to be assisted; the extent to which police have or can use conventional policing methods and their potential effectiveness; and any submissions made by the monitor.

The judge would be required to be satisfied that execution of a search warrant with the knowledge of the occupier or owner of the premises would be likely to frustrate the investigation before issuing a covert warrant. Covert entry without alerting the offenders

would enable evidence to be gathered and the investigation to continue so that the Mr Bigs of organised crime may be apprehended and not just the small fish. A covert search warrant would remain in force for no longer than 30 days, and where practicable the covert search would be videotaped to protect all concerned, including police, from allegations of evidence being planted. Where a judge issued a warrant, the applicant police officer would, within seven days of the execution of the warrant, furnish a written report to the issuing judge bringing any evidence seized, photographed or videotaped. Evidence gained in accordance with exercise of the power would be admissible in future proceedings for a serious offence.

Public Interest Monitor

All applications for and the use by police of surveillance and covert search warrants will be scrutinised by a special Public Interest Monitor. Where necessary, the monitor will overview the hearing of an application for a warrant before a Supreme Court judge, ask questions of the applicant officer and make submissions to the judge hearing the application. The monitor provides an additional and independent safeguard in the processing of applications by testing police evidence through cross-examination. The person will monitor police compliance with the Act and the responsibilities code relating to the use of surveillance devices and covert search warrants and will also be required to report breaches to the Commissioner of Police. The monitor will also compile statistics on the use and effectiveness of surveillance devices and covert search warrants and report annually to the Police Minister, who will be required to table the report in Parliament.

Consolidation of Breach of Peace Power

The new Bill consolidates existing law relating to breaches of the peace and gives police the power to direct troublemakers away from schools, child-care centres, railway stations, shops, licensed premises and other notified areas. Police already have the power to act to prevent a breach of the peace and to move people on in certain circumstances. However, the extension of police powers to include a general move-on power has been specifically rejected.

The Governor in Council may declare a prescribed area a notified zone on recommendation of the Minister and following an application from a local authority or other Government entity. Police will be able to direct people to leave these specified places to prevent breaches of the peace, enabling a greater enjoyment and feeling of safety in public places. The powers also provide police with an alternative to arrest, diverting people from the justice system.

As is currently the case, the authority given to police under this section of the Bill will not apply to lawful demonstrations under the Peaceful Assemblies Act. The right to rally peacefully is unquestionably preserved. Under this Bill, police would be able to direct people to leave an area if they suspected on reasonable grounds the person or persons were causing apprehension to people leaving or attending a place; were unnecessarily obstructing, hindering or impeding others attending or leaving the place—interfering with trade or business; are or have been behaving in a disorderly, offensive, threatening or indecent manner; or are or have been disturbing the peaceable and orderly conduct of any event, entertainment or gathering within the place. The officer giving the direction will be required to advise the person of the basis on which the order was given.

There are many other provisions of the Bill governing police powers and responsibilities that have not been mentioned because of time restraints but which are equally important. Two that I would like to briefly mention are as follows. The Bill preserves the right to silence, and includes a new legislative requirement that officers supply their identifying particulars upon request. Each member who supports this Bill can feel proud that they are representing the interests of the law-abiding people they serve.

A number of people have been involved in the preparation of this Bill, which has taken some time. In particular, I mention Chief Superintendent Doug Smith, who started work on this legislation in 1982. That is a long time ago. I commend his work. Also, former Assistant Commissioner Frank O'Gorman is one of many people both from the Queensland Police Service and my office who have devoted themselves over the past 18 months that we have been in Government to bringing this legislation to the House. I commend the Bill to the House.

Debate, on motion of Mr Barton, adjourned.

INTEGRATED PLANNING BILL

Hon. D. E. McCAULEY (Callide—Minister for Local Government and Planning) (11.50 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act for a framework to integrate planning and development assessment so that development and its effects are managed in a way that is ecologically sustainable, and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. E. McCAULEY (Callide—Minister for Local Government and Planning) (11.51 a.m.): I move—

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

Today I have much pleasure in bringing forward to the House this landmark legislation. The Integrated Planning Bill delivers to Queensland state-of-the-art planning legislation. It will provide our State with the best performing development assessment system of any State in Australia—best performing in terms of its efficiency and the quality of the decisions it delivers.

The origins of Queensland's current planning and development assessment legislation can be traced back to the 1930s. While the legislation has been amended over many years, the basic structure and approach to development that underpins the current system has changed little in that time. In recent years there has been increasing community pressure to deliver more livable communities and a better quality of life. At the same time there have also been demands for greater public accountability and more public involvement in processes by which planning and development decisions are made.

Governments have responded by adding more and more layers of State and local government regulation to deal with each new issue. The problem is that with each new consent or permit has come an additional approval process. This proliferation of ad hoc regulation often impedes, rather than promotes, the fulfilment of community expectations. As a result, people are confused about what requirements they have to meet to obtain a development approval, and the community is unclear about their entitlements to participate in various aspects of planning and development decision making.

The complexity of the current development approval system is highlighted by the difficulties encountered by applicants in obtaining approval for sometimes quite routine development. Even relatively straightforward development can become derailed in a myriad of overlapping and duplicating procedures. Suffice to say local government, business and the community alike have continued to express concern about the complexity and proliferation of development regulation in Queensland.

Calls for reform of the planning and development system have grown progressively louder. When I tabled the draft of this Bill on 28 August 1997, I outlined the consequences for business and investment in Queensland if we did not respond to the challenge to modernise our planning and development laws. I do not propose to repeat what I said then. I do however invite members to refer to that speech if they wish to refresh their memories as to the reason the Government has embarked on such a fundamental overhaul of the existing planning and development system, the broader policy objectives behind the reforms contained in this legislation and the main features of the Bill.

Since tabling a draft of the Bill, I am pleased to report to the House there has been continued strong support for the concept of an integrated and streamlined development approvals system and an integrated whole-of-Government approach to land use and infrastructure planning. The Bill I am introducing today has been further refined as a result of the many helpful submissions received since the tabling.

The coalition Government has developed the policy setting for the Integrated Planning Bill, taking into account the intergovernmental agreement on the environment and the national strategy for ecologically sustainable development. For example, core concepts such as the need to protect biological diversity and safeguard the life-supporting capacities of air, water, soil and ecosystems are written into the Bill. The purpose of the Integrated Planning Bill is to seek to achieve ecological sustainability through coordinated planning and the management of development and its effects on the environment.

Planning and development legislation, by its nature, is concerned with managing the spatial implications of human activities and the relationships between people and the natural and built environments. Consequently, the term "ecological sustainability" seeks to marry core concepts contained in the national

strategy for ecologically sustainable development and the more traditional land use planning concepts such as servicing of development and preserving the amenity, character and quality of natural and built environments.

The term "ecological sustainability" has been chosen not to set the Bill's aims apart from the more common term "ecologically sustainable development", but—

1. as a basis for recognising and emphasising how the key concepts of ESD apply in the planning and development assessment framework; and

2. so as not to confuse the term of "development", as used in ESD, with the quite specific statutory meaning of "development" in the Bill. Indeed, there were strong representations made by the legal profession on the draft PEDA Bill that the legislation did need to define "development" in precise terms so as to avoid any confusion or ambiguity as to how the term might be applied given its use in other contexts.

Some in the environmental movement have argued that the requirement in the Bill for an integrated balance between protecting ecological processes, economic development and the physical, social and cultural wellbeing of people means that the Bill lacks an "environmental bottom line". They suggest that, in achieving the Bill's objective, the protection of ecological processes can be traded away in pursuit of economic or social ends. This is simply not the case. Trading away one of the factors of ecological sustainability would be antithetical to achieving the balance required by this legislation. Rather, the Bill seeks to achieve an appropriate and pragmatic balance between meeting present day human needs, mitigating the adverse effects of development on the environment and taking an intergenerational perspective in respect of ecological systems and processes.

Relevant policy and legislation is also to be applied in determining the appropriate balance. This will require a process of deliberate evaluation, not a selection of convenience. Indeed, I have to express my disappointment about how some in the environment movement have sought to misrepresent this Bill. This Bill makes considerable advances on the current Planning and Environment Act in respect of the environment movement's agenda.

The Bill requires councils to address in their schemes how areas of ecological significance are to be managed and protected. It has wider disclosure provisions and it requires public input be obtained before State planning policies and other State Government planning proposals are adopted. These are just a few examples of improvements incorporated in this Bill in response to deficiencies environmental groups have argued exist in the present Planning and Environment Act.

The Bill defines "development" broadly. A broad definition is necessary if the full benefits of the integrated development assessment system are to be achieved. The Bill's purpose clearly anticipates that regulating both development and its effects, including the use of land, are within the scope of the Bill. Development is characterised as a change, for example the carrying out of building work or making a material change in the use of land. The Bill does not characterise the end result of the change—for example, the building or the use of land—as development.

This process of change, that is development, is handled in one of four ways—

Exempt development which does not require an approval under this legislation nor the imposition of any standards on that development.

Self-assessable development which does not require an application to be submitted nor an approval to be obtained. However the person undertaking the development is required to conform to defined requirements or standards.

Assessable development, of which there are two categories—

Code assessment which requires an application to be lodged with the relevant assessment manager in virtually all cases being the relevant shire or city council, unless the relevant council has no approval to give, in which case the assessment manager will be the principal consent authority. Once lodged, the application will be assessed against the relevant codes, including any relevant codes administered by a State agency.

Finally, impact assessment. This also requires an application to be made to the relevant assessment manager, but the application is also publicly notified. Anyone lodging a submission in relation to the

application has a right of appeal against the assessment manager's decision. The application is assessed against the environmental outcomes stated in the planning scheme, other relevant laws and policies and the probable effects on the environment.

The definition of "environment" in this Bill is the same as the definition in the current Planning and Environment Act and has social, cultural and economic dimensions to it as well as those associated with physical and natural environment. Schedule 8 of the Bill specifies what development falls into various categories. A council's planning scheme will likewise be able to do this, consistent with the framework set by schedule 8. This enables councils to regulate development in their local areas commensurate with the needs and aspirations of their community.

The Bill provides a basis for coordinating and integrating local, regional and State level planning into local government planning schemes. It makes the outcome statements, provisions and policies of a planning scheme a principle consideration in development assessment. As the planning requirements of State agencies and local government become integrated in planning schemes, the permission criteria to apply to particular development in various localities will become more readily identifiable.

The Bill gives weight to planning schemes by according them the force of law. This is intended to reaffirm that the non-prescriptive nature of planning schemes under the Bill does not diminish their importance as the key factor in determining development outcomes. Council planning schemes are required to articulate the outcomes to be achieved and indicate which developments they want made subject to impact assessment. The Bill does not specifically prohibit an application being lodged for impact assessment. This carries through a long standing feature of the Queensland planning system known as the applicant initiated rezoning. However, under this legislation an application for impact assessment must satisfy two tests before it can proceed.

First, following impact assessment of the application the assessment manager's decision cannot compromise the environmental outcomes sought to be achieved under the planning scheme. The second test is that if the proposal does not compromise the environmental outcomes but is in conflict with the scheme provisions, the application cannot be approved unless there are sufficient planning grounds to justify the decision. The latter is the same test that is applied under the Planning and Environment Act for rezoning applications.

The Bill therefore provides communities with a high degree of security and confidence that incompatible development that compromises the environmental outcomes for their neighbourhood could not be approved. The Bill also prescribes ways that the ongoing effects of development are to be managed. These are—

for assessable development, by imposing reasonable and relevant conditions on development approvals, addressing both the development itself and the subsequent use or management of premises; and

for self-assessable development, by requiring development and the subsequent use or management of premises to conform with relevant codes.

The Bill provides that conditions on development approvals bind owners and occupiers and travel with the land. The Bill recognises and protects lawfully established existing uses.

The integrated development assessment system (IDAS) will improve the speed and quality of decision making on development proposals by creating a single integrated development assessment system for State and local government approval processes and establishing a central role for the impact assessment process.

When fully implemented through the consequential amendment of other State legislation, IDAS will collapse about 60 approval processes into a single integrated system and sunset about 6,000 pages of regulation. It is a massive attack on red tape, and will—

deliver a key plank of the Government's economic development strategy;

give Queensland the most efficient development assessment system of any Australian State; and

give Queensland a competitive advantage in attracting investment because it will mean increased clarity as the permission criteria to be met.

It is not fast tracking but integrating relevant environmental and social factors into the assessment of development proposals rather than having such matters considered independently.

IDAS allows proponents to obtain a single approval for all aspects of their development at one time, or alternatively, if the needs of the project require it, to stage applications and approvals over time. A key advantage for applicants under IDAS is the ability to apply for and obtain a preliminary approval. This enables approval to be given to a development concept, but does not authorise development to commence. For large proposals such as master planned communities, this will allow applicants to obtain approval for a broad package of development rights—including for example a set of land use entitlements. This provides the proponent with collateral for securing finance for the project and a basis for obtaining detailed approvals for successive stages of the development.

Clear time frames are established for all stages in the IDAS process, with applicants having recourse to appropriate dispute resolution mechanisms in the event these times are exceeded. The flexibility of IDAS for applicants is not achieved at the expense of the rights of the community. On the contrary, the rights of the public to participate in the making of development assessment frameworks and to view and comment on development proposals themselves have been enhanced.

Current development assessment systems are characterised by inconsistent, and sometimes even non-existent, avenues of redress for disputes. By delivering a single integrated framework for assessing development proposals, IDAS provides a basis for all disputes about decisions made in relation to a development proposal to be resolved at one time. This Bill considerably strengthens the role of local governments in coordinating the planning and managing of development in their areas.

Some concern has been expressed that the ministerial call-in power is intended to be used as an alternative form of dispute resolution. This is not the case. The call-in power is a reserve power intended for use only when a project is of major economic or environmental significance to the State. In implementing this legislation, the State is committing itself to work within the planning and development assessment framework, rather than outside of it as it currently does. The ministerial call-in mechanism is a necessary means of giving effect to the State's interests in a development which affects Queensland's interests in some significant way. Other initiatives in the Bill are—

private certification for development applications that require assessment against the standard building law only; and

reducing the cost of providing basic infrastructure and services to new communities. This is achieved by ensuring State and local Government capital works programs are coordinated with land use planning intentions and reflected in the planning schemes. State and local governments are able to impose reasonable conditions on development approvals to protect the community's investment in infrastructure and recoup the additional infrastructure and servicing costs associated with unanticipated or "out of sequence" development.

Finally the Bill establishes clear principles for funding basic and essential infrastructure in new communities through infrastructure charges. These charges are an indirect user charge, levied through a clear and accountable process at the time an approval is given.

As IDAS is implemented, other legislation containing development assessment processes will be repealed or progressively amended to remove those processes. This will allow relevant agencies to consider whether they should issue their particular approval as part of an integrated assessment of a development application.

The Local Government (Planning and Environment) Act will be repealed by the new legislation. Priority is also to be given to consequential amendments to remove the duplicate assessment processes from the Building Act 1975, the Environmental Protection Act 1994 and the Transport Infrastructure Act 1994, with a view to having the Integrated Planning Act come into effect in conjunction with these key amendments early in 1998. I want to make it clear to the House: the relevant standards and approvals will remain, only the processes will be removed.

The coalition Government has delivered in this Bill a piece of legislation that is already establishing itself as a benchmark. It responds to calls to integrate environmental, social and economic perspectives into planning and development decision making and will result in significant micro reform in the administration of the planning and development system. Whereas our current fragmented and uncoordinated State and local development assessment processes often seem designed to meet the needs of those administering

them, this Bill is designed around the needs of the applicant and the community.

Acknowledgment needs to be given to the many people who have contributed to the development of the Bill over the past three years. I mentioned at the time I tabled the Bill my predecessor, the Honourable Terry Mackenroth, the member for Chatsworth, who in his term laid the foundation stones for this Bill. I am again happy to acknowledge his role in formulating some of the key concepts of this legislation. I hold the view Queensland as a whole is better off if a bipartisan approach can be taken to the State's planning and development framework. This provides a continuity in respect of how the system operates even if Governments alter policy from time to time. This Bill allows policy to change over time without having to rewrite the law on each occasion.

I need also to acknowledge the work of my task force who have worked tirelessly and at times under great pressure to achieve a workable Bill which balances all the competing interests of accountability, transparency, efficiency, cost effectiveness with the intricate policy tension that exists between them. Peter Sherrie, Chris Buckley, Greg Hallam, Steve Greenwood, Geoff Booth, Jeanette Davis, Rosanne Meurling, John Brannock, Graham Dalton, Selena Ham, Lawrence Springborg, MLA, Andrew Luttrell, Jo Bragg, Imogen Zethoeven, Bobbie Brassel and Mr Richard Ross deserve a mention in this House because of the job they did in bringing this Bill to the point where it is recognised as being landmark legislation. The Integrated Planning Bill is a considerably better Bill than its predecessor as a result of their efforts and the considerable work by the coalition Government in accordance with the election commitments we gave.

Consistent with our commitments at the last election, the coalition Government has delivered to Queensland planning legislation which is comprehensive, based on sound environmental principles, and one which will promote economic development and jobs as a result of the considerable savings to business through the streamlined approval system and reduced transaction and compliance costs brought about by this Bill.

To develop legislation of the magnitude and scope of this Bill requires tenacity and considerable consultation. The preparation of this Bill has, to the best of my knowledge, been the most open, participatory process of any legislation developed in this State. The contributions of the LGAQ and its member councils, Urban Development Industry of Australia, the UDIA, Property Council, Queensland Farmers Federation, Queensland Conservation Council, the Environmental Defenders Office, Queensland Environmental Law Association, the Royal Australian Planning Institute, the Housing Industry of Australia, the Queensland Master Builders Association and others have been greatly appreciated.

There will no doubt be some teething problems as the new integrated planning and development assessment system beds down, but I am encouraged by the way sector groups across Queensland have been prepared to contribute to the development of this Bill in a spirit of cooperation and with a will to make it work. This is what continues to set Queensland apart from other States. I look forward to seeing that goodwill and spirit of cooperation continue through to its implementation. Queensland can only benefit as a result. I commend the Bill to the House.

Debate, on motion of Mr Livingstone, adjourned.

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL (No. 3)

Hon. D. E. McCAULEY (Callide—Minister for Local Government and Planning) (12.12 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend legislation about local government."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. E. McCAULEY (Callide—Minister for Local Government and Planning) (12.13 p.m.): I move—

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

Most of the provisions in this Bill relate to the further application of National Competition Policy to local government. The Bill also clarifies the rating powers of the Brisbane City Council in respect of exempt land as well as dealing with the sunset clauses for two sets of provisions that are due to expire. A number of

minor and technical amendments have also been included.

Firstly, the major focus of the Bill is to provide a mechanism in the Local Government Act 1993 for complaints about local government business activities which are not abiding by the competitive neutrality principles that apply to those activities. These are the Type 1 and Type 2 business activities of the largest councils which have to be assessed for possible application of corporatisation, commercialisation or full cost pricing. They also include the smaller Type 3 business activities where a local government has chosen to apply the code of competitive conduct as well as any of its roads business activities, that is, where the local government lodges a tender for works on State roads, the roads of another local government or if it puts its own roadworks out to tender.

Competitive neutrality means that a local government business should not use advantages that are solely due to its public ownership to unfairly compete with the private sector. For example, exemption from taxes should not be used to give a local government business activity a price advantage over private sector competitors who have to pay taxes.

Mr Speaker, I seek leave to have the remainder of this speech incorporated in Hansard.

Leave granted.

This Bill will enable Queensland to meet its obligations under National Competition Policy and the Competition Principles Agreement to set up a complaints mechanism for local government. Payments of over $2.3 billion from the Commonwealth are dependent upon implementing this and other NCP reforms. As announced in April this year, up to $150 million will be made available to Queensland local governments if the State receives its full share of payments from the Commonwealth.

The approach taken is modelled on the Queensland Competition Authority Act 1997 which deals in part with complaints about competitive neutrality matters in respect of State Government business activities. However, this Bill enables the complaints mechanism for local government to be structured according to the size and significance of the business activities. For Type 1 and Type 2 business activities, and roads business activities to which competitive neutrality is applied, the Bill provides for a two-step complaints process. Complaints would be initially investigated by a referee appointed by the council. Depending upon the circumstances of the case, the referee could be a council officer who is not associated with the business activity or some outside person with the appropriate skills. If there was dissatisfaction with the outcome of this investigation or it was believed the council's complaint process is inadequate, the complainant could make a reference on the matter to the Queensland Competition Authority for investigation.

The two-step process would not apply if a council decides to appoint the Queensland Competition Authority as its referee. In this case, the authority would investigate and report to the council on complaints, in a similar way to its role in the investigation of complaints about State Government business activities. In respect of the smaller Type 3 business activities to which competitive neutrality applies, councils will be obliged to set up their own internal complaints procedures. This will involve the appointment of a referee to investigate and report to the council.

Where a local government appoints a referee to hear complaints, the Bill will enable the council to charge an application fee up to a maximum to be fixed by regulation. This will help deter any frivolous or vexatious complaints, though it should be noted that a referee can choose not to investigate such complaints. As in the case of other NCP reforms, the final decision on the recommendations of a referee, or the Queensland Competition Authority in relation to a complaint or a reference, rests in the hands of the local government, which must act in a transparent fashion. In addition, the local government can only make the decision after the person making the complaint has been advised of the recommendations of the referee or the authority.

The Queensland Competition Authority Act 1997 also provides that State Government business activities to which competitive neutrality is applied may be granted accreditation by the authority. This Bill therefore provides for the authority to consider accreditation for the Type 1 and 2 business activities of local governments as well as any of their Type 3 activities or roads business activities. If accreditation from the Queensland Competition Authority is obtained for these business activities, no complaints mechanism is required. The authority would only approve the accreditation if the business activity was being conducted in accordance with the relevant principles of competitive neutrality. The question of making further refinements to the proposed complaints system will be examined next financial year after the Queensland Competition Authority has settled into its new role.

This Bill also clarifies certain rating powers of the Brisbane City Council under the City of Brisbane Act 1924 in respect of exempt land. That Act provides the council with greater discretion than is available under the Local Government Act 1993 for other local

governments to exempt land from rating. The amendments that permit this to occur were made in 1992 and followed the approach outlined at the time in the discussion paper on the draft legislative proposals for a new Local Government Act. The Brisbane model was not incorporated in the Local Government Act 1993 when it came before Parliament because of concerns raised by the churches. However, the Government of the day did not go back and amend the City of Brisbane Act to bring the two sets of legislative provisions into line.

As the law currently stands, the Brisbane City Council has the discretion to make a resolution to exempt land from rating if it is used for public, religious, charitable or educational purposes. In contrast, the Local Government Regulation 1994 made under the Local Government Act prescribes what public, religious and educational land is exempt from rating and only gives a discretion for local governments to determine what charitable land is to be exempt.

Honourable members will be aware from numerous comments in the media by the churches and others that there has been a major departure by the Brisbane City Council this financial year in relation to how it deals with land that has previously been exempt from rates. For 1997-98, the council resolved that although certain public, religious, charitable and educational land will be exempt from general rating, it will be subject to an environmental management and compliance levy (this being a separate rate based on rateable value of land) and a rural fire services levy (which is a separate charge). It is worth noting that the costs of many of the items to be funded from the environment management and compliance levy could have been legitimately met through the council increasing its utility charges, that is, the charges it fixes for supplying water, sewerage and cleansing services. Had the council adopted that approach, no amendments would be necessary. Fairly calculated increases in utility charges would have meant that the churches still pay a contribution in respect of their properties and they have no problem with this approach. In addition, the State and Commonwealth Governments would also have to a make a contribution in respect of any of their properties that attract a utility charge.

When the City of Brisbane Act was amended in 1992 to simplify the rating exemption provisions, it was not intended to change the long standing principle that land exempted from general rating would be subject to a separate rate or charge. It should be noted that a separate rate or charge cannot be levied on exempt land under the Local Government Act. The Bill explicitly clarifies the original intention of the legislation on this important principle—that is, where the Brisbane City Council exempts land from rating, it is exempt from all rates. As the council has already adopted its budget for 1997-98, the effect of the proposed amendment is that the environmental management and compliance levy and the rural fire services levy will continue to apply for this financial year. However, the council would not be able to apply those separate rates or charges to such lands in future years if it still passed a resolution to exempt them from the general rate. Naturally, any land holders who dispute the levies in 1997-98, may challenge their liability to pay in the courts. It is considered that the proposed amendment is necessary to bring certainty back into the law and to reflect the original intention of the legislation.

Another clarifying amendment is also proposed. When the City of Brisbane Act was amended in 1992, the churches made strong representations to the then Minister, the Honourable Tom Burns MLA, to specifically provide exemptions from rating for their lands in the legislation. To preserve State interests, and in recognition of the concerns raised by churches at the time, a provision was inserted to allow a regulation to be made to exempt land in Brisbane City from rating. During the debate on the 1992 Bill, the then Minister, Tom Burns, made the following statement in this House on the regulation making power—

> "I keep a reserve power. That means that if a council comes to me and says that it has granted an exemption for a number of years and it has now decided that it will no longer grant that exemption, I can make a determination on the matter ... if churches come to me and complain, I can intervene by exempting a particular property, a group of properties, or a church, as the case may be ... there is provision in the legislation for us to be able to handle any of the problems that the churches perceive."

To reinforce the original intention of the legislation, the Bill clearly provides that these classes of land can be made exempt from rates by regulation.

Both the Brisbane City Council and the Local Government Association oppose the proposed amendments. They see them as paternalistic and an intervention into the autonomy of local government. This is not the case. As Minister I have a responsibility to the community to ensure that the intentions of legislation passed by this Parliament are met and are clearly interpreted. These are purely clarifying amendments. I will make two other points on this subject.

If no regulation is made, the Brisbane City Council would be able to adjust the current list of exempt properties at its next budget meeting and require the churches to pay the general rate as well as the environmental management and compliance levy. The possibility of that occurring is causing concerns in some church circles. Although the Brisbane City Council has indicated it does not intend to impose general

rates on rate exempt properties, policies can change. Witness the change in policy for this financial year in applying separate rates and charges to exempt lands. I therefore propose to look at increasing the certainty for the owners of land exempt from rating in Brisbane City.

Under the Local Government Act, certainty is provided through a regulation that defines the various classes of exempt land. A regulation could therefore be made early next year to set out what land used for public, religious, charitable or educational purposes is exempt from rating in Brisbane City. Under this approach, the regulation would come into operation before the council adopts its 1998-99 budget. The council would still have the power to exempt further land by resolution at its budget meeting. Any exempt properties would still be subject to utility charges if the council supplies the appropriate services.

The simple way to achieve this measure of certainty would be to exempt by the regulation those properties which the Brisbane City Council has exempted this financial year through its budget resolutions. However, it is understood that inconsistencies may now exist in the exemptions applying to some of these properties. For example, exemptions may have been continued by the council for some church lands even though they are now being used for commercial purposes. On the other hand, some churches have expressed concern that the current council policy contains inequities. By way of example, the transfer of a property from one church organisation to another without any change in usage could cause the removal of the exemption. I therefore intend to request the council to consult with the churches and other affected land owners to determine what land should be made exempt from rating under a regulation.

On a final note, I am aware that the Brisbane City Council as well as other local governments and certain key organisations, including the Local Government Association and the Ombudsman's Office, have expressed various concerns about the revenue raising powers of local governments and how they are employed. In response Mr Speaker, I propose to carry out a comprehensive review of these powers next financial year. Extensive consultation will occur with all of the relevant parties during the course of the review. I will now move onto the remaining provisions of the Bill.

This Bill will amend the Local Government Act to remove a sunset clause from the provisions that allow local governments to make local laws enabling authorised officers to enter private property to seize dangerous dogs without notice, warrant or the consent of the owner or occupier. These provisions are due to expire on 30 June 1998. The feedback from a comprehensive evaluation of the provisions indicated there is overall support for their retention. Accordingly, the sunset clause is being deleted so that local governments can continue to act quickly to deal with dangerous dogs.

The Bill also extends the application of a sunset clause contained in the Local Government (Aboriginal Lands) Act 1978 to 30 June 1999. This sunset clause would otherwise expire provisions on the control of alcohol in Aurukun Shire on 1 December 1997. The extension will allow the continuation of a community based framework to manage the prohibition or restriction on alcohol possession or consumption in certain places in the shire. Various organisations and community representatives consulted during an evaluation of the legislation agreed that further time was needed to trial the provisions. In approximately 12 months, a more comprehensive review will be undertaken on the effect and enforcement of areas declared dry or controlled by the Aurukun Alcohol Law Council.

Finally, as indicated earlier, this Bill also contains some minor and technical amendments to the Local Government Act 1993. I commend the Bill to the House.

Debate, on motion of Mr Livingstone, adjourned.

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (12.15 p.m.), by leave, without notice: I move—

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

Motion agreed to.

First Reading

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

Second Reading

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (12.16 p.m.): I move—

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

The objective of this Bill is to provide for a number of amendments to 11 pieces of legislation. Due to the nature of these amendments, it is more efficient for these to be dealt with in an omnibus Bill rather than a series of individual Bills. The Bill makes amendments to eight Acts in the Natural Resources portfolio: the Body Corporate and

Community Management Act 1997, the Forestry Act 1959, the Land Act 1994, the Acquisition of Land Act 1967, the Land Title Act 1994, the Valuation of Land Act 1944, the Water Resources Act 1989 and the River Improvement Trust Act 1940. It also amends the City of Brisbane Act 1924, the Local Government Act 1993 and the Mixed Use Development Act 1993, which are closely associated with my portfolio but which are the responsibility of my colleague the Honourable Minister For Local Government and Planning.

The amendments will achieve a number of important policy and administrative changes to these Acts. I will describe the major changes. The amendments to the Body Corporate and Community Management Act 1997 are the result of continued consultation with the industry users of the legislation. These users, while having embraced the Act and its regulation modules, have identified the need for minor refinements. This will optimise the application of this legislation in the marketplace.

One of the amendments will ensure that adequate information is given to prospective off the plan buyers where a lot in an existing community titles scheme is subdivided. Another amendment ensures that developers of staged developments are able to approach the body corporate of a scheme with a reasonable degree of certainty when a new community management statement is required. Also, it will be made clear that the standard module regulation applies to building unit plans and group title plans under the superseded Building Unit and Group Titles Act 1980. In addition, increased flexibility will be given to bodies corporate as to how they choose committees. Another amendment will ensure that certain decisions regarding body corporate assets can be made by an ordinary resolution, rather than by a resolution without dissent. This results in the same type of decision being required for allocation of assets and allocation of common property.

The Forestry Act was amended recently to address concerns about unauthorised sandalwood harvesting in parts of western Queensland. Those amendments included an enhancement of the powers of forest officers to obtain certain documents for the purpose of investigations. The amendments proposed in this Bill will remove any doubt that originals of any such documents may be retained if they are needed in the course of an inquiry or as evidence for prosecution proceedings. Time constraints apply to the retention of documents. The amendments will also reinstate an inspection power which was unintentionally omitted during the previous amendments.

Under the Land Act, the current periods of 28 days for lodgment of review applications and appeals are considered to be too short. They are therefore being increased to 42 days, bringing them into line with the Valuation of Land Act, in which objection and appeal periods are also being standardised at 42 days. As well, the current requirement in the Land Act 1994 for an appellant to state the facts relied on in addition to the grounds of appeal is considered to be too onerous. The Bill removes the requirement to state the facts relied on so that an appellant will now only have to give the grounds of appeal at the time of lodging an appeal.

Appeal provisions for tree-clearing permit applications are being introduced so that applicants will have rights of appeal mechanisms similar to that which is applied as a natural justice provision for valuation objectors and the like. The appeal provisions can be applied against certain conditions imposed on a permit, refusal to issue a permit and cancellation of a permit. There is no intention to allow third-party appeals against these decisions.

A further amendment to the Land Act allows a lower rent to be charged for a permit for investigation purposes where it is issued to allow an applicant to investigate the feasibility of a proposed development. This might include permits to conduct an EIS, test boring, survey work and other assessments which help to determine the overall feasibility of developing such a parcel of land before development actually occurs. This brings a permit into line with a lease requiring investigation and development which is currently attracting a lower rent.

Two areas of the Land Title Act are also to be amended. The easements provisions of the Act are considered cumbersome and have resulted in confusion as to when they apply. Amendments to the Act will simplify the provisions and clarify the manner in which easements are created, the types of easements available and how they are registered. The second amendment relates to caveats.

A caveat is the mechanism whereby a person who has a legitimate interest in land is able to freeze the freehold land register for a short time to allow the person's interest to be properly dealt with. Under present law such caveats have been used to disrupt legitimate dealings in land. In these instances, the

rejection of a caveat by the Registrar of Titles does not prevent subsequent vexatious caveats. The amendment will require that, where a caveat has been rejected by the registrar, a subsequent caveat is to be approved by a court before it can be registered. This restriction will apply if the subsequent caveat is to be lodged by the same person on the same or similar grounds.

Amendments to the Valuation of Land Act 1944 introduce privacy measures to limit public access to information from the valuation roll in certain circumstances. These amendments will assist in maintaining the privacy and the safety of people who are at risk of harm through various domestic or other circumstances. An owner or someone associated with an owner may apply for the owner's name and postal address to be suppressed. The grounds for the application must be that the owner's or the other person's safety or their property may be placed at risk by having the owner's name and address disclosed.

The new provision outlines the procedure for an application, the decision-making process, the right of appeal against a decision not to suppress information and the action to be taken pending hearing of an appeal. For these privacy measures to be effective, it is necessary that the suppression of information also extends to local governments who are supplied information from the valuation roll. Through amendments to the City of Brisbane Act 1924 and the Local Government Act 1993, it will also be mandatory that the suppressed names and addresses are not disclosed by the local governments.

Another initiative in the Valuation of Land Act 1944 makes it mandatory for the department to advise owners of the details of their annual valuation by mailing individual notices. This is an initiative that I introduced early this year and I am pleased to say it was well accepted by landowners. In 1996 the State's valuation system was reviewed. Some of the recommendations from the review required changes to the Valuation of Land Act 1944. These amendments are in this Bill. They are the extension of the objection, display and appeal periods of valuations from 28 days to 42 days, and the removal of the reference to sugarcane assignments from the Act. The latter amendment is one which has been sought by the sugarcane industry following the substantial deregulation a few years ago.

Another amendment to the Valuation of Land Act 1944 provides more flexible delegation of powers under the Act. This in effect will mean the department can continue to use departmental staff to conduct valuations, but it will also have the ability to use private valuers where and if necessary to satisfy overflow demand throughout Queensland. Various other amendments have been included to ensure the operational efficiencies of these legislative changes and of the Act generally.

Recent amendments to the River Improvement Trust Act 1940 provided for the amalgamation of river trusts and trust areas. Due to a technicality, the Burdekin River Improvement Trust has been unable to amalgamate with the Haughton River Improvement Trust as was intended. The Bill amends the Act to enable the amalgamation to occur. Further minor amendments to the Act should assist trusts to operate more efficiently.

The current provisions of the Water Resources Act 1989 enable the State to exercise control over the destruction of vegetation, excavation and placing of fill in watercourses. However, there is currently no power to prevent similar activities in lakes (including swamps) and springs. The Bill amends the Act to extend control to include lakes and springs to protect and improve these natural resources. The unauthorised removal of quarry materials from watercourses and lakes has the potential to cause significant and permanent damage to these features. The Bill amends the Act to provide for the issue of notices to stop such activities. Similar powers already exist under the Act for the protection and improvement of the physical integrity of watercourses.

Recently there have been instances where persons have ignored notices to stop unauthorised activities in watercourses, resulting in significant damage to the watercourse and the loss of natural habitat. The current provisions of the Water Resources Act 1989 enable the department to institute proceedings for the unauthorised activities and for failure to comply with a notice. Furthermore, the court may order payment to the State of the costs of any remedial or rehabilitation works. Nevertheless, the department must be able to stop unscrupulous persons from doing permanent damage to our watercourses, lakes and springs. The Bill amends the Act to provide for the issue of court injunctions where persons ignore notices to stop unauthorised activities. Investigation of offences against the Act can be frustrated by persons who refuse to provide a name and address and will not otherwise

cooperate. The Bill amends the Act to require persons to supply a name and address, to answer questions, and to supply documents to authorised officers undertaking investigations into possible breaches of the Act.

Water drillers who construct artesian bores or subartesian bores in declared subartesian areas are required to hold driller's licences. If the department has to take action against the holder of a driller's licence, for example a driller who is constructing bores to less than acceptable industry standards, the driller's licence currently can only be revoked or cancelled. The Bill amends the Act to provide also for the suspension of a driller's licence in circumstances where revocation or cancellation is deemed too severe a penalty. Recent amendments to the Water Resources Act 1989 required decisions of the chief executive concerning applications for certain licences to be published where a right of appeal to the Land Court exists. The amendment unintentionally included decisions concerning artesian and subartesian bores where the right of appeal only exists for applicants. Applicants and objectors are presently provided with written notification of such decisions. The requirement to publish decisions about bores is causing unnecessary delay and costs. The Bill amends the Act to remove the requirement to publish decisions concerning applications for artesian and subartesian bores, and prescribes the form and the timing in which written notification is to be given.

Other minor amendments in the Bill correct anomalies or further streamline administration of the Water Resources Act 1989. I commend this Bill to the House.

Bill, on motion of Mr Schwarten, adjourned.

COAL LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 29 October (see p. 4043).

Hon. K. W. HAYWARD (Kallangur) (12.28 p.m.): It is certainly a pleasure to speak to the Coal Legislation Bill 1997. It is an important Bill for Queensland for many reasons: firstly, because of the earnings that the coalmining industry generates for the State; secondly, and not necessarily less importantly, the employment that the industry generates; and thirdly, and I think most significantly, its reference to the issue of mine safety.

It is difficult to speak to this Bill without referring to some of the history of coalmining in Queensland. This Bill proposes to repeal the Coal Industry (Control) Act 1948 and with it, of course, to abolish the Queensland Coal Board. The original purpose of the Act that we are in the process of repealing was to increase production to ensure that coal was available to the expanding industry in Queensland after World War II, then to supply that coal to the Australian market and, if there was some coal left over, to export that coal. That Bill resulted in the establishment of the Queensland Coal Board.

It is important for members to understand, in an historical context, the situation in Queensland after World War II. When the Coal Industry (Control) Act was enacted in 1948, its major purpose was to establish priority in the development of Queensland's industry. After World War II in Queensland, fewer men were involved in coalmining and production had declined to the point at which the real issue for the Government of the day was to establish and to ensure that the coalmining industry in Queensland was put on a firm footing. As I said before, the main purpose for that was to ensure that coal would be available for expanding industrial development in Queensland. So historically the original aim of the Bill was to increase production in Queensland, then to export coal to New South Wales and to other States in Australia. The Act was also established to ensure that the Queensland industry was able to compete with industry in New South Wales and—I think most importantly—to make provision for the health and safety of coalminers.

As I have said, after World War II, production had declined and workers had left the industry. It is interesting to note the importance that was placed on the health and safety of miners then compared with how we regard the health and safety of miners today. When the Minister introduced the Coal Industry (Control) Act, he said something like, "I can say that if we do not give the miners decent and comfortable conditions, they will drift into other industries where they can get them and so our production will decline." That was the main focus of establishing that Act, which we are in the process of repealing.

If members reflect upon that, no matter how that Act is viewed in its historical context, they would realise that it has been incredibly successful. In terms of the original aim of the Bill, as at 30 June 1997 coal production in Queensland was 99.43 million tonnes, which is

an increase of 5.67 million tonnes over the 1995-96 financial year. That is an all-time record for this State. Total exports for 1996-97 were 78.97 million tonnes, valued at $4.56 billion. That was a tonnage increase of 2.94 million tonnes over the previous financial year. Coal sales within Queensland for the 1996-97 year were 18.1 million tonnes, which was an increase of 4.6 million tonnes over the 1995-96 year. Although through this Bill we are moving to repeal the Coal Industry (Control) Act 1948, we must always look back to what other legislators did in this House. At the time that Bill was introduced, it was, I think, extremely wise legislation. If members measure its success by the level of coal exports today, they would realise that it was extremely successful legislation.

I believe that all members of Parliament are interested in mine safety in Queensland, particularly as it relates to underground mining. Unfortunately, this State has a history of mining disasters. Every six to eight years we have had tragic occurrences. Most recently, we had the Moura mine disaster. In 1921, there was the Mount Mulligan disaster, where 76 miners were killed; in 1928 at Redbank, four miners were killed; in 1954 at Collinsville, seven miners were killed; in 1972 at Box Flat, 17 miners were killed; in 1975 at Kianga No. 1 Mine, 13 miners were killed; in 1986 at Moura, 12 miners were killed; and then, of course, most recently and tragically, in 1994, again at Moura, 11 miners were killed. Although Queensland has had a very, very successful coalmining industry and a strong legislative focus on mine safety, every six or eight years a terrible tragedy has occurred. Out of those disasters, the safety provisions and regulations contained in the coalmining legislation have been strengthened and improved. That is the purpose of this Bill.

I would have hoped that this Government would have learned from the disaster at Moura that the mining industry needs to be more conscious about mine safety. However, I am not sure about that. Earlier this year in this Parliament I asked a series of questions about coalmining safety, in particular about the inertisation of the goaf atmosphere in a coalmine, in other words, reducing dangerous gases in underground mines and, in particular, reducing the level of oxygen by increasing the level of carbon dioxide or nitrogen.

An experiment has been carried out at the Cook Colliery in central Queensland to reduce the goaf by continuously pumping carbon dioxide down a borehole directly into it. As I understand it, as it has been explained to me, this process involves no exemptions from the Coal Mining Act. However, I am informed that it would appear that the Chief Inspector of Coal Mines was not happy with this program and does not want it to proceed. I look to the Minister for confirmation of that in his reply.

Mr Gilmore: Would you just explain that so I get it right when I am responding?

Mr HAYWARD: I said that there has been an experiment at the Cook Colliery.

Mr Gilmore: This is the Tomlinson boiler you are referring to?

Mr HAYWARD: Yes. As I understand it, the Chief Inspector of Coal Mines is not happy with this program and does not want it to proceed. He has been keen to support a scheme which involves placing a roaring modified jet engine underground, with the obvious inherent risks from heat, flames, noise, and, importantly, structural stability. That was described by the Minister in an answer to a question that I asked as a—

> "... scientific model of mine inertisation which, if proven by the April tests at the Collinsville mine, will be a world first and be an important part of the training of mine safety engineers into the next century."

This Parliament should know that, again through my inquiries, I have been told that this equipment from Poland was considered so risky that MIM refused to use it at its Collinsville mine until the Queensland Cabinet indemnified MIM of all potential risk.

I ask the Minister: is it true that the representatives of the Australian Coal Association research program were pressured by the chief inspector to approve the MIM project? At Collinsville, substantial exemptions from the Coal Mining Act have been granted so that the company can use this equipment underground. I seek an explanation from people who may know more about the subject of why one would grant exemptions from things like heat, flame, aluminium and noise regulations in order to run this program. Not just in Queensland but throughout the world, history has shown that a lack of such regulations can cause terrible problems. For example, the regulations of the Queensland Coal Mining Act require that a miner can work in no greater than 80 decibel noise for an eight-hour period in any 24 hours. I would be interested to know why an exemption has been given from that noise regulation.

The big issue for us all is this: why have a Coal Mining Act and regulations if the Minister, through the Governor in Council, is going to

grant exemptions? What is the purpose of having the Act in the first place? As I have said, I do not pretend to be an expert in coalmining safety, but it seems obvious to me—as I am sure it would seem obvious to all members of Parliament, even those who are not experts in coalmining—that a stable continuous process of reducing the goaf atmosphere progressively with no exemptions from the Coal Mining Act and regulations is much more satisfactory. To quote the Minister, I think it is a better "scientific model of mining inertisation" than periodically placing a roaring jet engine underground under the usual exemptions from the Coal Mining Act and the regulations.

I am informed that the Minister has been told that the program that was conducted at Collinsville was successful. If the Minister would take some advice from me, I would urge him to be very careful about that. I have been informed that the Minister has given a commitment to purchase two jet engines. Can the Minister confirm that he has made that commitment and, if so, can he tell the House what those jet engines cost? Of course, following on from that, other questions spring to mind and I hope that I will have the opportunity to raise those questions.

As a person outside the coalmining industry, to me the most obvious question is: when the jet engine is roaring away, does it create enough vibration and disturbance to affect the surrounding strata of an underground mine? That would hardly be an acceptable risk for miners who work underground. How is the stability of that engine maintained while it is running, remembering that we are talking about a roaring jet engine? What process is required to actually anchor the motor of the jet engine? The other important thing to think about is: who will staff the equipment? I have been told that members of the Mines Rescue Brigade have indicated a reluctance to staff the roaring jet engine that will operate underground.

When I asked those questions of some industry representatives, they told me that only last year a similar machine in operation in South Africa had moved a significant distance from its original location. Let us think about that. We are talking about a roaring jet engine that is operating underground and that somehow got loose from its moorings and no longer had any stability. Do members understand what that would mean for the workers in that underground mine? The Minister should tell the Parliament what exemptions have been granted to allow the use of this jet engine equipment underground and, of course, what is the potential liability for Mount Isa Mines in the event of a catastrophic failure? As I have asked before, did Cabinet grant an indemnity from any form of catastrophic failure?

Measured in terms of production, the coal industry is one of the great Queensland success stories. We all know that; kids are taught it in school and we have seen the figures for the past year. However, members should be very clear about the issue of safety. Cost pressures are being placed on the mine owners themselves. When the stock market crashed recently, newspaper headlines proclaimed, for example, "Miners king hit in sell frenzy". What will that mean for Queensland coalminers in the future? It will mean that there will be greater export pressures placed on Australian mines by other mines around the world and greater price competition in the world marketplace. There could be a reduced demand for Australian coal as traditional customers such as Japan are hard-hit by any downturn that occurs in Asia. There may be problems of an excess manufacturing capacity in Asia, because during the last five years most of the global export growth has come from Asia and coal companies have profited from that growth.

In any dangerous occupation such as mining, particularly coalmining, we should learn from history. As I have said, history shows that Queensland has had a tragic underground coalmining accident every six to eight years. History is littered with fatal coalmining accidents, which is why the Coal Mining Act was passed and safety provisions were, and will continue to be, developed. The safety of miners is paramount. I am sure that the Minister and all other honourable members would agree with that statement. We need to ensure that safety is improved, not reduced. The Minister needs to be very careful when granting exemptions to the Coal Mining Act in the future. As I have said before, why have a Coal Mining Act if the Minister will easily grant exemptions from safety provisions that have been established because of the lessons that have been learnt the hard way? These provisions did not just happen; they were learnt from the lessons of history. Whether talking about coalmining in Queensland or anywhere else in the world, one has to look to the lessons of history. It shows that those provisions were established because disasters occurred and we learnt from them. Therefore, the Minister must be very careful about granting exemptions.

Members of the Mines Rescue Brigade are a great asset, and not just to the mining industry. These people have great first aid and other skills which they can use in the mining towns and districts.

I take pleasure in speaking to this Bill. I am most interested in ensuring that the Minister addresses the questions that I have raised. Those questions may be simple to answer and I hope that they are. Queensland has had a tragic history of mine disasters and, as I have said, export pressures will be placed on miners. Given this environment, miners in Queensland and throughout Australia must fight to ensure that there is no trade-off for mine safety.

Time expired.

Mr HARPER (Mount Ommaney) (12.49 p.m.): It is a pleasure to speak on the Coal Legislation Amendment Bill. On a personal note, my speech follows those of the members for Kallangur and Fitzroy, whose company I used to enjoy when I was on the Public Accounts Committee. I can well imagine them asking, "What the heck does the member for Mount Ommaney know about mining?" In common with my friend the member for Kallangur, a fellow accountant, I do not claim to be an expert on mining and mining safety—and I wish to speak mainly about mining safety—but I certainly have an interest in it.

My interest in mining goes back to the 1970s, especially the late seventies when I first stood against the member for Bundamba, Bob Gibbs, for the then seat of Wolston. During that campaign, I well remember injuring my head slightly when clambering around an old disused mine. However, I did not admit that to Bob Gibbs at the time. On my frequent trips to Ipswich, I am reminded of the importance of safety and mines rescue as I pass the mines rescue station.

I enjoy being on the Minister's committee. I have taken an interest not only in the electricity industry but also in the mining industry. I have had many discussions with the Minister in regard to various aspects of mining, including safety and mines rescue. I can attest to the fact that the Minister is serious about ensuring safety in mines and ensuring that mines rescue facilities and so on are up to scratch and readily available.

Through the Department of Mines and Energy and WorkCover Queensland, the State is currently funding two-thirds of the cost of mines rescue, with Queensland coal operators funding the remaining one third. The State's contribution in a full year is approximately $1.3m. The Queensland Mines Rescue Brigade, a quasi-Government operation, currently undertakes mines rescue services. It is the QMRB's responsibility to provide a 24-hour mines rescue response to Queensland coalmines. The Queensland coal operators have agreed in negotiations to fund 100% of mines rescue from 1 January 1998, provided they also manage mines rescue. Through this Bill it is proposed that those assets, including specialist equipment, vehicles, land and buildings used primarily or wholly by the current QMRB, be transferred to a private industry company to provide mines rescue services from 1 January 1998. The value of those assets is approximately $4.1m.

Existing employees of the QMRB will be transferred to the new private company and will retain all existing entitlements. That was something that I was interested to ensure happened. Under the existing financial arrangements, the State will accept liabilities for staff entitlements up to the date of transfer. The assets will also be transferred free from any liabilities. To ensure that mines rescue continues to be viable, all coalmining operators in the State, including both underground and open-cut operators, must be a member of and contribute to the mines rescue service. A provider of mines rescue services will be approved by the Minister and will need to meet strict guidelines. I repeat: it will need to meet strict guidelines. That is important. The member for Fitzroy is interested in that. I respect his passion in relation to mines, which I have observed on trips with him. I share his belief that that is important.

In keeping with duty of care responsibilities, the legislation will require that it is the responsibility of the owner of an underground coalmine to provide a mines rescue capability. However, it can contract with the mines rescue service provider to meet some or all of its responsibilities. Importantly, the legislation proposes a minimum level of mines rescue services to be provided and that the provider must meet mandatory performance criteria which will be set by the Minister and published in the Gazette. That will be quite clear and visible. Important minimum levels will be gazetted so that all who are interested can know what they are and have the chance from time to time to comment and raise any concerns. It is important that that be in place.

If the provider fails—or defaults—to meet the mines rescue service requirements or the mandatory performance criteria it has agreed

to, there is adequate provision in the legislation for the Minister to appoint a manager to run the mines rescue service. The Minister will also be able to levy the members of the mines rescue provider. This is an interim arrangement until the company is either in a position to remanage its mines rescue service or another provider is available. The initial company to be set up by the Queensland coal operators has agreed to this arrangement and intends to provide those step-in provisions in its articles of association. It is crucial that not one day goes by when those services are unavailable. I know the Minister was particularly keen, as was his committee, to ensure that that was in the legislation.

Examples of mines rescue services include: helping each underground mine owner which is a party to a mines rescue agreement with the corporation to provide a mines rescue capability; providing mines rescue training programs; and providing staff and appropriate equipment. Examples of performance criteria include—

> the provision of appropriate mines rescue training programs;
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> the provision of equipment to perform its obligations under mines rescue agreements;
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> the maintenance and testing of mines rescue equipment, and its certification to manufacturers' specifications;
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> the performance of audits or other exercises to show the corporation's ability to respond to an emergency; and
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> the provision of an effective procedure for owners to help each other in an emergency.

To me, that is another important criteria. Finally, the legislation will also provide an appeal mechanism for any person who feels aggrieved by a decision of the Minister. Any appeal is to be held by the Wardens Court, and the District Court can determine issues on questions of law.

In relation to wardens inquiries, both the Coal Mining Act 1925 and the Mines Regulation Act 1964 require that, in the event of an accident causing death or serious bodily injury, an inquiry into the nature and cause of such accident shall be held before the Mining Warden and an industry panel of four expert persons. The proposed Bill will allow for the appointment of a reserve panellist for wardens inquiries and for inquiries to proceed with fewer than four panellists but with at least two panellists. The reduced panel will be able to hand down a decision. The wardens inquiry into the accident at the Moura No. 2 underground mine, with 55 sitting days, was an extremely costly inquiry for the Government, the industry and the unions. With lengthy inquiries there is a real possibility that an inquiry may be aborted because a wardens panel member is unavailable. The proposals contained in the Bill will ensure that inquiries continue in such instances, and therefore removes the need for a new inquiry to be held. That is a sensible, progressive move.

In conclusion, I have looked at many aspects of the Bill and have been able to have input into it—something I have enjoyed. I commend these progressive changes that bring this area into modern times.

Mr DEPUTY SPEAKER (Mr Laming): Order! Before the House rises for lunch, I remind honourable members that a meeting of the CPA will be held immediately in this Chamber.

Sitting suspended from 12.58 p.m. to 2.30 p.m.

Mr CAMPBELL (Bundaberg) (2.30 p.m.): I would like to make a few quick comments about the mines rescue service. Although the CFMEU has given its support to the proposed changes and the privatisation of the mines rescue company, I have some concerns. It was my privilege to see the Australian Mines Rescue Championships in 1995. Tony Sellers, who is the State manager of the Queensland Mines Rescue Brigade, was there and he gave me a good background briefing on the activities of the Mines Rescue Brigade. At that time, I was also able to view the mines rescue stations in New South Wales. Grant Douglas, manager of the Southern Mines Rescue Station, and Murray Bird, manager of the Newcastle Mines Rescue Station, outlined in some detail the activities of their mines rescue.

Proposed new section 103D defines the meaning of a mines rescue agreement as a written agreement between the mine owner and a mines rescue company. The situation is that the mines rescue company has three directors who are also owners of the mines. So there is a written agreement between a mine owner and other mine owners as the company directors of the mines rescue service. I know what would happen if we allowed union delegates and officials to negotiate what the next pay rise would be and when it would be paid. If that happened, members on the other side of the House would have grave concerns.

Mr Gilmore: I might just interject there. There are three plus one. I understand what

you mean, but the Minister of the day—this is not Tom Gilmore speaking—has some enormous powers under this Bill to direct and to act in response to a failure of this organisation to act. So it is an oversight provision, and I think you have to recognise that.

Mr CAMPBELL: I can understand that oversight provision, but I am still concerned that mine owners are making the agreements concerning mine safety or the Mines Rescue Brigade with other mine owners. I just wanted to raise that concern with the Minister. If we were to have that provision in many other areas, it would be questioned very closely. I do appreciate that the Minister does have the oversight and overview of all of the agreements, but it is still a difficult concept to accept. When we are talking about mines rescue, we are talking about the lives of the workers, and it is of concern that there are no union representatives—or even workers' representatives—actually on the board of directors. The broad concept of having written agreements between mine owners and directors of the mines rescue service, who themselves are mine owners, is of concern. The mines rescue board in New South Wales has two union representatives who have a good input.

Mr Gilmore: You will find that the balance is still about 3 to 1.

Mr CAMPBELL: Yes.

Mr Gilmore interjected.

Mr CAMPBELL: But they still have some input. I will put it this way: if there are at least one or two union representatives—what I regard as the workers' representatives—on the board, in the case of possible negligence or any possible downsizing in the equipment or other aspects, that would be very quickly picked up and brought to the notice of the directors because that is their responsibility and they have a duty of care to ensure a safe working environment. That would ensure it would be brought to their notice.

That is one issue that I wanted to raise and I wanted to put on record my personal concerns about the appointment of the directors of the mines rescue company. I hope that my fears do not come to fruition in the future. It concerns me that, if money gets tight or if there is a recession in the coal industry, the coal owners will start reducing their input. That is when the Minister will have a great responsibility, but I would rather make certain that that situation does not arise.

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (2.35 p.m.), in reply: I would like to thank the Opposition spokesman in particular for his contribution to this debate. I think it is has been important because he gave bipartisan approval. However, some concerns have been raised which I want to address. I would also like to thank Government members who have contributed to the debate.

I will begin in a fairly brief fashion in respect of the Opposition spokesman, the honourable member for Mount Isa. His contribution was, in my view, unfortunate in so far as it did not address the Bill. In recent times we have become used to that approach from the Opposition spokesman. He tends to drift across a number of issues. I will just briefly cover a number of those things.

He spoke about the restructure of the DME and the regional offices and so forth. He was also concerned about the loss of a regional manager in Mount Isa. I would like to point out very briefly, because I wish to spend more time on very important issues in this legislation which have been raised by other speakers, that Mount Isa is getting one extra person and that it is going to be far better served than it is currently. We are putting three regional officers into Brisbane, Townsville and Rockhampton as part of this restructure. As a result we expect to give far better service to the mining industry and to those people who are involved with it. We are doing a number of things in this respect. For instance, we are building a new building in Charters Towers so that we get better access for the community to that mines office and so on. Without going into any depth, I am very comfortable with the rearrangements of the mining industry in regional areas at present. It is a great pity that the Opposition spokesman has not come and spoken to me about this, because I could have eased some of his concerns.

As part of his ramble, he also covered Government involvement in the marketing of coal. I say this to him: we have always believed that the marketing of a commodity belongs to the owner of the commodity, whether it be a farmer, Woolworths or the coalmining corporations. That is not to say, however, that there is no role for the Government to play in that. On Tuesday of next week I will depart for Germany where I will attend an Australia/Germany energy conference, and I will be playing a role in that conference. I will be taking a considerable volume of documentation with respect to the Queensland coal industry in terms of the

specifications and others written in German and in English—

Mr Hamill: Auf wiedersehen.

Mr GILMORE: Auf wiedersehen indeed. That is the limit of my capacity with the German language. We are going to great lengths to promote Queensland coal. While I am in Germany, I will be hosting a breakfast for Queensland coal producers and German industrialists to pull them together.

Mr Hamill interjected.

Mr GILMORE: It is crucial. Over the next number of years there will be a reduction in the rural coalmines in Germany. There is going to be about a nine million tonne deficit between production and consumption in Germany and I am hoping that Queensland will be able to pick up some of that deficit as a result of my visit to Germany.

However, the best thing that we can do—and I have said this before in the Parliament but it requires reinforcement—is to get industrial relations right. This Government has moved in that direction. We have to get departmental processes right, and we have moved in that direction. We have to get the legislation right, and today we are moving in that direction. I think that satisfies the concerns of the member for Mount Isa.

I now move on to some more meritorious contributions. I would like to begin by dealing with the contribution of the member for Fitzroy. The member for Fitzroy comes to this place as a coalminer, and I understand his passion, I understand his interest, and I sympathise with it. What I do not understand is the continued concern and suspicion that he has that I, as Minister, may well not be doing the right thing. I am sorry about that because I have tried very hard in a bipartisan way to spread the message that, indeed, I am concerned about safety in the workplace. Please take that message.

I would reiterate for members of the Parliament, but especially for the member for Fitzroy, some words that I said recently at a brief meeting that I had with members of the CFMEU. We were talking about safety in the context of the other safety legislation which is to come before this Parliament shortly. We were negotiating this position about whether we would have statutory positions or others. The statutory positions as they occur today, plus one, are enshrined in that legislation. But there was great suspicion and fear about what would happen down the track. I said this to these people—

> "I come to this table with no baggage. I am a farmer. I know nothing of coalmines. I know nothing of coalmine owners. I have no real interest in that. What I do have is a great concern about safety in the workplace. I have great concern that every person who works in a coalmine in this State ought to have every expectation of returning to home and family at the end of the shift hale and hearty."

I would stand condemned in this place if I felt differently. I do not. Today, I seek to erase those suspicions and concerns that I, as Minister, have some ulterior motive which is designed to somehow benefit coalmine owners at the expense of those who go below the ground. I do not, and I will not.

The question of the employee representative was raised by the member for Bundaberg and the member for Fitzroy. We recognise that there is an imbalance there, but we understand the reasons for it in terms of the costs associated with the management of this thing. It is my understanding that people such as Andrew Vickers from the CFMEU understand and have agreed to that position. That is not to say that I will, at any time in the future, fail in my duty to fulfil the expectations of this Parliament and the coalminers of this State if this system goes off the rails. I will not fail. I give that assurance to this House today.

Questions were raised about the articles of association and the use of the word "may" instead of the word "must". I understand the concern about those things. I believe that the concern is probably overstated. We in this Parliament have goodwill towards the lives and wellbeing of miners and I believe that our expectations for this legislation will be fulfilled.

Questions were raised concerning funding and the standard of service. I will speak in some detail on these matters in the Committee stage when amendments are moved to this legislation. In the last 18 to 20 months the honourable member for Fitzroy, on a couple of occasions, has raised the question of old equipment that currently exists in the hands of the Mines Rescue Brigade. I believe the honourable member raised the question of a 16-year-old vehicle that was a problem. It is now probably 18 years old. That is of concern to us all. The age of the vehicle, of course, has little to do with its mechanical workings and whether it is competent or not. Certainly the member for Fitzroy questioned the age of the machine.

If the standard of service is a question now, it seems that there is a slight

contradiction in respect or the member for Fitzroy's position in terms of the old equipment that is currently in service. It is my absolute expectation that the amendments going through in this legislation today will ultimately result in better equipment because this legislation demands it. This legislation establishes some rules and some guidelines and some certainty in respect of equipment. I look forward with some expectation to those improvements.

A couple of spokesmen also raised the question of inertisation, and I want to speak about that at some length. This matter was raised by the member for Kallangur, and I am pleased that he did. He raised some questions that I might otherwise have not addressed. The inertisation of coalmine atmospheres is one of those things that people all around the world are moving towards because it is a way of not only saving lives but it is a way of saving mines. We do these things before we lose the game. That is why we have moved towards the purchase of inertisation equipment from Poland. This equipment is well-recognised worldwide. It is used in South Africa and Poland. It is used as a management tool in respect of these mines. It is a highly technical and competent piece of equipment.

Mr Pearce: This is if all the data is correct and it hasn't been fiddled with.

Mr GILMORE: The question was whether all the data is correct and it has not been fiddled with. I can only assume that all of the experts who have looked at the machinery—whether they are ACIRL, CSIRO, SIMTARS, the mining unions, my department and others—have run the rule across this machinery with great rigour, particularly during the trials which were carried out recently at Collinsville. I will come to that matter in respect of the Tomlinson boiler versus the GAG jet shortly. All of those organisations have signed off and said, "This is the way for the future. This is the way in which we can extract persons from the mine. If there is any hint of danger we can inertise that mine in a few hours. We can reduce heating. We can reduce the situation of explosive atmospheres. We can save lives."

That is why we are here. At the end of the day, the mine remains intact and is therefore able to be continued as a productive unit in our Queensland coalmining industry as opposed to some of those mines, including Moura No. 2, which has been sealed since the explosion. It is a waste of a resource for this State. Once we get this and other legislation through this Parliament, if everyone plays their role we will never again need the services of the Mines Rescue Brigade. We want to keep them. We want to resource them and train them and have them there. But I never want to be the Minister who is rung up in the middle of the night and told that there is an explosion in a coalmine. People are locked in that environment. We do not want to go through that process again, as was the case with the unfortunate previous Minister who had to receive such a phone call. That is the reason why we are here today.

The member for Kallangur made what I consider to be a very measured and sensible contribution to this debate. He raised a number of questions about the history of the mining industry. I believe his contribution was sensible because if we ignore history we are going to relive it. That is not original, but it is true. So we go back and we relive these historical moments and we reinforce our concern about these things, and our commitment never to relive it.

The member for Kallangur did say something, however, which deeply concerns me. He said there was a question about the commitment of the Chief Inspector of Mines to inertisation. That is simply untrue. Sadly, these kinds of stories circulate from time to time. They are destructive rather than productive. They are aimed at destroying the trust, the understanding, the feeling of camaraderie and the feeling of oneship, and they ought not be raised. Those sorts of things are a waste of energy and time. However, I am glad that it was said, because it gives me an opportunity once again to reinforce the fact that, since the Moura disaster, we have changed the Mines Inspectorate. We have new people—people with enthusiasm, drive and understanding—and they are competent in the things that they do. They are absolutely determined and committed to mine inertisation.

In terms of the GAG jet engine and its utilisation underground—those members who have been down coalmines would know that there are pieces of equipment down there that are even louder, which move and vibrate, but they do not destroy the mine. When we put that jet engine down the hole in Collinsville, it did not vibrate to the point where we had any problems whatsoever. There was no roof failure. There was no failure of the walls. There was no danger. There is no question about that. What we did find, however, was that we were able, in a minimum period—indeed, a number of hours—to extinguish a fire in that coalmine. That is, I believe, the benefit that we

are going to get from this particular equipment.

The Tomlinson boiler plays a different role. It is smaller equipment. It allows far less inertised gas to enter into the mine space. It is a useful piece of equipment. Indeed, they are difficult to buy, because as fast as they manufacture them they are taken up by the marketplace. They are used more specifically in continuous mining operations. I have seen one operating in the BHP high-wall operation at Moura. The Tomlinson boiler was used to inertise the environment within which the high wall was operating. Those are the kinds of things for which they are used. The GAG jet engine can provide vast volumes of inertised gas very quickly indeed, and it can provide a safe atmosphere. It can save a mine and miners when there is a dangerous situation in a mine.

Mr Pearce: Do you have total faith in the GAG jet engine?

Mr GILMORE: The question is whether I have total faith in the GAG jet engine. I have absolute faith in the capacity of those people—whether it be the CFMEU, the CSIRO or anybody else who actually was there at Collinsville and monitored that situation. I trust that the member went, because I guess he was invited. We wanted everybody to be there, because if it was going to fail we wanted to know that it had failed, but it did not fail. I was there one day, and within four hours they extinguished a blaze within that coalmine. Of course I have great belief in the competency of that. I also have considerable belief in some of the software that has been produced by Polish mining engineers to demonstrate the extension of heating into mines as a fire progresses, and the prediction of how one might have to tackle a fire in a mine. All of those sorts of things are new technology. We must grasp them or we will fail, and we will not fail.

A question was raised about the indemnity in respect of the GAG jet engine. Yes, there was an indemnity. I understand that was for two things. One was, of course, because of the aluminium fixtures and parts that go on that equipment. That is a standard problem in coalmines, because of the electrical conductivity of aluminium. The second was the fuel that was taken down the mine. While that whole process was operating with the benefit of an indemnity, it was, of course, enormously well controlled. That would be the case every time one tried to inertise a mine atmosphere.

The people who are operating with that equipment are highly attuned to the situation they are in and they are highly aware of the danger within the mine. I am satisfied that, if we have to go through that process in a real sense, rather than in Collinsville No. 2, I would be more than pleased to provide those exemptions. Indeed, the indemnity to Mount Isa Mines in respect of the operation of that equipment was a perfectly sensible arrangement between the Queensland Government, which wanted to test some equipment by setting fire to a mine, and the owner of the mine. It was a perfectly sensible arrangement, and I was more than pleased to accede to it. So there is no doubt, in my view—and in the view of all those people who carefully monitored the process—about the success of the Collinsville test.

Other issues have been raised, but in view of the time and the fact that a number of Opposition amendments to this legislation are about to be moved, I will leave my contribution there rather than to say thank you again to all of those people who have a commitment to mine safety in this State and who have made meaningful contributions to this debate. That is important, because mine safety is all that is important in this debate.

Motion agreed to.

Committee

Hon. T. J. G. Gilmore (Tablelands—Minister for Mines and Energy) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Clause 7—

Mr McGRADY (2.56 p.m.): I move the following amendment—

"At page 8, line 11, after 'provides a'—

insert—

'satisfactory'."

As I stated in my main speech, the Opposition has a number of amendments to move. I have discussed them with the Minister. We do not propose to divide the Committee on any of these amendments, nor do any of my colleagues intend to speak to them. We have had discussions with officers of the department. We have also had discussions with the Minister. On behalf of the Opposition, I thank the Minister for his cooperation with some of them. I want to emphasise and have it recorded in Hansard that the only reason we are moving these

amendments is that we believe it will add to the safety of the industry.

Mr GILMORE: This amendment moved by the honourable member for Mount Isa seeks to introduce an extra qualification in terms of this particular clause, that qualification being the word "satisfactory". I am concerned about that. I understand why the honourable member has moved this amendment. However, it attempts to qualify an item which is already well defined in the legislation. In my view, we ought not, as a Parliament, set traps for people by saying that this is satisfactory or that it ought to be satisfactory, because the question always resides then: satisfactory to whom? Also, the question asked from time to time by courts, which get to interpret the legislation if ever the question is raised, is: to whom was it satisfactory—the mine owner, the union, me as a Minister, or any other disinterested party? So I would prefer that we did not include the word "satisfactory" in this clause for those reasons. It is adequately described further in the legislation. The definition of the mines rescue capability contained in this Bill is—

> "... the ability to provide a suitable number of trained persons and maintained equipment to allow continuous rescue operations to take place and help the escape of safe recovery of anyone from a mine if it has an irrespirable atmosphere."

It is important that we do not reintroduce the word "satisfactory".

Amendment negatived.

Mr McGRADY: I move the following amendment—

> "At page 8, line 19—
>
> omit, insert—
>
> '(ii) meet the performance criteria; and
>
> (iii) have sufficient funding to meet the performance criteria.'."

Mr GILMORE: I have no objection to the inclusion of new subsection 103A(d)(iii). This amendment will reinforce proposed new section 103F, which relates to the funding of mines rescue. I am more than happy to accept the amendment.

Amendment agreed to.

Mr McGRADY: I move the following amendment—

> "At page 8, line 25, after 'abandoned'—
>
> insert—
>
> 'and sealed under this Act or any other Act about coal mines'."

Mr GILMORE: I thank the honourable member for his amendment to the legislation. Unfortunately, for a number of very good reasons, my response must be that we cannot accept that amendment. The amendment inserts the words "and sealed under this Act or any other Act about coal mines". The question arises about the legality of the Mines Rescue Brigade being able to enter a mine after it has been sealed as part of a mine safety rescue operation. Therefore, we believe that if we included this particular amendment in the legislation, we would inhibit the Mines Rescue Brigade in the work that it does.

Amendment negatived.

Mr McGRADY: I move the following amendment—

> "At page 9, line 1—
>
> omit, insert—
>
> '(b) in which no staff of the mine, caretaker or other person is employed.'."

Mr GILMORE: I reject the definition in so far as the Bill as it is presented states "in which no person is employed". I think that that more than satisfactorily defines what is necessary. The insertion of the words "staff of the mine, caretaker or other person is employed" adds little or nothing to "in which no person is employed". I do not think that it would add to the legislation and would simply cause confusion.

Amendment negatived.

Mr McGRADY: I move the following amendment—

> "At page 9, lines 9 to 13—
>
> omit, insert—
>
> '"Meaning of "mines rescue capability"
>
> '103C. "Mines rescue capability" means the ability to—
>
> (a) provide a suitable number of trained persons and maintained equipment to allow continuous rescue operations to take place and help the escape or safe recovery of anyone from a mine if it has, or may have, an irrespirable atmosphere; and"

Mr GILMORE: I am more than pleased to accept amendment 5 part (a) from the Opposition. I believe that it adds to the legislation and provides some further certainty to the legislation.

Amendment agreed to.

Mr McGRADY: I move the following amendment—

"At page 9, after line 13—

insert—

(b) have suitable equipment, persons and resources to recover or protect a mine in an emergency.'. "

Mr GILMORE: I reject the amendment. I would like to explain the reason. I think it is important that members of the Assembly understand that the prime function of the Mines Rescue Brigade is about recovery or escape of persons from a mine. It has little to do with the recovery of equipment, etc. It is for that reason that I suggest we ought not shackle the Mines Rescue Brigade with the responsibility of saving mines and protecting mines. If that comes within the purview of a situation that arises, that is fine. If a mine, for instance, in difficult circumstances or after a disaster requires specialist assistance to get in and save the mine, that is the sort of thing to be done on a fee-for-service basis by the Mines Rescue Brigade. There is no impediment to that in the legislation. I suggest that we would be very wise indeed to keep the focus of the Mines Rescue Brigade on the safety of persons rather than things.

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 9, line 21, after 'provide a'—

insert—

'continuous'."

Mr GILMORE: I have thought very carefully about this. Regrettably and unfortunately, I have to say that I reject the insertion of the word "continuous", once again because it is already covered in the Bill. Part of the definition in proposed new section 103C connotes the words "to allow for continuous rescue operations to take place and help the escape ... " Although I understand what the amendment seeks to do, it is already provided for elsewhere in the Bill.

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 15, line 28, after 'capability'—

insert—

'and ensure enough funds and personnel and resources are provided for the corporation to effectively perform its functions and meet the performance criteria'."

Mr GILMORE: Once again, sadly, it is no great relief to me to be able to say: no. After the words "mines rescue capability" the amendment would insert the words—

"... and ensure enough funds and personnel and resources are provided for the corporation to effectively perform its functions and meet the performance criteria."

In respect of the funds, proposed new section 103N deals with the provision of core functions by the accredited corporation in relation to the provision of mines rescue services. The provision of funding is not a core function and is not appropriate to be included in this clause. However, this proposed amendment is already included in proposed new section 103F, which provides the means by which an accredited corporation will be funded to allow it to provide mines rescue services.

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 16, line 1—

omit, insert—

'(ii) providing appropriate mine training and mines rescue training programs;'."

Mr GILMORE: After the inclusion of the words "appropriate mine training", proposed new section 103N would read—

"... providing appropriate mine training and mines rescue training programs."

The business of mine training is not the core business role of the Mines Rescue Brigade. The requirement of an owner operator to provide appropriate mine training is contained in the Underground Special Rules of the Coal Mining Act 1925. Although the QMRS should be able to provide all of that training—and that falls once again within the purview of their fee-for-service training—it is considered that that is a commercial venture and not a core function of mines rescue. There is no restriction in the Bill on QMRS providing mine training on a fee-for-service basis.

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 16, line 13, after 'equipment'—

insert—

', rescue volunteers'."

Mr GILMORE: This amendment is being dealt with in two parts. With the insertion of the

words "rescue volunteers and resources", the proposed new section would read—

"provide equipment, rescue volunteers and resources to perform its obligations under mines rescue agreements ... "

The responsibility of the Mines Rescue Brigade is not to provide volunteers. Indeed, if no volunteers were forthcoming in respect of a rescue operation at a mine site, then the Mines Rescue Brigade could be in contradiction of the legislation. That would be most unfortunate. It is there to provide the expertise, equipment, etc., but not the volunteers. We simply have to reject that application. I am more than prepared to accept the next amendment.

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 16, line 13, after 'equipment'—

insert—

'and resources'."

Mr GILMORE: The words "and resources" enhance the performance criteria and, therefore, are very acceptable indeed. I am pleased to accept those words in the Bill.

Amendment agreed to.

Mr McGRADY: I move the following amendment—

"At page 16, line 15, after 'ensures'—

insert—

'suitable'."

Mr GILMORE: The proposed amendment is the inclusion of the word "suitable" when describing mines equipment. Once again I raise my concerns about the definitions of the terms "suitable" and "satisfactory". However, mines rescue equipment is defined already in legislation as a footnote to clause 103O. Again, it is an attempt to identify existing definitions. I have the same response to the previous amendment which sought to include the word "satisfactory": I believe that I cannot accept it as an amendment to the Bill.

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 16, line 17, 'performs'—

omit, insert—

'effectively performs'."

Mr GILMORE: Once again, the inclusion of the word "effectively" into this legislation is very acceptable to the Government. It is more than pleased to have that word included in that particular clause. I think that saying "effectively" perform audits or other things is certainly worth while. I have no objection to the amendment.

Amendment agreed to.

Mr McGRADY: I move the following amendment—

"At page 16, lines 19 and 20—

omit, insert—

'(e) provides an effective ongoing emergency procedure to assist owners if an emergency happens.'."

Mr GILMORE: This amendment seeks to provide an effective ongoing emergency procedure to assist owners if an emergency happens. The existing clause 103O(2)(e) states—

"provides an effective procedure for owners to help each other in an emergency."

I think that that effectively achieves the outcome. The Mines Rescue Brigade is there to provide a service. If it is necessary for inter-mine assistance, then that is provided. The requirement for the mines rescue corporation to help mine owners in an emergency as a core function is contained in clause 103M(1)(a).

Amendment negatived.

Mr McGRADY: I move the following amendment—

"At page 16, line 24 to 26—

omit, insert—

' "mines rescue equipment" means suitable equipment for use in an emergency by—

(a) the corporation; or

(b) an underground mine owner who is a party to a mines rescue agreement with the corporation under which the owner has agreed to provide support to the corporation in an emergency.'."

This is the last amendment that the Opposition will be moving. I take this opportunity to place on record my thanks and appreciation to the members of my parliamentary committee who worked long and hard on this Bill in trying to secure a safer industry, particularly Jim Pearce, who again brought his knowledge of the industry to the committee, and to those people in the trade union movement and others who certainly assisted us in our research.

Previously, the Minister said that he does not want to get the telephone call in the middle of the night. I inform the Parliament that there is no worse call that a Minister could receive than the call that I received at 2 o'clock in the early hours of Monday morning when I was informed of the tragic accident at Moura. The then Premier Wayne Goss and I immediately went to Moura. We saw the workers in the Mines Rescue Brigade, devastated by what had happened, trying to recover their workmates with whom they were probably having a drink the day before. It is only on occasions such as those that one realises the dedication that those men and women have as they go about trying to make a safer environment.

On behalf of the Opposition, I place on record our appreciation to the old organisation for the work that it did and the many lives that it would have saved over many years. I also recall that a few days after the disaster the then Premier, the now Premier and I, together with Jim Pearce and some other people, went to the memorial service at Moura. It is something that nobody would ever want to go through again. When somebody dies, we have the comfort of a funeral where we can say farewell to the people or that person. Today, I had that very unpleasant duty myself in going to say farewell to a friend. However, in the case of a mining accident, those bodies are still entombed in the mine and some of those widows and members of the men's family still believe that one day their loved one will be found alive. That is why it is important to have a memorial service. So for those people who do not quite understand the underground mining environment, we have been discussing a very important organisation both last night and today. On behalf of the members of Parliament, the people of Queensland and, in particular, on this occasion the members of the parliamentary Labor Party, I want to place on record our thanks and appreciation.

Mr GILMORE: I thank the member for Mount Isa for his contribution to this last amendment to this piece of legislation. Let me say that I and the member for Callide were also in Moura on that day.

Mr McGrady: I am sorry.

Mr GILMORE: It was one of those extraordinarily traumatic days when a whole community grieves. I suppose it left a scar on all of us who came there as observers rather than participants in the sense that we were not part of that community. I believe that the scars that it has left on that community reside there today and will forever, as they have done at Kianga, Box Flat and other places. Indeed, members would realise that Mount Mulligan is in my electorate. The 70-odd graves resulting from that mining disaster lie on a very rocky hillside in my electorate. Usually, I visit them once every couple of years as part of a memorial that is held for those people.

I thank everybody for their contributions and their commitment to make the workplace in mines better. I thank my staff, particularly the inspectorate and those people in my department who are involved in mines safety for their commitment. I thank them for their contribution to this legislation, because it has been so important. As we go in the next few weeks into the next tranche of the next mine safety legislation, I look forward to the same bipartisan contribution and support for the things that we try to do for the workplace in the mining industry.

In conclusion, I have to say that I cannot accept this last amendment to the legislation. The existing definition of "mines rescue equipment", when used in conjunction with clause 103O(2)(c), provides that all equipment that has to be used in an emergency by either the corporation or underground mine owners must be maintained, tested and certified to any specification by its manufacturer. We are not sure what was intended by the amendment. However, it would appear that it was intended that the mine owner provide equipment to the corporation in an emergency. That is not the case as it is the corporation which, in fact, provides assistance to the mine owner in an emergency.

Amendment negatived.

Clause 7, as amended, agreed to.

Clauses 8 to 19, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

CRIME COMMISSION BILL

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (3.20 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to establish the Queensland Crime Commission, and for other matters."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (3.21 p.m.): I move—

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

For many Queenslanders the effects of organised crime and paedophilia are an all too real fact of life. Evidence of the activities of drug barons supported by extensive and sophisticated criminal networks can be seen in our hospitals and our morgues, in the used needles littering our suburbs and streets, and in the seemingly endless stream of young people whose lives are being laid to waste by drug addiction.

Similarly, events of recent times have shown that an insidious and malignant cancer, the crime of paedophilia, is preying on our children. The Wood royal commission in New South Wales, cases of multiple child sexual abuse such as those reported by victims at Neerkol Orphanage and the report of the Children's Commissioner have all precipitated greater awareness and recognition in our community of this problem and led to a resolution of this Parliament to more pro-actively address this abhorrent criminal activity.

The establishment of a permanent Crime Commission with the role of investigating organised crime and paedophilia delivers the intent of this Parliament and delivers a commitment by this Government to the people of Queensland to have an effective assault against the criminal low-lifes striking at our communities. It has long been recognised that traditional law enforcement methods and powers are simply not effective enough to deal with certain types of offences and offenders and the increasingly sophisticated nature of organised crime. Hence the need for a specific body with special powers to combat organised crime.

There have been concerns expressed in this Parliament and in the broader community that existing law enforcement efforts have not fulfilled expectations where pursuing major and organised crime is concerned, and that a much more focused and concentrated effort is required. The Crime Commission will have the necessary special powers at its disposal that are material to penetrating the complex, secretive and sophisticated curtain of organised crime and paedophilia, particularly networked paedophile groups.

Even though the commission will have special powers available to it, the Government has endeavoured to ensure appropriate safeguards against the potential for inappropriate use of those powers. The Bill provides for strict accountability mechanisms to balance and control the exercise of those powers.

Predictably, there will be those with short-sighted and plainly political agendas who will try to paint this Crime Commission initiative as an alleged get square with the Criminal Justice Commission. I put on record in this House my total and utter rejection of that assertion for what it is—a fallacy and a political myth, perpetuated for cynical political motives. For examples of political cynicism on this point one need look no further than the Opposition Leader, who is on the record innumerable times advocating and calling for a Crime Commission and will take any opportunity to score a petty political point.

All I can say is the Opposition is considerably out of step with community sentiment. The people expect strong and decisive action against organised crime and paedophilia, and that is what they will get from this Government and from a Crime Commission.

There is a strong view that the multiple functions and responsibilities of the CJC mean that resources and energies are divided in such a way that do not permit a suitable concentration on combating organised crime. The creation of a Crime Commission will provide a singularity of purpose with regards to organised and major crime and paedophilia, and will free the CJC to concentrate more fully on its very important charter of corruption detection and prevention—a function that has this Government's wholehearted and unreserved support.

A compelling reason for a crime commission is one the Opposition Leader himself has been a proponent of in the past, that is, the very palpable conflict between the CJC's role as a watchdog over police corruption and its close working relationship with police through the Joint Organised Crime Task Force. This Bill will create a separate law enforcement body that will take over from the CJC the role of investigating major and organised crime.

The intelligence role concerning those functions will also be relocated from the CJC to the Crime Commission. The three law

enforcement agencies, the Queensland Police Service, the Criminal Justice Commission and the Crime Commission will each have the ability to maintain an intelligence function supporting its own activities. The parliamentary commissioner will overview those intelligence functions. This is not a duplication of roles by the CJC and the Crime Commission, but a transfer of functions from one body to another, enabling more focused and effective attention by both bodies on their core charters.

The QCC's specific charter will be to investigate and gather evidence for the prosecution of suspected criminal paedophilia, organised crime and major crime referred to it by its management committee. Succinct definitions of the offences that may be investigated by the QCC are given in the Bill and are particularly important in defining the limits of the QCC's activities.

Criminal paedophilia takes in offences of a sexual nature committed against children or offences relating to obscene material depicting children. Indictable offences carrying a penalty of 14 years or more constitute major crime, while organised crime is strictly comprised of five elements, one of which is that the maximum punishment is not less than seven years imprisonment.

Importantly, the Crime Commission also will be tasked with recovery of the proceeds of criminal activity in order that the profits of organised crime can be seized and returned to the people who fund law enforcement—the taxpayer—and to prevent the re-investment of cash or assets in further criminal activities.

A further object of the Bill is to create an environment of cooperation in law enforcement in this State and enable the creation of joint task forces. Giving the QCC certain functions does not inhibit or preclude the Police Service or another law enforcement agency from also performing related functions. However, there is a requirement for the agencies to work cooperatively to achieve optimal use of available resources.

There are cynical claims from some quarters that law enforcement agencies will be motivated by a desire to protect their turf and may be reluctant to work cooperatively together. However, it is my experience that law enforcers are highly skilled and professional in their conduct, and motivated by one thing—getting the job done and nailing the target criminal or criminals. To suggest otherwise does considerable injury to the calibre, integrity and professionalism of the officers and agencies concerned.

The composition, role, functions and powers of the management committee are critical to the oversight and operation of the QCC. The management committee will comprise the Crime Commissioner as chair, the Police Commissioner, the chairperson of the CJC, the chairperson of the NCA, the chair and deputy chair of the PCJC, the Queensland Children's Commissioner and two community representatives, one of whom must be female and one of whom must have a demonstrated interest in civil liberties.

The composition of the committee is intended to strike a balance between law enforcement on the one hand and bipartisan parliamentary, community and civil liberties representation on the other. The Minister will be obliged to consult with the Leader of the Opposition before nominating persons as community representatives to the committee, which fosters an element of bipartisan support with regards appointments.

The QCC will operate strictly on a referral basis from the nine-member management committee, as distinct from the CJC model which relies on references solely from its chairperson. This mechanism introduces an important foil against the inappropriate exercise of the QCC's powers. The management committee may only refer matters to the QCC under specific circumstances, where it is satisfied that investigations using ordinary police powers would not be effective and where the seriousness, extent and consequences of the activity warrant a QCC investigation in the public interest.

The management committee will also have the authority and the power to place limits on a QCC investigation, including placing limits on what powers may be exercised. It may access, confidentially, whatever QCC information it deems necessary to fulfil its duties. The committee will also be empowered to deal with complaints against the QCC and its members and employees. It is important to emphasise that the CJC will have jurisdiction over the QCC with regards to official misconduct, and the management committee will be obliged to refer matters of suspected official misconduct by QCC officers to the CJC.

The Bill specifically recognises the principle that the investigation of official misconduct should be undertaken independently of general law enforcement and reinforces the CJC's role in this area by stating that the need for cooperation between law enforcement agencies may be subordinate to the need for independent investigation of

official misconduct. There is a positive requirement in the Bill for the QCC to refer to the CJC evidence of official misconduct it uncovers through its activities.

There is provision in the Bill for a standing reference from the management committee to allow the QCC to investigate criminal paedophilia. This should in the first instance short circuit any delay in dealing with the offences relating to this extremely serious matter.

The parliamentary commissioner and a Public Interest Monitor also have critical watchdog roles to play in the oversight of the QCC. The parliamentary commissioner will be required to undertake an annual review of the intelligence data held by the QCC, the Queensland Police Service and the CJC to establish the appropriateness of data held, reveal unnecessary duplication and determine whether agencies are working cooperatively with regards to their intelligence management. The parliamentary commissioner is also to consider whether any agency is unnecessarily restricting access by other agencies to intelligence data.

The parliamentary commissioner is also charged with the task of reviewing and deciding whether the CJC will be allowed access to QCC information in instances where access is disputed and has the power to provide access to the CJC for its investigations. The Public Interest Monitor will provide critical and independent probity of the use of invasive warrants by the Crime Commission. Compliance of the QCC with the Act in relation to applications for surveillance warrants and covert search warrants will be scrutinised by the Public Interest Monitor, who will appear before the Supreme Court judge hearing the matter and test the validity of the application by examining and cross-examining witnesses and making submissions. The monitor will also gather statistical information about the use and effectiveness of surveillance and covert search warrants, report non-compliance to the management committee and must present an annual report to the Minister, who must in turn report to the Parliament.

Importantly, this Bill also amends the Criminal Justice Act in order that the functions, powers and responsibilities of the Public Interest Monitor in scrutinising applications for the use of listening devices apply equally to the Criminal Justice Commission. In setting up the Crime Commission, the Bill establishes the offices of Crime Commissioner and Assistant Crime Commissioner. The integrity, independence and standing of the person selected as Crime Commissioner will be above reproach and above political partisanship. I have already issued a public invitation to the Leader of the Opposition to participate in a panel to select the Crime Commissioner. That invitation still stands; however, the Bill takes my commitment one step further by requiring the Minister of the day to invite the Leader of the Opposition to either sit on the panel or nominate another person in his or her place. While the Crime Commissioner must be a person eligible for appointment as a judge of the Supreme Court, there is no requirement for an assistant commissioner to be a legal practitioner, ensuring that a broad skills base and different streams of expertise can be drafted into service.

I now turn to one of the most important aspects of the Bill—the powers of the Crime Commission. The Crime Commission will be able to exercise powers similar to the Queensland Police Service with regards to the use of warrants concerning the conduct of searches generally and the seizure of evidence. The use of surveillance devices and covert search warrants will also be available to the QCC upon successful application to a Supreme Court judge, or in some instances relating to tracking devices, upon application to a magistrate. Surveillance and covert search warrants can only be issued after due consideration of a number of factors, and the issuing judge or magistrate may impose any conditions considered necessary in the public interest.

The Public Interest Monitor must be advised of surveillance and covert search warrant applications. The monitor has the important function of appearing at each application for such warrants to question the applicant and also to make submissions to the judge. The QCC may itself authorise the emergency use of a surveillance device in restricted instances where there is a risk of serious injury to a person and the use of a surveillance device may help reduce that risk. A Supreme Court judge and the monitor must be advised of the use and circumstances of this emergency surveillance provision within seven days.

The Bill provides caveats against the disclosure of information obtained using surveillance warrants except to specified persons and requires that a register be kept of information disclosed as well as when and to whom it was disclosed. This register is open to scrutiny by the monitor and the issuing authority.

The QCC is also obliged to maintain a register of applications for search warrants, surveillance warrants and covert search warrants that is open to inspection by both the monitor and the parliamentary commissioner. The Crime Commission will have the power to direct an individual to produce a document or thing or appear as a witness. A decision by the QCC to direct a person to produce or attend is open to appeal to the Supreme Court. Under certain urgent circumstances, the witness can be required to attend immediately but only by direction of a Supreme Court judge.

A person must comply with a notice to attend or to produce. However, a scheme has been put in place whereby a person may seek to establish a claim that he or she is entitled to refuse to answer questions or to produce a document or thing sought by the commission by claiming privilege. In this instance, the person will be required to attend a QCC hearing to establish whether the person has reasonable excuse to withhold the requested evidence.

A QCC member conducting a hearing must then decide whether a refusal to answer questions or produce requested evidence is justified; and in the event of a decision that a claim of privilege is not justified, that decision is open to appeal to the Supreme Court within seven days. On successful application by the QCC, the Supreme Court may require a person to attend a hearing immediately. The basis of the application would be that any delay in attendance might result in the commission of an offence, the escape of a suspected offender, the loss or destruction of evidence or may seriously prejudice an investigation. An attendance notice must disclose, as far as practicable, the general nature of the matters about which the person may be questioned at the hearing, unless doing so would prejudice an investigation.

The Supreme Court, on application by the Crime Commission, may also issue an arrest warrant compelling a person to attend, but only upon satisfying the judge that the person has been served with a notice to attend, and has either not attended as required or has indicated that he or she will not attend. The mechanisms provide for appropriate and important independent judicial approval for the use of particular coercive or compulsory powers.

This legislation will allow the QCC to compel a witness at a hearing to answer a question, even if the answer may be self-incriminatory; however, the use of this power is balanced in the legislation by certain safeguards. When a witness claims privilege against self-incrimination, any answer then given under compulsion may not be used in any subsequent civil, criminal or administrative proceedings.

A QCC investigative hearing will not be open to the public unless the management committee grants its express approval following consideration of a number of factors specified in the Bill, including whether closing the hearing would be unfair to a person or contrary to the public interest. The Bill also provides that a witness at an investigative hearing is entitled to be legally represented, but any other persons can be present only by direction of the person conducting the hearing.

The legislation specifically ensures that secrecy provisions do not operate to prevent persons defending a charge from properly briefing their legal representative. There is a positive requirement for the QCC to disclose evidence gathered at a QCC hearing that is material to the defence of a witness, on request of the defendant or his or her legal representative—unless a court specifies otherwise.

The Bill also makes it an offence to disclose any information contained in a QCC notice to attend or produce, even by the recipient, if the notice states that anything contained in the notice must not be disclosed. These provisions do not operate to prevent a person from disclosing that he or she has been given a notice to attend, has attended in response to a notice, or has produced something as a result of a notice. The QCC may impose a condition on a notice that its contents may not be disclosed, but the fact of the notice itself cannot be suppressed.

A significant initiative of the Bill is the provision of a scheme where a person is entitled to apply for financial assistance to fund legal representation before a QCC hearing or if a person has appealed or wishes to appeal a decision of the Crime Commission to the Supreme Court. Approval of the requested financial assistance must be given by the Attorney-General who, after considering issues of hardship or other circumstances, will determine the level of and conditions attached to the approval. The cost of the financial assistance must be met by the Crime Commission.

It seems appropriate that I should conclude this speech with reference to the sunset clause. The Government has indicated all along that every possible safeguard would be introduced to ensure the Crime Commission does not overstep its charter.

Hence the five-year sunset clause is both sound public administration and a considered policy response to issues raised through public consultation.

The QCC will not have the status of a standing royal commission, but one that is subject to a five-year legislative test coupled with stringent accountability mechanisms and probity, to vindicate its ongoing existence. The actions of the new body will be very closely scrutinised via the management committee, the parliamentary commissioner, the Public Interest Monitor, the Parliament itself and the public at large to ensure that the Crime Commission's powers are not misused or inappropriately turned against ordinary Queenslanders.

I would also like to acknowledge the role played by the general public, individuals with expertise in this area and various organisations such as the Queensland Council for Civil Liberties, the Queensland Law Society, Queensland Bar Association, Parliamentary Criminal Justice Committee, Queensland Police Service, the Queensland Police Union of Employees and others in shaping the contents of the Bill. Valuable insight was gained from public forums conducted around the State, and a number of suggestions contained in written submissions have been incorporated in the Bill.

I would also like to specifically thank the police officers, Parliamentary Counsel, interdepartmental representatives, including Andrew Luttrell and Brad Smith, Mark Jackson, Bronwyn Jolly and members of my own staff, particularly former Assistant Commissioner Frank O'Gorman and Kate Southwell, who have worked with dedication and precision in formulating this legislation in record time. The Parliament and the people of Queensland have expressed the view loudly and clearly that a Crime Commission is wanted and needed to comprehensively address organised crime and paedophile networks. I believe this Bill preserves important rights of the individual against the right of society to rid itself of the menace of these types of criminal activities. I commend the Bill to the House.

Debate, on motion of Mr Barton, adjourned.

JUSTICE AND OTHER LEGISLATION (MISCELLANEOUS PROVISIONS) BILL (No. 2)

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (3.40 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend various Acts administered by the Attorney-General and Minister for Justice and for other purposes."

Motion agreed to.

First Reading

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (3.41 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, 41—Beanland, Connor, Cooper, Cunningham, Davidson, 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, Woolmer. Tellers: Springborg, Carroll

NOES, 41—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pairs: Borbidge, Goss W. K.; Elliott, De Lacy; Baumann, Dollin

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Second Reading

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (3.41 p.m.): I move—

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

Honourable members will be aware that this Bill is my fourth miscellaneous provisions Bill in addition to the other significant pieces of modernising legislation which this Government has introduced concerning the Queensland legal system. The Bill ensures that much needed statutory modernisation is not delayed and the time of the Parliament is not unnecessarily expended on a number of disparate pieces of legislation, each of which would be of a relatively minor nature.

As I have previously indicated in second-reading speeches to other departmental

miscellaneous provisions Bills, the Department of Justice is responsible for the administration of approximately 170 statutes and, as a result, there is a necessity for a large number of minor or technical amendments to be regularly made to various legislative provisions to ensure that the statutes continue to operate in the manner intended and are maintained in an up-to-date form. Generally these types of Bills include provisions of a technical, discrete and minor nature. However, departures from this convention may be justified under appropriate circumstances.

In utilising these types of Bill, I have attempted to achieve three mission goals. They are, firstly, the appropriate size and shape of the Queensland justice system; secondly, improving the operational efficiency of the Queensland justice system and its component parts; and, thirdly, most of all, improving the public confidence in the Queensland justice system. This Bill contains amendments to approximately 47 statutes administered by the Department of Justice. Not unlike previous departmental miscellaneous provisions Bills, there are many legislative amendments contained in this Bill which have the objectives of carrying out these three mission goals.

In essence, this Bill will—

Improve the operational efficiency of various Government departments such as the Queensland Police Service, the Office of the Director of Public Prosecutions, the Public Trustee;

Provide clarification of existing law;

They do not modify the philosophy or direction of the statutes that are being amended.

These amendments to the Classification of Publications Act 1991 are aimed at protecting children and families from the intrusive display of sexually explicit unrestricted publications. Honourable members would agree that we need to protect children and families from these publications, particularly when parents take their children into a newsagency to buy the Saturday papers and subsequently are confronted with these intrusive displays of this sexually explicit material. To give effect to this proposal, a new part is inserted in the statute to place restrictions on the display of unrestricted publications.

By way of background, Queensland adopts the national scheme of classification of publications prescribed in the national classification code contained in the Classification (Publications, Films and Computer Games) Act 1995—a Commonwealth Act. Despite the extremely broad range of publications falling within this unrestricted category, the current guidelines place no restrictions on the display of these publications. As a consequence, these publications are deemed suitable for display in public places.

This new Part 2A establishes a scheme in which the publications classification officer may by Gazette notice make an order prohibiting display of a specified unrestricted publication for sale at any public place to which children have access unless the publications are concealed by a cover, rack or other thing, or the rack or other thing is at least 1.5 metres above the floor or ground or they cannot be seen without being held. In order to balance the interests of the retailers of this material, there are appropriate provisions providing for an appeal mechanism and a register of the display orders.

Other amendments which are aimed at pursuing public confidence in the Queensland justice system are the proposed amendments to the Crimes (Confiscation) Act 1989. The main object of this statute is to deter the commission of serious offences by removing the financial gain and increasing the financial loss associated with their commission. This object is achieved in the statute by providing for, amongst other things, deprivation of benefits derived from the commission of serious offences. Accordingly, the proposed amendments amend Schedule 2 of the statute to include various censorship statutes such as the Classification of Films Act 1991 and the Classification of Publications Act 1991. The effect of this amendment is that it will enable the confiscation of proceeds of contravention of these statutes.

Once again, I have had the need to amend the Justices Act 1886 to improve the operational efficiency of the Queensland justice system and to clarify the existing law within the statute. Given the changes to the role of the Magistrates Courts and the enactment of other legislation, I have given a reference to the Queensland Law Reform Commission to undertake an urgent study of this somewhat antiquated statute. One of the purposes of these amendments to this statute is to correct a defect in the statute by creating a scheme for the service of notices under Part 4A.

This amendment will also validate past actions which took place on the assumption that the Queensland Supreme Court decision

in Gem Po-Chioh Cheong v. Webster extended to service under Part 4A. After consultation with the Queensland Law Society Inc, there are proposed amendments in the Queensland Law Society Act 1952. One of these amendments is to enable legal practitioners to advise clients of the existence of an insurance policy covering pecuniary loss arising out of excluded mortgages—solicitors' mortgages—as an alternative to the current notice requirements under the statute.

Honourable members should be aware that this scheme has been favourably commented upon by the New South Wales Law Society Chief Executive who has asked the New South Wales Government to change its Act to restrict the right of investors in solicitors' mortgage schemes to make claims on the society's fidelity fund in the same way as Queensland has.

The proposed amendments to the Travel Agents' Act 1988 basically update inspectors' powers in that statute by inserting the standard model for inspectors' powers which has been an integral part of other Bills which I have introduced into the House. The amendment to the Trusts Act 1973 is to give authorised trustee investment status to a common fund established under the Public Trustee Act 1978. By way of background, there are six statutory trustee companies which operate under the provisions of the Trustee Companies Act 1968. These statutory trustee companies and the Public Trustee perform similar functions.

These statutory trustee companies and the Public Trustee, as a by-product of investing funds on behalf of deceased estates and other trust funds under their administration, operate "common funds". These funds consist of a large number of individual trust balances pooled for investment purposes with the net return being distributed proportionately to each trust account. These funds perform the same function for investors as other collective schemes, such as cash or equity unit trusts. It is important to note that the common funds of statutory trustee companies have enjoyed authorised trustee investment status since 1989.

Once again, this Bill, like the other departmental miscellaneous provisions Bill which I have introduced into the House, is directed at achieving these three mission goals by making a number of minor or technical amendments to a range of statutes administered by the Department of Justice, as well as providing discrete law reform in certain areas such as the proposed amendments to the Classification of Publications Act 1991. I commend the Bill to the House.

Debate, on motion by Mr Foley, adjourned.

AGENTS AND MOTOR DEALERS BILL

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (3.52 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to comprehensively provide for the regulation of the functions, licensing and conduct of restricted letting agents, real estate agents, pastoral houses, auctioneers and trainee auctioneers, motor dealers and commercial agents and their employees, and for other purposes."

Motion agreed to.

First Reading

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (3.53 p.m.): I move—

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

Question put; and the House divided—

AYES, 41—Beanland, Connor, Cooper, Cunningham, Davidson, 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, Woolmer. Tellers: Springborg, Carroll

NOES, 41—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pairs: Borbidge, Goss W. K; Elliott, De Lacy; Baumann, Dollin

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Second Reading

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (4 p.m.): I move—

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

It is with much pleasure that today, on this National Consumer Day, I introduce the Agents and Motor Dealers Bill 1997. This Bill replaces the Auctioneers and Agents Act 1971, which regulates the activities of real estate agents, motor dealers, pastoral houses, auctioneers and their salespersons. This Act also regulates commercial agents and commercial subagents.

Over a number of years, industry and consumer groups have approached the Government expressing concerns over the inadequacies of the present legislation. This Act has been amended on numerous occasions since it came into force. Over time it has become riddled with inconsistencies, antiquated language and has failed to keep pace with modern business practices and consumer needs. Following representations from industry and consumer groups, it was considered that the Act should be rewritten to more adequately provide for the requirements of industry and consumers alike in a more effective fashion.

The Bill seeks to provide an enhanced regulatory environment for the industry groups through the deregulation of commission rates, the negative licensing of salespeople and commercial agent (employees), and streamlining of licences. The Bill provides for more flexible enforcement mechanisms, such as the introduction of mandatory codes of conduct, injunctions and enforceable undertakings.

Another objective of the Bill is to enhance the current consumer protection provisions contained within the Act through the introduction of a statutory warranty scheme for used motor vehicles, increased penalties and the strengthening of the beneficial interest provisions. The Bill also places tighter controls on sole and exclusive agencies, provides for detailed disclosure of agent fees and charges and provides for review of excessive commission rates. Additionally, the Bill achieves administrative efficiencies through changes to licensing and claims procedures.

The policy measures contained in the Bill were influenced by numerous studies which were conducted both at Commonwealth and State level. The most significant of these was the report of the Auctioneers and Agents Act Review Committee in 1992. The committee was chaired by Mr Alex Overett, a real estate agent and auctioneer of long standing. Mr Overett was the chairman of the Auctioneers and Agents Committee for approximately seven years. Each industry group regulated by the Auctioneers and Agents Act was represented on the committee. The report of the Overett committee was publicly released and attracted widespread publicity and comment. The recommendations made in the committee report form the basis of a number of the major policy positions in the Bill. The Bill has regard to the requirements of National Competition Policy, as well as taking note of the recommendations arising from the Vocational, Employment, Educational and Training Committee (VEETAC) review of partially registered occupations and the 1992 Prices Surveillance Authority's report on real estate agents fees.

In formulating the policy measures contained in the Bill, consideration was also given to equivalent legislation in other jurisdictions concerning the regulation of the industry groups. Most importantly, this legislation has been the subject of extensive public consultation and liaison with business, industry, consumers, community groups and legal groups. An issues paper was released in 1996 which addressed the policy issues contained in this Bill. The paper was distributed to the peak industry and consumer groups. Meetings were held with some groups and submissions were received in response to the paper. The Bill was released as a consultation draft in July this year. Some 1,500 copies of the Bill, together with an explanatory document, were circulated to individuals, industry and consumer groups and all Government departments.

In addition to the distribution of the Bill, officers of the Department of Justice and the Office of Consumer Affairs travelled across Queensland to explain the Bill and receive feedback from people. Centres which were visited included Cairns, Townsville, Toowoomba, Longreach, Mackay, Rockhampton, Maryborough and the Gold and Sunshine Coasts. Over 150 written submissions were received. Many of the provisions which are now in the Bill are the result of this consultation process. I am pleased to report that the Bill has received broad support and I believe that this reform is long overdue. Industry groups are strongly supportive of the provisions embodied in the Bill, and, equally, consumers will receive a range of new consumer protection measures that will facilitate a safer, competitive and more equitable marketplace.

If the House would be agreeable, because of the length of this speech I would be happy to have the remainder of the speech incorporated in Hansard.

Leave granted.

The structure of the Bill has been substantially improved from the Auctioneers and Agents Act, in that the legislative requirements pertaining to each industry group are "compartmentalised". This means that the provisions of the Bill are broken up into industry specific parts. This method was used at the request of industry so that the legislative requirements relating to each industry could be easier to access and understand.

The Bill creates an enhanced regulatory environment for industry in a variety of ways. One of these is the rationalisation of licensing. This has been achieved through the elimination of some categories of licences and the creation of new categories. The new categories are more relevant to the occupations regulated under the Bill. The new system is designed to reduce the regulatory burden, streamline process and procedure and reduce costs for practitioners, whilst maintaining consumer safeguards. For example, the present system of a separate licence for each occupational group has been replaced with a single "agents and motor dealers" licence.

The Bill removes the specific reference to the corporation licence. A corporation will be able to obtain the agents and motor dealers licence appropriate to the functions it carries on. It will be allowed to operate under a licence, provided that one of its directors is the holder of a licence. The Bill removes the old concept of "working director". The Bill also removes the outdated requirement that the licensed director must be resident in Queensland. Further, the Bill removes the managers licence. As the person who manages the branch assumes the same responsibilities as the licensee, a full licence is more appropriate.

The Bill also creates a new category of licence for restricted letting agents. Previously, restricted letting agents were included under a restricted real estate agents licence. The new licence was created because of the special nature of restricted letting agency, and the unique conditions which attach to the licence. The Bill follows National Competition Policy principles by enabling the licensing of the public trustee, Government departments and Government owned corporations. Where these bodies perform the functions of a relevant occupational group under the Act, they will be required to hold a licence.

The Bill removes the present requirement in the Auctioneers and Agents Act for salespersons to obtain a certificate of registration as a salesperson. This requirement has been replaced by a negative licensing scheme, which will also include pastoral house salespersons, commercial agent (employees) and restricted letting agent (employees). This means that persons will be able to perform the functions of a salesperson or commercial agent/restricted letting agent (employee) without the need to be registered. People will be able to be employed as salespersons provided that they are not ineligible to be so employed. It should be noted however, that people performing the functions of salespersons or commercial agent (employees) or restricted letting agent (employees), will still have their activities closely regulated. Therefore, it is only the registration process which has been removed.

A new feature introduced by the Bill requires applicants for licences to advertise their intention to apply, thus giving people a meaningful opportunity to make an objection. The Bill replaces the outdated licensing criteria of "fit and proper" and introduces a more fair and equitable way to assess whether a person should be licensed. The two criteria which will be used are suitability and eligibility. Suitability relates to the character of the person and fitness to Act as a licensee. For example, the person will not be suitable if he or she is an undischarged bankrupt or has been convicted of a serious offence. A person will be eligible if the person is 18 and has the necessary educational or other qualifications which are prescribed. At the moment, one of the main licensing criteria is that the person must have had a least five years experience in the industry. Length of experience is not necessarily a good indicator of the person's competence to do the job. From now on the qualifications will be based on a person's competency, which may include what experience the person has and what competency based educational qualifications the person possesses. Currently licence applications are dealt with by the Auctioneers and Agents Committee.

Having licence applications dealt with by a committee is inconsistent with the occupational licensing regimes which are in place for other groups, such as travel agents, security providers and second hand dealers. The Bill therefore brings the licensing regime for agents and motor dealers into line with other occupational licensing by providing that the chief executive or his/her delegate will consider all licence applications. This measure should also create administrative efficiencies and cost savings, as it will no longer be necessary to convene committee meetings in order to determine licence applications. Further, the new process should promote consistency in decision making.

The Bill provides for the deregulation of commission rates. Despite the fact that the Auctioneers and Agents Act prescribes only a maximum rate of commission, this is usually represented as the "going rate" or the "Government rate", regardless of the level of services to be provided by agents. The results have been standard commission rates and little flexibility or innovation in agency services. The deregulation of commission rates is designed to increase the level and quality of agency service provided and to encourage negotiation in

relation to fees. The experience in other States has indicated that it is unlikely that deregulation will result in agency abuse, overcharging or consumer dissatisfaction. The 1992 report of the Prices Surveillance Authority tends to support this view.

It has also been reported in the press that the Australian Consumers Association supports the deregulation of commission rates on the basis of the New South Wales experience, as it would lower commission rates because of increased competition. However, the Bill contains two major safeguards to prevent overcharging. The first is the power of the board to determine complaints in relation to excessive commissions. The second is that a power to re-regulate commissions will be retained in the new Act. A comprehensive consumer awareness and education campaign will be undertaken to ensure that consumers fully understand their rights, and also the obligations of agents. Further, a review of commissions will be undertaken 18 months from the commencement of the Bill. Should there be evidence of industry abuse and consumer dissatisfaction, it will be possible to reintroduce regulation of commission rates.

The Bill contains new provisions in relation to sole and exclusive agencies. The Bill provides that a sole or exclusive agency cannot be for a period of more than 90 days. It also provides that a sole or exclusive agency cannot be renewed until 14 days or less before it expires. The 90 day limitation on sole or exclusive agency periods has been inserted because of the restrictions that such agencies place on sellers and because of abuse by some agents. There have been cases where sellers have had their properties tied up for several months. In one instance and elderly Brisbane woman was locked into a sole agency agreement for 299 days. It is to be noted, however, that the sole and exclusive agency provisions will apply to residential sales only. It is recognised that in commercial property sales, rural sales and in the property management situation, it is not appropriate to limit the period of sole and exclusive agencies.

Under the Auctioneers and Agents Act, there is a provision which requires motor dealers and auctioneers to supply a certificate of clear title to used motor vehicle buyers. The Bill continues this requirement but provides that the dealer or auctioneer may only supply the certificate at cost.

The Bill provides assistance to livestock agents by the insertion of new provisions regarding "del credere" sales. A del credere sale is one where the agent guarantees payment of sales proceeds to the client. Livestock agents will be able to offer del credere sales for livestock, and where del credere sales are made, there will be no requirement for the agent to keep a trust account for the sales. Currently pastoral houses are not subject to the trust accounting provisions of the Auctioneers and Agents Act. One of the reasons for this is that pastoral houses offer del credere sales in relation to livestock. The new provisions will provide a "level playing field" for livestock agents and allow them to be more innovative in their business dealings. The Bill takes account of the special circumstances of pastoral houses by continuing the trust account exemptions for livestock sales.

The beneficial interest provisions which relate to pastoral houses have also been tailored to reflect the specific needs of that industry group and the communities that they serve. The provisions relating to buyers premiums will be of benefit to pastoral houses and auctioneers alike. The Bill also reflects the specific eligibility requirements of pastoral houses. The Bill takes account of modern technology by providing for electronic fund transfers and computerised accounting for licensees' trust accounting requirements.

The Bill maintains the current level of consumer protection contained in the Auctioneers and Agents Act and provides for additional consumer protection measures. The most important consumer protection measure is the introduction of a statutory warranty on used motor vehicles sold by a motor dealer. The warranty will apply to all specified vehicles for one month or 1000km, whichever occurs first. The warranty will not apply, for example, to commercial vehicles. The statutory warranty will apply to major components, but will not apply to components such as tyres, lights, radiator hoses and batteries or other parts prescribed by regulation. It will also not apply to accidental damage or damage caused by negligence or misuse after the buyer takes delivery, or superficial damage to paintwork or upholstery that should have been apparent. Whilst the statutory warranty will apply to four wheel drive vehicles, it will not apply to motor cycles. This is because many motor cycles are used for off road recreational purposes and are subject to more "wear and tear" than other vehicles. Any buyer who buys a used vehicle from a licensed motor dealer will receive the benefit of a statutory warranty. The statutory warranty scheme should result in better motor dealer/customer relations and better quality motor vehicles being offered for sale. The statutory warranty scheme should also encourage consumers to buy used cars from licensed motor dealers. It is to be noted that the statutory warranty scheme will apply to Government when it Acts as a motor dealer, so as to create a "level playing field".

The Bill addresses conflict of interest issues by tightening the beneficial interest provisions which currently exist in the auctioneers and agents Act. In addition to the provisions in that Act, the Bill provides that agents must act fairly and honestly and that the client is in as good a position as if the beneficial interest did not exist. The Bill expands the

choices for persons wanting to sell a business by providing a limited exemption from real estate licensing requirements for accountants. The exemption only applies to accountants who sell businesses or collect rents in the ordinary course of the accountant's profession. The Bill provides for the publication of the results of any action taken against a licensee or employee of a licensee. This measure will promote consumer and industry awareness. It will also allow for more accountability in the compliance process. The Bill provides for increased consumer awareness by requiring licensees to provide greater disclosure on issues such as fees and commissions and services to be provided to a client. The Bill introduces a number of features which are intended to promote administrative efficiencies.

The Bill replaces the Auctioneers and Agents Committee which is constituted under the Auctioneers and Agents Act, with the Agents and Motor Dealers Board. The board will have most of the functions which the committee has under the Auctioneers and Agents Act. However, the licensing function will rest with the chief executive. Unlike the Auctioneers and Agents Committee, the new board will be chosen from a panel appointed by the Minister. The panel will consist of at least two representatives of all industry groups regulated under the Act, two lawyers and two consumer representatives.

The Bill provides for the office of the registrar. The registrar and not the chief executive will be responsible for the appointment of panel members to the agents and dealers board. The board will consist of one industry member, one lawyer and one consumer representative. By having this function with the registrar it is intended that there will be independence in the appointment of board members. The registrar will also be able to hear claims against the fund which amount to $5,000 or less, so that claims which are of a minor nature may be heard expeditiously. The board will be empowered to hear fee review and disciplinary matters and complex claims against the fund which amount to more than $5,000. A board may also be constituted to provide policy advice to the Minister upon request.

It should be noted that pastoral houses will only be able to sit on boards which give policy advice to the Minister. This is because there are only two licensed pastoral houses in Queensland, and it would be inappropriate for the pastoral houses to be part of proceedings concerning their competitors. The new structure will mean that the board will have greater mobility and flexibility as several boards may be constituted at the same time, should the circumstances demand. As boards will only have three members, it should also be possible to convene boards at shorter notice.

Finally, the Bill provides for more flexible enforcement mechanisms, such as injunctions and enforceable undertakings. Mandatory codes of conduct will be introduced in relation to each occupational group. Each code of conduct may be enforced by means of disciplinary action or by application of injunctions to prevent certain conduct from occurring or continuing.

The Bill provides for the appointment of a special investigator to examine trust accounts in circumstances where the status of the account is unclear but does not necessarily warrant the appointment of receivers. The Bill modernises and streamlines inspectors' powers. The Bill also allows for the obtaining of search warrants. The Bill updates penalties for non-compliance with provisions of the Act to more accurately reflect the seriousness of offences.

This Bill is a major advance on the existing legislation. It takes into account the aspirations and needs of both industry and consumers. It is contemporary legislation which is not only accessible and easily understood, but also provides a more efficient administrative process. No longer will industry labour under outdated and inflexible regulation. Nor will consumers be disadvantaged by inadequate consumer protection.

The proposed Agents and Motor Dealers Bill is important legislation that affects all Queenslanders. The Bill significantly improves the law in this area, by providing a more flexible regulatory environment. It also reduces costs for industry, whilst ensuring that consumers reap the rewards of greater consumer protection, increased competition and a safer marketplace. I commend the Bill to the House.

Debate, on motion of Ms Spence, adjourned.

ELECTRICITY AMENDMENT BILL (No. 3)

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (4.06 p.m.), by leave, without notice: I move—

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

Motion agreed to.

First Reading

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

Second Reading

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (4.07 p.m.): I move—

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

I am pleased to introduce this Bill to the House. Last December, I announced the Government's electricity strategy, which involves a suite of significant reforms to establish a competitive environment for electricity generation and sale in Queensland in order to promote a highly efficient industry in this State and lower electricity prices for Queensland consumers. Low energy prices in Queensland are a key to enhancing Queensland's attractiveness for new project development and job creation. The electricity strategy also seeks to position the Queensland industry to compete effectively in the national electricity market, which Queensland will physically join subsequent to interconnection with the New South Wales grid in 2000/2001. The implementation of the electricity strategy is well advanced. The industry has been restructured, and currently software systems and other processes are being tested in preparation for the commencement of an interim wholesale electricity market in Queensland in November 1997.

The Parliament has, earlier this year, considered two separate tranches of amendments to the Electricity Act in order to provide for these significant reforms. The first Electricity Amendment Bill provided for the new industry structure on 1 July 1997. At that time the Parliament also passed the national electricity law. In August 1997 the Parliament enacted a second tranche of amendments which essentially provided for the commencement of the interim wholesale electricity market to which I have just referred.

The next stage in the reform process is to give customers the power of choice as to from whom they purchase their electricity supply by way of a gradual reduction in the industry franchise arrangements. It is proposed that contestability will commence on a staged basis from 18 January 1998, from which time the State's largest electricity consumers will be able to shop around for their power supply. This Bill contains a third tranche of amendments which are necessary to support the threshold reduction process.

Specifically, this Bill establishes new regulatory arrangements for the industry appropriate for the competitive electricity market. The Bill also makes the Act consistent with the application of the national electricity law and with the principles of National Competition Policy to fulfil the State's commitment under clause 5 or legislative review component of the Competition Principles Agreement. The Bill also amends the Queensland Competition Authority Act 1997 in certain respects.

I wish to draw the House's attention to some key elements of this significant electricity legislation. It is imperative that during the transition to, and indeed after, full contestability for Queensland consumers, an appropriate regulatory regime for the industry be in place. The Government readily accepts that effective competition is the best means of achieving high standards of service and is also mindful of the accountability of market participants under the interim market and national market codes. Nevertheless, there are still key aspects of the industry's operation which require independent regulation. In particular, this Government seeks to ensure that service standards within the industry are, indeed, enhanced rather than diminished, particularly in respect of non-contestable customers who, for various reasons, cannot exercise choice and remain tied to their incumbent electricity retailer. Secondly, the Government seeks to safeguard all consumers from behaviour by certain electricity entities with market power which compromises customers' ability to exercise choice or, again, which discriminates against customers who do not have choice at a point in time.

A central feature of this Bill is, therefore, to put arrangements in place—

to protect customers from uncompetitive behaviour by industry corporations which is outside the effective reach of section 46 of the TPA;

to improve the process for setting and monitoring technical service standards in respect of matters such as outages, voltage fluctuations, interruptions, etc;

to establish and enforce certain service standards in respect of issues such as disconnection, reconnection and billing;

to provide a means of independent arbitration of disputes between the industry and customers; and

to increase industry accountability for customers.

I will now turn to the particular initiatives in respect of these matters which will be given effect by this Bill. Firstly, by way of the earlier amendments, the Act currently provides for retailers and distributors to prepare standard customer sale and connection contracts respectively for approval by the regulator—in the form of the CEO of the Department of Mines and Energy. These contracts will be an

important protection mechanism for consumers by setting basic standards for service across the industry. This Bill enhances arrangements regarding the approval and subsequent amendment of these contracts which are to apply to all customers unless otherwise negotiated by the parties.

Secondly, the Bill establishes an electricity industry ombudsman to investigate customer complaints and resolve disputes in respect of customer connection or customer sale contracts in an expeditious and cost-effective manner for customers. The ombudsman's independence from the Government is explicitly provided for in the Bill. The ombudsman will have discretion to choose the location of his office, which will be important for the public perception of this independence. The Bill provides the ombudsman with the appropriate powers to effectively conduct these functions and to compensate customers for losses of up to $10,000 in the event of a breach of either of the standard customer contracts. For contestable customers, negotiated customer contracts may also refer disputes to the ombudsman for resolution. In addition, the Bill provides that the power to deal with other types of disputes may be given to the ombudsman by a regulation.

Thirdly, the Bill provides for conduct rules for the various sectors of the industry to be established and enforced by the Queensland Competition Authority (QCA) through action in the Supreme Court. Compliance with the conduct rules will be a condition of an entity's authority and the regulator will be able to act against an entity's authority where the Supreme Court has found that the entity breached a conduct rule. These conduct rules will be an important tool in guarding against behaviour by industry entities which aim to inhibit a contestable customer's ability to effectively exercise choice regarding their electricity supply or to disadvantage non-contestable customers. It is important that these rules be established only after public as well as industry consultation. The Bill provides for the necessary procedures in this respect. I note that the enforcement arrangements here replicate those currently applying in the telecommunications industry.

Fourthly, the Bill makes special provision for customers to be protected in the event that their retailer is no longer able to provide retail services. The concern in particular here is that a situation in which a retailer, due to financial distress, is unable to continue operation does not lead to disconnection by a distribution entity which has not been paid its network charges by that retailer. The Bill provides for a regulation to establish a scheme entitled "the retailer of last resort scheme" which would outline arrangements for customers of a failed retailer to be temporarily allocated to another retailer.

Fifthly, the Government is keen to facilitate maximum competition within the industry for the benefit of electricity consumers. To achieve this, the Bill provides for recognition of retail authorities held by an entity in another State. In this respect, I note that unfortunately retail licensing arrangements in other States are not based on the principle of mutual recognition. The Queensland Electricity Reform Unit will be writing to senior officials in other states strongly suggesting that it is within the spirit of the national electricity market that mutual recognition be a fundamental principle of industry licensing arrangements. Queensland retailers seeking licences interstate should not be disadvantaged by overly time consuming and inefficient licensing processes as is currently the case.

Finally, I note that the Bill retains the power for the Minister to establish prices and service quality standards for non-contestable customers. The intent here is to enable the Government to establish appropriate pricing arrangements for franchise customers during the transition to full competition in the industry. I also note that the Minister will have powers over transmission and distribution pricing for a period of three years, after which time it is envisaged that price regulation for the monopoly wires sector of the industry will be independently regulated by either the Queensland Competition Authority or the ACCC. Again, transitional ministerial power over transmission and distribution pricing is necessary in order to protect franchise customers during the threshold reduction period.

I will now turn briefly to the other aspects of the Bill. The national electricity law, which was enacted by the Parliament in May 1997 in the form of the Electricity National Scheme (Queensland) Act 1997, provides governance arrangements for the national electricity market. Queensland will operate an interim market until 29 March 1998, when the NEM is due to commence. The Bill makes consequential amendments to the Act to provide for Queensland's participation in the NEM and the commencement of the Electricity National Scheme (Queensland) Act 1997 proposed for 29 March 1998.

Under the National Competition Policy, the State is committed to ensuring that legislation does not restrict competition in terms of clause 5 of the Competition Principles Agreement. Certain provisions within the Act involve discretionary powers which could potentially be exercised in a discriminatory way. The Bill seeks to address this issue by ensuring that discretionary powers are exercised having regard to objects of the Act which have been expanded to include the establishment of a competitive electricity market in line with the national electricity reform process.

I also note that certain amendments to the Queensland Competition Authority Act have been made to facilitate these electricity market reforms. It has been convenient to incorporate in this Bill a number of other miscellaneous amendments to that Act to clarify the operation of particular provisions. I commend the Bill to the House.

Debate, on motion of Mr Hamill, adjourned.

SITTING HOURS; ORDER OF BUSINESS

Sessional Order

Mr FITZGERALD (Lockyer—Leader of Government Business) (4.17 p.m.), by leave, without notice: I move—

> "That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House will continue to meet past 7.30 pm.
>
> Private Members' motions will be debated between 6 and 7 pm.
>
> The House will then break for dinner and resume its sitting at 8.30 pm.
>
> Government Business will take precedence for the remainder of the day's sitting, except for a 30-minute grievance debate."

Motion agreed to.

FUEL SUBSIDY BILL

Second Reading

Resumed from 28 October (see p. 3893).

Hon. D. J. HAMILL (Ipswich) (4.18 p.m.): The legislation before the House is significant not so much for its provisions but significant in terms of what it says about the Queensland Government. This legislation tells us a lot about what is wrong in Queensland today. This legislation arises out of a High Court decision which came down on 5 August which struck down certain business franchise fees that had been levied by State Governments. In particular, the High Court decision dealt with the tobacco licence fee in New South Wales. What the High Court found was that that particular impost in New South Wales—which was at a rate the same as that levied by the Queensland Government and other State Governments—was not a business franchise fee but rather a duty of excise. Consequently, it offended section 90 of the Constitution.

By inference, the High Court decision effectively struck down State liquor and fuel franchise fees because they, too, were levied at a rate that was not seen by the High Court as being consistent with a business franchise fee—something that just dealt with the regulation of trade—but rather they were levied at a rate that was consistent with a duty of excise. The dogs were barking that the High Court may well have brought down such a decision. In fact, it was not the first time that such a scenario had been canvassed. I well remember sitting around the Cabinet table when we were awaiting the High Court bringing down its judgment in the Capital Duplicators case, which turned on that very same point—whether business franchise fees were unconstitutional in that they were, in effect, excise. In that case the High Court chose not to strike down those regulations by the States and the States breathed for another day. At that time the Goss Government saw the prospect of fees such as the tobacco fee and the prospect of a fuel tax being imposed as very real. A lot of work was done in preparing the State for that potentiality.

Sadly, the same could not be said for this Queensland Government and its approach to the issues arising out of the decision handed down by the High Court on 5 August. Sure, we had the Treasurer, a little like Neville Chamberlain after the Munich conference where he announced that there would be peace in our time——

An Opposition member: How do you say that "peace" word?

Mr HAMILL: I was just taking a piece out of the Treasurer. As did Neville Chamberlain come out declaring peace in our time, this Treasurer said, "It is okay, the Queensland Government has it all sorted out. There will not be any price increases arising. Everything is fine. Do not worry about it." What happened then? For the next two weeks we had uncertainty being generated in the liquor industry because representatives of the brewing industry and the hotel industry could not get through the door to discuss with

Treasury the issues that they faced. Treasury was not responding to their very real concerns that price increases would flow despite the Commonwealth moving in to impose a common additional excise, which was designed to generate revenue foregone for the States and the Commonwealth then making that money available to the States.

So we went through two weeks of great uncertainty. It is little wonder that today in Queensland business confidence is bouncing along on the floor. All of that demonstrated an abysmal lack of leadership in this State on issues that one would have thought would have been critical to the Government in this State and critical to business in this State.

Let us look at the impact of that High Court decision in terms of Queensland alone. Queensland, without a State fuel tax—a State fuel franchise fee—nevertheless saw over $700m of its revenue base disappear in the form of the State tobacco franchise fee and the State's liquor licensing fees as a result of the findings of the High Court—over $700m! I would have thought that that would have been something that would have galvanised the Queensland Government into action. But no, no, no, in the run-up to the High Court decision, it just sat on its hands and did precious little. Then what did we have? The Treasurer gave assurances that there would be no price increases arising out of the imposition of the Commonwealth's new excise. However, we all know that the excise was being imposed on the wholesalers, whereas the business licence fees that it sought to replace were imposts on the retailers. Immediately there arose administrative problems in ensuring that price increases did not flow through to the party that had no protection whatsoever, and that, of course, was the Queensland consumer.

Despite those assurances by the Treasurer in relation to price, what happened in the intervening couple of months? Contrary to the assurances given by this Treasurer that there would be no price rises flowing from the High Court decision and the so-called safety net that the Queensland Government had put in place with the Commonwealth, a whole range of tobacco products went up in price. Two months after the so-called safety net was in place, motorists throughout the State saw petrol prices escalating at the bowser. A new crisis had emerged. The so-called safety net that the Treasurer had guaranteed was in place some two months before was not really such a safety net after all. What were the elements that were leading to this new crisis? The major element was that, yet again, the Queensland Government had not done its homework.

Mr Johnson: Oh, come on, David.

Mr HAMILL: The Minister for Transport ought to know better because he should have been able to advise his Cabinet colleagues of the very significant trade that was taking place anyhow in fuel across the State border. It was that trade in fuel which, as a result of the negotiations that the Queensland Government had entered into with the Commonwealth and the deal that had been done, was actually bleeding the Queensland Treasury of in the order of $2m a week. $2m a week! Why was that? It was because the so-called safety net that had been put in place had not taken into account the fact that, if we are going to effectively subsidise the wholesale price of fuel in Queensland, there would be a very real incentive for operators to come across the border, fill up the tank here in Queensland and then distribute it along the Newell Highway and down the New England Highway into service stations in both New South Wales and Victoria. Obviously, the Minister for Transport did not tender that advice.

Mr Johnson: Yes, he did.

Mr HAMILL: The Minister for Transport tells me that he did tender that advice. Obviously, the Minister for Transport was ignored by the Premier and the Treasurer when they put in place that agreement with the Commonwealth. Otherwise why would they enter into an agreement that was costing $2m a week? The figures are quite clear.

On 29 August, I placed a question on notice to the Treasurer, because the Opposition was aware of the problem even if the Government was not aware of it. The answer to my question on notice was that the payments that would come to Queensland as a result of the Commonwealth effectively rebating the excise surcharges that had been placed on liquor, tobacco and fuel would be, in respect of liquor, $177m. That figure was in excess of the sum that was collected by way of liquor licensing fees in Queensland. Therefore, it meant that there was an obligation placed on the Queensland Government to take the surplus and distribute it to the wholesalers in Queensland. Of course, that was the issue that surrounded that first crisis when, for a fortnight, the Queensland Government was not talking to the pubs, clubs and brewers in the State.

The second sum was a sum of $567m, which was the sum that was to be collected

out of the tobacco licence fee in Queensland. That was easy because the rate at which it was levied was the same rate across all the States. However, we have already seen that, even though that sum has come back from the Commonwealth, certain tobacco prices rose because, as I said before, the excise is levied in a different way from the old business franchise fee, which was linked to sales.

This was the crunch, and this is where Ministers such as the Minister for Transport and others were obviously so negligent, or were they, Cassandra-like, telling the truth but being ignored because the money that the Queensland Government expected to receive from the Commonwealth by way of the excise on fuel—the 8.1c a litre that was being added to the fuel price—was a sum of $486m, according to the Treasurer's answer to my question? The sum of $486m is about $65m to $70m short of what Queensland ought to have received, based on the amount of fuel sold in Queensland in the previous year. Queensland should have received about $550m. In other words, the Queensland Government had negotiated a shortfall for Queensland. Hence we had an impending crisis on our hands. That crisis was causing great anxiety in the Treasury, because the Treasury was bleeding away to the tune of about $2m a week in money that had to be paid to the State fuel industry to keep the price of fuel down, but for which there was no recompense from the Commonwealth.

Where were we then? As I recall, the Treasurer released a statement that there was a problem and that the Treasury was suffering a haemorrhage of funds. She stated that she would come in and legislate the problem away. The Opposition has supported and will continue to support measures that prevent Queensland consumers from having to pay a petrol tax that previously they did not have to pay. Despite the propaganda that time and time again was spread by the coalition when in Opposition, the State Labor Government did not introduce any fuel taxes. In fact, we were proud of the fact that we did not have a State fuel tax, unlike every other State jurisdiction in the country. In Opposition, the Labor Party has said loudly and very clearly that we would support any measures, legislative or otherwise, that would provide a solution for the Queensland consumer. The Leader of the Opposition made that point very clearly.

However, what did we find? The legislative solution that was being canvassed by the Treasurer was no solution at all. The Treasurer made the most extraordinary statement that she was prepared to sponsor legislation in this place that would breach section 92 of the Constitution. That was an amazing statement. I was at lunch with a number of members of a major law practice in the city and we canvassed this issue. They did not believe me when I said that the Treasurer claimed that she would legislate to prevent cross-border traffic in fuel. They said, "Even this Treasurer would not come at that, surely!" I pointed out to them that that is exactly what the Treasurer was proposing to do.

That is why at the time I made the statement, which was fully endorsed by the Leader of the Opposition—there was no conflict between us whatsoever—that we would support a legislative solution, but we would not go down the road of supporting a sham that would be struck down immediately by the High Court and that was quite clearly, even upon the admission of the Treasurer, going to be unconstitutional. It would have been no solution at all for the Queensland consumer of fuel for the Parliament to pass a make-believe law that had no effect whatsoever.

In that regard, the Opposition again played a very constructive role, because we alerted the Queensland Government and the Treasurer to her folly. We told the Government that we were not going to be a party to a legislative sham, but we were concerned about the impact of the increased excise on ordinary Queenslanders, particularly primary producers and Queenslanders who live in regional areas and who already pay very high prices for fuel. In fact, those people pay prices that exceed those paid in Sydney and Melbourne, where there are State fuel taxes on top of the Commonwealth excise. Throughout this whole saga, the Opposition has played a very constructive role indeed.

In fact, throughout the whole saga we have drawn the Government's attention to issues that the Government should have been dealing with prior to 5 August. We raised the issues that the Government would have been alert to if it had conducted proper consultation with the various business groups and community organisations that were being affected. Fuel plan Mark III was amazing: the Treasurer and the Premier went and held the Prime Minister's hands and said, "This is another solution."

Mr Beattie: Peace in our time.

Mr HAMILL: It was another day and another solution. We discussed this matter with a number of fuel retailers in the Hervey Bay and Maryborough areas. As Mr Nunn

would well recall, the Government's solution was to make the poor old retailer pay. The Government was going to insist that the retailer buy fuel from the wholesalers at the increased price, but the retailer would then be required to sell the fuel at the lower price, the price minus 8.1c a litre.

Of course, it was easy to come at that grand plan when the Premier, the Treasurer, the Prime Minister, the Federal Treasurer, officials at State and national levels, and the oil companies were sitting around talking. But what was missing from that equation? Very simply, representatives of the retailers! They were not at the table and didn't they squeal, and rightly so. Small-business operators were going to have to pay for the negligence of the Queensland Government, which did not get its affairs in order two months earlier. Plan C went out the door and they had to come up with plan C revised, which is what we are dealing with today.

If the Opposition had not highlighted the fact that the Government had done a dumb deal in relation to tax arrangements and revenue sharing, and that it had not taken into account the issues that would have affected small business, we would not be dealing with this legislation today. If the Opposition had not highlighted the fact that the Treasurer was proposing to enact unconstitutional legislation, we would not be dealing with this Bill today. Instead, we would be dealing with a piece of legislation that would have taken the expressway right back to the High Court.

That demonstrates the value of constructive opposition. It also demonstrates the paucity of talent in this Government—the lack of leadership, the lack of direction, its inability to do its homework, its inability to work through issues in consultation with the community and its inability to instil confidence not only in Government but also in the wider community. The Government condemned Queensland to two and a half months of uncertainty. It was a harrowing two and a half months for a lot of small businesses and primary producers who were absolutely terrified that they would have to bear the cost of a fuel tax that they did not want. Unfortunately, that is so typical of the problems that Queensland has faced under this coalition Government, which really lacks the wit to provide good Government.

What of this Bill? As the Leader of the Opposition said—and it was a view that I echoed—we would support constructive legislation which provided a solution. We believe that this Bill is constructive. We have no hesitation in supporting it. I contrast this Bill with that which the Treasurer foreshadowed—the Bill that was going to say that petrol could not be traded across the Queensland border. We all know—and even the Treasurer conceded this point—that the Bill the Treasurer foreshadowed would have been a nonsense.

What of the framework of this Bill? The Bill seeks to insulate end users of fuel in this State from the additional 8.1c a litre excise which has been levied arising from the need to protect State revenues from the implications of the High Court's decision. It does so through a mechanism of ensuring that those who are selling fuel to end users sell that fuel at a subsidised rate. The mechanism which allows this to work—and we do hope that this measure works—is not anything intrinsic to the legislation itself but rather a sensible deal done with the Commonwealth.

Page 9 of the Explanatory Notes to the Bill state—

> "In discussions, industry representatives have agreed to pass on the benefit of this deferral"—

that is, the deferral of the payment of the Commonwealth customs and excise surcharge—

> "by a similar arrangement which will permit deferral of payment of the Commonwealth surcharge component of the sale price of their fuel in respect of fuel purchased by fuel sellers. The effect of these arrangements will be that fuel sellers will be in receipt of the Queensland fuel subsidies which they may be entitled to claim prior to the date of payment of the Commonwealth surcharge component of their fuel purchases to the manufacturers/importers. These arrangements are intended to avoid increased financing costs and consequential increases in fuel prices."

That was a deal that ought to have been done before the Government put the poor old retailers in its gun sights and expected them to bear the cost of its financing arrangements. That has been the critical part of the deal. We congratulate the Government on achieving that outcome with the Commonwealth. In other words, the excise is out and the subsidy is in, virtually on the same day. The cheques are passing each other in the mail. That provides the safeguard for the consumer. Without that provision, even this arrangement would no doubt fail. We believe the legislation does provide a mechanism to protect the

consumer. It certainly is not the case, though, that the Treasurer had this material prepared two months ago when she guaranteed that there would be no price increases and that a safety net had been put in place.

I highlight to the Treasurer the point that, despite all these arrangements and the Treasurer's assurances, motorists in Queensland have some serious questions to ask regarding the price of fuel. Fuel prices have not returned to the levels that they were in August. Motorists in south-east Queensland have been paying in excess of 68c a litre for fuel. Motorists in north Queensland have been paying considerably more than that—as much as 10c a litre more than that. Despite this legislation, we have not seen fuel prices move back to their levels prior to 5 August last. I suggest that a bit of profiteering is going on behind the scenes. It is incumbent upon the Treasurer to ensure that what she has claimed to be the case by virtue of the legislation—that it would be unlawful to pass on other costs at the bowser—is enforced and that we do see fuel prices fall to their levels prior to 5 August last. For that not to occur demonstrates either a lack of will on the part of the Queensland Government or the fact that the legislation, which we are all hoping will be successful, is perhaps not the strong safety net that we have been told it is.

This legislation raises a whole range of other issues. Firstly, how long do we expect to have this legislation on our statute books in Queensland? To answer that question, we need to delve into the whole tax debate taking place across the nation—a tax debate, I might add, that the Queensland Government seems loath to engage in. That is a tragedy. I think the Premier has already trooped off to attend the leaders' meeting, being held tomorrow, where the issue of tax reform is on the agenda, or so we are told. Next week we have a Council of Australian Governments meeting. However, the Queensland public has not been accorded the privilege of being included in the loop in relation to the Queensland Government position on taxation, despite the fact that the Treasurer assured us that she wanted maximum input. Again, the Treasurer demonstrates the same style that she exhibited in relation to this whole tax debacle, that is, no meaningful consultation.

Mr Livingstone: Arrogance.

Mr HAMILL: I think "arrogance" is the appropriate word. Basically, the Treasurer is saying to the people of Queensland, "Trust us. We know best. We know what's good for you. Don't dare try to have any input into the sort of tax regime that the nation should have until we, the Government, and I, the Treasurer, have determined our position with the other States and the Commonwealth." In other words, this Treasurer's notion of consultation is for people to be told what the outcome is.

Mr Beattie: But not involved.

Mr HAMILL: And certainly not to be involved in the process leading to that outcome. That is not consultation; that is called a fait accompli.

Well we might ask: what is the Queensland Government's position in relation to tax? Will we have this legislation on the Queensland statute books for any length of time? If we look at the document that the Treasurer produced in the Parliament this week, the document which purported to be the Queensland Government position in respect of the tax reform debate, we find that we have a document which is carefully crafted for politics but——

Mr Beattie: Light on detail.

Mr HAMILL: It is so light on detail that it would almost float away. However, there are a couple of little hints on the way through that I think are very relevant to the Bill that we have before us. Those little hints are contained at various points in the document. The first little hint appears in the summary on page 1, where it is stated—

> "Queensland's view on the appropriate principles for national tax reform is as follows.
>
> ...
>
> (ii) Reform should produce a more broadly-based, simpler and fairer tax system."

That is a lofty principle and no doubt one that everyone would probably want to subscribe to. But there is an implication here which can be understood only if we read on into the document. Page 2 states—

> "Queensland welcomes the recognition given to the fundamental importance of reform of Commonwealth/State financial relations in the five broad principles for tax reform articulated by the Prime Minister on 13 August, which were:
>
> no overall increase in the tax burden;
>
> a reduction in personal income tax;
>
> consideration of a broad-based indirect tax, replacing some or all of the current indirect taxes."

Whilst it sounds a bit like motherhood, when we take all of those together what do we find? We find that if there is not going to be an increase in the overall tax burden and if we are going to see reductions in personal income tax, presumably we are going to see increases in other forms of taxation.

Mr Beattie: The question is: what areas?

Mr HAMILL: Mr Beattie asks a very good question: what areas? Reading page 1 with page 2, we believe that—and this is the position, I understand, of the Queensland Government and its coalition mates in Canberra—certain marginal tax rates for pay-as-you-earn taxpayers will be reduced but that we will see increases through more insidious means, that is, through indirect taxation, through the grandest indirect tax of all: the GST. The Queensland Treasurer tries to run away from those initials—GST. I am trying to be very fair to the Treasurer here because I would not want the Treasurer to suggest that I was misrepresenting her and the Queensland Government. Page 8 states—

> "Queensland does not consider that reform need involve the introduction of a GST-type tax, and Queensland will not impose such a tax on Queenslanders."

I have to ask the Treasurer: who is she really trying to kid? The document is full of suggestions about a broader, less distorted national indirect tax being desirable. Maybe I need to be fair here. The Treasurer did not demonstrate much constitutional law knowledge when it came to this whole debacle with respect to fuel; maybe the Treasurer has not really cottoned on yet that the Queensland Government, in fact, cannot levy a GST of its own. Maybe the Treasurer actually had those words included in good faith in saying that Queensland would not impose a GST, or maybe she was just being too clever by half. Maybe she was really saying to the Commonwealth, with a wink and a nod, "We want you to put on the GST. We will say that we oppose it but, really, go ahead and do it."

What would that mean in relation to this Bill? If we take the Treasurer's words in this Queensland position paper at face value, we would see a broadly based indirect tax replacing certain existing indirect taxes.

Mr Beattie: You have stung the Treasurer. She has left the Chamber.

Mr HAMILL: I think it is getting a bit too complicated for the Treasurer. She probably went out to have a sniff of the smelling salts because we are getting to the real nub of the issue. What sorts of taxes would a broadly based, new indirect tax replace? I suggest that the taxes that the new broadly based indirect tax, which the Treasurer is advocating, would replace would be those wholesale sales taxes and excises which the Commonwealth currently levies. Can honourable members guess what one of those big existing taxes is? You guessed it, fuel tax!

So the Treasurer is really speaking with a forked tongue here and saying, "We do not want to have a GST in Queensland; we are not going to introduce a GST in Queensland. We will introduce this legislation to try to prevent an increase in fuel prices arising out of a new Commonwealth excise. But, of course, in our grand plan for tax reform, we would like to see existing excises and existing sales taxes done away with and replaced with a new, beaut, wide-ranging, broad-based goods and services tax or value added tax." Honourable members can call it what they like. That will tax fuel at the bowser, it will tax food at the supermarket and it will certainly take more out of the pockets of ordinary Queenslanders on average earnings than would be put back into the pockets of those people through any adjustment downwards of the marginal pay-as-you-earn rates of income tax. Is that not the agenda? It is the same old agenda; it was Dr Hewson's agenda.

I remember only too well that the likes of the three Ministers who are sitting in the Chamber were willing disciples of the Fightback agenda of Dr Hewson in 1993. They were willing disciples.

Mr Santoro interjected.

Mr HAMILL: The ever voluble Minister for Training and Industrial Relations was one of the leading advocates for a goods and services tax. I reckon that he was out there on election day advocating the GST.

Mr Beattie interjected.

Mr HAMILL: The honourable member for Clayfield was a foremost advocate for a goods and services tax. Now, in a deceitful way, the Government wants to impose a goods and services tax through its mates in the Commonwealth. Can honourable members guess what that will do? It will do away with everything that this Bill is trying to achieve, because the Government wants a broadly based consumption tax and, of course, that will hit fuel. In that way, Queenslanders will be saddled, through the back door, with a Liberal and National Party fuel tax in Queensland. That is what this is all about.

So this legislation really is a bit of a sham; it is just a bit of cheap window-dressing to try

to take the heat off the Queensland Government, which has a secret tax agenda that it does not want to talk about. I am not the only person who is saying this. The Courier-Mail, from which I know the Government loves to quote from time to time when it says something nice about the Queensland Government, twigged to the Queensland Government's position very well indeed. I thought the Courier-Mail contained a great editorial today. I am going to share it with all honourable members, because I reckon that some of them probably do not read editorials and I think that they ought to have read this one. It says—

> "Unfortunately, the Queensland Government appears to be a reluctant participant, with few, if any, of its own policies to promote."

It is referring to tomorrow's leaders meeting. It goes on—

> "Rather than seizing the opportunity to put forward a plan to bolster the ability of this state to set its own tax and spending policies, it has approached the exercise in fear and trepidation. Essentially, it seems to be terrified that anything it says will be turned around and used against it on the local political front.
>
> Treasurer and Deputy Premier Joan Sheldon went into a state of denial a few weeks ago when proposals from South Australia canvassing various state taxes (which allegedly had the approval of all states)"—

including Queensland, I guess—

> "were made public. She promised Queensland's views would be made public in advance of the negotiations. Yesterday, she gave Parliament the Government's views on national tax reform. This is a 10-page document"—

this one here—

> "(including a one-page summary) which avoids saying anything of consequence, and which includes regulation motherhood statements to the effect that taxes should not rise, but be fairer and more broadly based."

Mr Santoro interjected.

Mr HAMILL: The Minister does not want to hear this and he does not want to be exposed as the Queensland Government gets dragged kicking and screaming to the conference table on the issue of taxation. I know that the Government does not want to hear this, but it is going to.

The editorial goes on—

> "Mrs Sheldon told Parliament that while there had been some 'destructive leaks' from other States"—

in other words, others were telling the truth—

> "Queensland had worked away quietly preparing a broad structure within which a discussion could take place. She stated that 'Queensland has believed, from the start, that it is not up to the States to necessarily put forward a platform for national tax reform.' "

Pardon me, I thought we were supposed to be advancing the cause of national tax reform. After all, that is what the Premier and the Treasurer have repeatedly told us. Obviously this is another Government backflip. Instead of taking a leading role, this Government is going along with the Commonwealth—"Whatever you say, Mr Costello and Mr Howard, is okay with the Queensland Government." The editorial goes on to say—

> "It is up to the States to ensure that such reform includes adequate taxing provisions for each State, provisions which will ensure that the individual needs of States like Queensland into the next millennium are met."

The editorial writer really took a rise out of the Treasurer because what he said was this—

> "The Treasurer does not seem to appreciate that the millennium is getting quite close and that it really is not good enough for Queensland merely to be looking at the 'broad structure in which ... a decision can take place.' "

Mr Beattie: It is not 1950, but don't tell Joan.

Mr HAMILL: I know they try to turn back the clock all the time, but in this case time is running out. If Queensland is not going to take a leading role in the national tax debate this Queensland Government will be letting down the people of this State. Why is it that Parliamentary Secretary Mr Harper could not have produced a document like this? Why is it that the Treasurer of this State, aided and abetted by her Parliamentary Secretary, could not have done some homework?

Mr Beattie: Their Liberal mates in Western Australia can do it.

Mr HAMILL: In the past they would not have been beyond just getting it on the fax, wiping out the name of the author and putting their own names to it. This document from the Western Australian Government has been made public. The Western Australian coalition

Government is prepared to put its money where its mouth is. The Western Australian coalition Government is prepared to say what it means. What the Western Australian Government has said is that it wants vertical fiscal imbalance redressed. It wants to see the removal of this regime where the States are left as mendicants, relying upon Commonwealth grants.

Mr Harper: Haven't we said that ourselves?

Mr HAMILL: Has the honourable member said that?

Mr Harper: Of course we have.

Mr HAMILL: I take the interjection from the member for Mount Ommaney. The Queensland Government wants to see the removal of vertical fiscal imbalance. I presume that that means removal of those Commonwealth grants and a better share of the taxation system?

Mr Harper: Do you support that concept?

Mr HAMILL: I do not want to be accused of misrepresenting the view of the Parliamentary Secretary. I recognise the guidance that is being offered by the member for Mount Ommaney by way of interjection. It is very helpful because when we go back to page 8 of the Queensland document—that page where there is the wink and nod about what the Queensland Government is on about—there is an interesting statement which links up very well indeed with the Western Australian document. It says that the States could gain access to a part of the income tax base vacated by the Commonwealth in exchange for the States giving up some of their existing taxes and grants. That sounds a lot like no grants except the minimum required to assist small States.

It also sounds a bit like the second point in the Western Australian document. That is the bit that refers to a State personal income tax at variable State rates levied on the Commonwealth base. Is that supported by the Queensland Government? The Queensland Government did say that the State could gain access to part of the income tax base vacated by the Commonwealth. Does that mean that we want to take part of that income tax base to Queensland?

Why does not the Queensland Government have the guts to say what it means in its own document? The third point in the Western Australian document is "Secure State access to a broad-based consumption tax". The Western Australian document says this—

> "Constitutional constraints currently prevent States from introducing a BBCT."

The Western Australian Government speaks with clarity and honesty. What does the Treasurer of Queensland say? The Queensland Treasurer says, "Queensland will not impose such a tax on Queenslanders." Why? Because she knows, and the Queensland Government knows, that they cannot do it under the Constitution! Again, this Government does not say what it means. What this Government says is what it wants people in the community to think it means. It is about time that the Queensland Government came clean on its tax agenda.

What does the Queensland Government want? It wants a goods and services tax. It wants the Commonwealth to levy it and for the State to derive direct benefit from it. That means a tax on food, a tax on fuel, a tax on service in the tourism and hospitality industry and so on. It is a broad-based consumption tax. That is what this Government wants, but it uses code to try to say that. The Government also wants a State income tax, but again it uses code in saying that. The Government hides behind principles. It will not come out and say what it means.

I believe that the people of Queensland are entitled to something better than the attitude of this Government. The people of Queensland were promised input, and they are denied it. The people of Queensland were promised candour from the Queensland Government, and they are denied it. Queensland goes to the negotiating table with a document full of platitudes and no clear and firm proposals. That is a tragedy because this debate is a debate which is fundamental for the States because the critical issue here is about the capacity of the States to access a revenue base commensurate with their responsibilities in delivering services. We do not have that now. We desperately need it.

Let me make the position of the Opposition abundantly clear. This is not a new position taken up by the Opposition; it is a position that we have articulated for months and months. We articulated this position in Government and in Opposition. The whole issue of vertical fiscal imbalance—that sort of highfalutin terminology that basically means that the States do not have the resources to meet their responsibilities—needs to be redressed.

We agree with the view of the Western Australian Government. We would do away with those direct grants to the States, but on the basis that we have a guaranteed access

to the Commonwealth's revenue base. The Commonwealth has access to the major growth taxes available in this nation, and a guaranteed proportion of that should flow back to the States. That guaranteed proportion needs to be modified through the Grants Commission process because we need to safeguard the position of those States and Territories that have basic difficulties in delivering the standard of services because of the distribution of their population, or because of the intrinsic nature of their economies or their societies.

Queensland has benefited from that process as being a relatively sparsely settled State since the Grants Commission came into being. We still derive a small benefit through that process, albeit a declining benefit because our population is growing. Over many years we have seen strong growth in this State compared with other States. Gradually Queensland's position in the Grants Commission formula is coming closer and closer to parity. But I would not want to see the situation arrived at where States like Tasmania and South Australia, or indeed the Northern Territory, were going to be disadvantaged through an inequitable arrangement whereby a set percentage of Commonwealth taxation revenue was given back to the States without any consideration of any particular needs that Australians have. We believe in a fixed share, with the Grants Commission formula.

We also believe in the removal of the disincentives to employment that exist in this State through the manner in which payroll tax is levied. This is an area in which the Opposition has engaged the Government in debate for months. It would appear that the National Party and the Liberal Party in Government believe that there is a better social outcome to be had by providing concessions to land speculators, many of whom are not even resident in this State, through the abolition of land tax rather than lowering the rates of payroll tax which are levied on those employers in this State who actually provide jobs for people.

We make no apology for the fact that our No. 1 priority is employment and employment generation. We believe very strongly that in this issue of tax reform payroll tax ought to be targeted as one of the imposts that ought to go and go quickly. We advocate that, and we urge the Queensland Government to do at least one backflip for which we would applaud it. I say to the Government: for goodness' sake, in the interests of Queensland, backflip on your ill-considered, ill-advised, iniquitous commitment to the abolition of land tax. In fact, even the Government's interstate colleagues believe that land tax is an equitable impost. The Western Australian Government certainly believes that. The South Australian Government certainly believes that. The Commonwealth certainly believes that. But for reasons best known——

Mr Connor: If you win the next election, are you going to fully reinstate the same levels of land tax as you had?

Mr HAMILL: No, but I am delighted that the former Minister has sought to ask me a question. In fact, it is nice to get in a bit of practice. I was starting to get a bit stale, not having questions asked of me. It is good to revisit those skills. They will come in handy in a few months' time.

To answer the former Minister: no, we will not reinstate the thresholds that existed in relation to land tax when we left Government. Is that clear enough? In other words, those provisions that were enacted by this Parliament this year arising out of the Budget will stay. We will not turn back the clock, even though I know that the coalition loves to try to turn back the clock.

So that the Minister has no doubt whatsoever, let me say that the other thing that we will not do when we come to Government is impose a freeze on capital works.

Mr Beattie: There's another one.

Mr HAMILL: That is an important one. The former Minister who interjected was one of the main culprits. He was the Public Works Minister who sat on his hands and saw small business in this State go to the wall because the Queensland Government turned off the capital works tap. That capital works freeze brought Queensland to a halt. We will not turn back the clock on land tax. We will not repeat the disastrous economic policies that the coalition has pursued in relation to capital works. I thank the member for that interjection. May there be many more of similar ilk.

With respect to payroll tax, I believe that this Government made a fundamental error in its Budget by providing tax concessions to a handful of developer mates on the coast when it could have provided a real employment incentive to the State's major employers—the people who actually have a significant payroll. That was a chance which, two years in a row, the Government failed to seize. Let us hope that in this important debate on tax reform the Government does not just follow along in the

wake of the Commonwealth but that it actually takes a leading role, seizes the opportunities for Queensland and takes a leaf out of the policy proposals which we in the Labor Opposition are advocating, that is, that Queensland should not sacrifice its low-tax status. That is important for Queensland. But Queensland should be sitting at the table, advocating and articulating clear proposals for tax reform in this State and in the Commonwealth, not just following in the wake because it is too scared to put forward an opinion.

Mr Beattie: No leadership.

Mr HAMILL: There is no leadership. That in itself is the problem. And as there is no leadership, there can be no real confidence in this Government. Queensland ought to be doing much better than it is, instead of bobbing around with some of the highest unemployment rates in the nation. We should have gone back to the growth rates that were a feature of Queensland during the early nineties. The Minister for Training ought to take particular note of this.

Mr Santoro: Get out of it! I don't have to pay attention to anything that you say.

Mr HAMILL: It is worth while having those remarks of the Minister recorded. He takes no notice. He does not listen. Here is the problem: he does not want to recognise that during the six years of Labor Government in this State economic growth averaged 5% per annum. That occurred right throughout one of the most severe recessions that this nation had endured in 30 years. Queensland maintained growth rates averaging 5% per annum. Throughout much of that period, unemployment in Queensland was below the national unemployment rates. But what is happening? The Queensland economy falters, the numbers of full-time jobs have declined, and our unemployment rate is one of the highest in the nation.

If Queenslanders and Queensland business could have confidence in this Government, and if Queensland business believed that the Queensland Government had a direction and a vision for the future, then maybe we would be doing a lot better than we are. That really is the issue. Queensland should be doing a lot better than it is. We have the fundamentals to make a better performance than we are currently putting in.

When one looks at all the factors in the equation, one comes back to one very important and very critical one, and that is a want of confidence, because Queenslanders, Queensland industry and Queensland people are not being provided with strong and purposeful leadership from this coalition Government. We were not provided with that leadership in relation to this whole tax debacle, which has led to this legislation being introduced today, and we are certainly not being provided with that leadership in what is the most fundamental debate which is facing the nation at present, that is, the issue of tax reform. When it comes to the crunch, the Queensland Government is not prepared to stand up and be counted. It is not prepared to articulate unequivocally and clearly what its position is in relation to tax. It just wants to hide behind platitudes and rhetoric, because it does not want to have the courage of its convictions in the public arena. That is a tragedy. It is an indictment on this Government, and it is an indictment on the leadership which this Government fails to show.

Time expired.

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (5.18 p.m.): I rise to offer bipartisan support for the Bill. I have often said that we are willing to offer our bipartisan support where there appears to be a clear benefit for Queensland, and we have done so on many occasions with this Government. This is just another example of our positive approach to Queensland and our positive approach to good government. This Bill appears to offer a workable, if somewhat cumbersome, mechanism to ensure that petrol prices in Queensland are not subject to extra tax. It supports the outcome that Labor has been seeking since before the High Court made its decision on State taxing powers on 5 August.

Mr Santoro interjected.

Mr BEATTIE: I take that interjection that the Minister applauds Queensland's growth rate of 5% under Labor.

Mr Santoro: That wasn't the interjection.

Mr BEATTIE: We have a very proud record when it comes to growth in this State. It is true that, during the years of the Goss Government, growth was over 5% on average, which this Government has never achieved. I thank the Minister for his interjection.

Mr Santoro: Why did they stop supporting you? Why did they throw you out?

Mr BEATTIE: I take his interjection in relation to the seven new or increased taxes that his Government introduced, which slowed down the economy. Having promised that

there would not be any new taxes—do honourable members remember the commitment—the Treasurer said there would be no new or increased taxes. What did we have? Seven new or increased taxes! The member has a hide to talk about taxes. His Government is the highest taxing Government that this State has had probably since Federation.

This legislation supports the outcome that Labor has been seeking since the High Court made its decision on State taxing powers on 5 August. Our position has always been that we would support legislation that would ensure that there is no State petrol tax for Queensland. I made our position very clear publicly.

Mr Hamill: Legislation that provides a solution.

Mr BEATTIE: Indeed.

Our support for this legislation confirms my frequently stated and very clear opposition to a State petrol tax. Some weeks ago, Treasurer Sheldon proposed to introduce legislation to explicitly ban cross-border trade. Any such legislation would have been unconstitutional. As my shadow Treasurer pointed out at the time, Labor will support a legislative solution, but not a legislative sham, and nor should we be expected to support such a sham. I have been warning the State about what was a very real threat of higher fuel prices. I pointed out that the Government should have had a plan to deal with the High Court decision in place and ready to be introduced well before the verdict was brought down.

When it was clear that this do-nothing Government had failed, I warned that there was a clear danger of higher prices. Indeed, if it had not been for the energetic, decisive points made by the Opposition, this Government would never have been pressured into doing something about keeping petrol prices down. It is only through the direct action of this Opposition that we were able to pursue this Government and get it to finally take some action. This Government went off to Canberra, sold out the State and did a deal on the basis of being reimbursed by volume, not on a per capita basis. They sold out the State. "Backflip Basil" Borbidge and "Sybil" Sheldon, the Premier and Treasurer of this State, and the rest of this Fawlty Towers Government have tried to make out that that actually meant that I support a State fuel tax. "Backflip Basil" Borbidge and "Sybil" Sheldon—let us hear them roar! One would have to have the mind of Manuel to make that deduction.

Let me make my position on petrol tax crystal clear. I do not support a petrol tax and I never have. I have said years ago that I would be the last person to advocate a petrol tax. I am on record in Hansard as saying that.

Dr WATSON: This is the first time that I have ever seen a Leader of the Opposition make an important speech with not one member present to support him.

Mr BEATTIE: Mr Deputy Speaker, is that a point of order?

Mr DEPUTY SPEAKER (Mr Laming): Order! The Minister will resume his seat.

Mr BEATTIE: I say to the Honourable Minister: that is fine.

Miss SIMPSON: I rise to a point or order. Mr Deputy Speaker, I draw your attention to the state of the House.

Quorum formed.

Mr BEATTIE: What an extraordinary set of circumstances. Let us put on the record that a Government member called a quorum. This Government has the responsibility to maintain the numbers in the House. Government members do not even have enough interest to turn up in the Parliament. A Government member called a quorum. What a joke! Even the Government back bench knows that this Government is not serious. What an extraordinary state of affairs. Let the record show that the Government is not serious. Who came into the Chamber? Who did the Government member have to call back into the Chamber? The Treasurer! The Minister who is in charge of this legislation was not even in the Chamber. I say to the Government member: thank you very much. That is a matter that we will draw to the attention of the people of this State.

I said years ago that I would be the last person to advocate a petrol tax. I am on record in Hansard as saying that. I confirm today that Queensland Labor is totally opposed to the introduction of a State petrol tax and will not support the removal of the subsidies that this legislation is putting in place. The arrangements contained in this Bill cannot be a long-term solution. This problem will be resolved properly only if the uniform rate of fuel excise is equal to or less than the level applying in Queensland prior to the High Court decision. It emphasises the clear need for fundamental tax reform.

There is a growing imbalance between State and Federal taxing powers that needs

urgent attention. Fuel tax is an inefficient mechanism for general revenue collection. I will say it again: fuel tax is an inefficient mechanism for general revenue collection. It discriminates against particular industry sectors. Some are protected—mining and agriculture—but transport in particular is unfairly exposed. It is difficult to justify the externalities—environmental costs of usage—argument about road transport fuel consumption. If goods need to be trucked, then fuel must be used, so why impose a cost penalty?

Yesterday my longstanding prediction that the National and Liberal Parties would conduct a deceitful and dishonest campaign received further confirmation. A false flier has been put out by Ken Crooke and Greg Goebel and is full of lies and misrepresentations of our position in relation to this Bill. I will deal with lie No. 1, because it is important. It relates to this Bill. This is the sort of deceitful and dishonest campaign that we will get. Lie No. 1: "Mr Beattie supports petrol taxes"—wrong, as I have just confirmed and they all well know! Lie No. 2: "Mr Beattie wants even more taxes"—wrong again! We are not the ones running a secret agenda to bring in a GST; the Government is. Lie No. 3: "He is knocking the deal that the coalition has negotiated"—wrong again! We support this legislation. By supporting this legislation today we made absolutely clear what our position is in relation to petrol taxes. I am standing here supporting the legislation, but that will not stop them continuing with the Liberal lies.

Lie No. 4: "Coalition delivers low petrol prices"—wrong again! Petrol prices were low before the coalition came into power. All the coalition has done is run panic stricken around the country, stopping at the very last minute an 8c per litre increase because we put pressure on them to do so. Without our pressure, they would never have done it. We helped save Queensland motorists from that 8c a litre increase. Liberal lie No. 5: "Borbidge and Sheldon have saved you 8c a litre." How? Petrol prices should be the same as they were before. Let us talk to motorists to see about that. Lies, lies and more lies!

The National/Liberal coalition in this State is being managed in a style reminiscent of Germany in the 1930s. That is highlighted in this brochure. In those days, the Germans had a crook for a leader and a propaganda Minister named Goebbels. It seems that that is all back. That is the biggest pack of lies that I have seen in a political flier. I place on the record and warn all Queenslanders today that these are the sorts of lies that we will get in the election campaign. For the National and Liberal Parties to talk about truth in advertising—what a joke! They talk about truth in advertising, and there are their lies misrepresenting our view in relation to petrol taxes and this Bill. If members opposite think Queenslanders want Liberal and National Party lies, they will respond accordingly. When I saw this flier last night and had some time to have a look at it, I was convinced once and for all that the members opposite are not fit for office. They will be removed. I look forward to that.

This corrupt National Party and the Liberal lap dogs will lie, cheat and deceive to hang on to power. How could the Nationals and Liberals get so much so wrong? The only thing Labor can remotely agree with in this dishonest distortion of the truth is the statement at the bottom which says, "Keep Queensland a low-tax State." Queenslanders can trust Labor to do that, but can they trust Basil and Sybil to accommodate their interests? This Fawlty Towers Government has mishandled most things that they have dealt with. That is why this issue of taxation that the shadow Treasurer has talked about is relevant.

Let us consider the mismanagement, backflips and broken promises: oil and tyre taxes; the super stadium, the ParkPass, security of payments for subcontractors; capital works; an underlying deficit in the State Budget for the first time in living memory; and, worst of all, the near disaster of an 8c a litre increase in the price of fuel across the State. We were within a whisker of a new $550m annual tax on the Queensland economy and Queensland families. This National/Liberal coalition wanted to have a State petrol tax by stealth. If it was not for our Opposition, that is what would have happened.

When the High Court made its decision about State taxing powers, this Government was quick to provide assurances that prices would not rise, but slow to provide detail on how those assurances could be met. The Government took a full month to place the advertisements telling Queenslanders what was going on. The Victorian Government had placed its ad three weeks earlier. The Premier and the Treasurer told us that discussions had already taken place with Canberra bureaucrats, but nobody thought to talk to the liquor, tobacco and petrol industries that would be affected. The Government only started talking to the liquor industry a full week after the High Court decision and only after the major brewers had gone public warning about

increased beer prices. Tobacco prices ended up 20c a packet higher—another Borbidge backflip.

From the day of the High Court decision, this Government was giving assurances that petrol prices would not go up. The full-page advertisement, which was printed on 1 September, said that there would be no need for price increases in petroleum products and that the Government fully supported the arrangements put in place. When pressed on that point in Parliament, the Treasurer pathetically tried to squirm and claim that she did not write the ad. Maybe the Treasurer did not write it, but it had the Government's logo on the bottom and it paid for the publication. Why would the Treasurer do that if she did not fully support the context of the ad?

Then in September the petrol companies tapped the Treasurer on the shoulder and said that they were unhappy with cross-border trade and would reject the subsidy and just charge the extra 8c a litre. On 8 October, Treasurer Sheldon promised that petrol prices would not rise. Then on 12 October she backed off a bit saying, "I believe there will not be a petrol price increase." The following morning Premier Borbidge said that he was only cautiously optimistic that a price hike could be averted, with chances not much better than 5 out of 10. Later that day, 13 October, Basil and Sybil got their photos taken in Canberra triumphant with the news that they had negotiated arrangements that would provide protection against price rises by getting petrol retailers to collect the tax. Yet two days later, Queenslanders woke to find the petrol retailers were suggesting that petrol prices could increase by up to 4c a litre. The Government has the gall to accuse the Opposition of creating uncertainty. It did it all by itself. Talk about a reign of error! That is all this Government is capable of.

Finally, the Treasurer arrived at the arrangements in the legislation that is before us today by backflipping completely on the requirement that retailers collect the tax that she announced with the Prime Minister only two days earlier. That is now a bad backflip! They will now pay for their fuel net of the extra tax and the distributors will administer the arrangements. Once again, the Government had failed to talk with the industry about what it was planning. Because of that, service station owners suddenly found themselves facing interest holding costs of thousands of dollars a year. It took two days to sort it out—two days because the negotiations had collapsed at the end of the day one and the Government had to start again. The Opposition put the pressure on the Government to start again. That is why on 15 October I issued a statement calling for both parties to finally settle the issue.

What an absolute debacle! It was a last-minute rescue in a very literal sense. It required four interstate trips over two weeks because Prime Minister Howard was initially reluctant to help out Queensland. At the time, the Prime Minister and this Government were hardly the best of friends. The Prime Minister basically regards this Government as a joke. I suggest to the House that it was only the fact that the South Australian election results were so disastrous for the Liberals that the Federal Government was galvanised into cutting its losses. The Premier can take no credit for that event, although undoubtedly Treasurer Sheldon played a part by putting her Liberal colleague John Olsen right in it, dumping the responsibility for tax reform in his lap, for which I thank her again today.

While all of that was going on, it dawned upon this Government that the compensation deal that it had negotiated with Canberra discriminated against Queensland. As a State that consumes 22.5% of the nation's petrol, the Government agreed to receive back from the Commonwealth only 19.6% of the extra fuel excise paid around the nation. That is how bright the Government is. Talk about a reign of error! Suddenly a 73% black hole in the State Budget loomed because this Government did not have the wit or knowledge of the State to understand that Queensland tends to consume more petrol than other parts of the nation because of its decentralisation. New South Wales and Western Australia stood to pick up most of that $73m. However, the Treasurer does not understand that subsidising another State is not in our interests.

I have to ask: why did the Government agree to Western Australia getting 17% of the refunded excise? That State receives only 9% of financial assistance grants and it consumes only 15% of the nation's petrol. Why did the Government let Western Australia get away with that? Is this Government absolutely certain that it will get back all of the shortfall?

The second-reading speech tries to resurrect the Treasurer's mythical inherited underlying deficit. If the Treasurer wishes to persist with that bodgie means of analysis, perhaps we should apply it to her own Budgets. She concocted a deficit by adding up one-off sources of funding and came up with $185m. Using exactly the same criteria,

her last Budget included one-off funding of $850m extracted from the electricity industry and a further $100m from other sources. By the way, I understand that the Government is going back to the electricity industry to try to get more money to pork-barrel for the election. So by the Treasurer's own criteria, the State Budget has an underlying deficit of over $900m. That is her analysis.

The truth is that, by any recognised measure, Labor Budgets were in surplus. By those same measures, the Treasurer has turned back the GFS Budget position by $1.4 billion. For the first time in living memory, Queensland has an underlying deficit of $99m. If the whispers coming out of the Government are any indication, the Treasurer will end up leaving office with a billion dollar deficit in her wake.

The Treasurer is simply an appalling indictment of all that the Liberal Party stands for. What an embarrassment she was to the coalition when asked to comment on Keith De Lacy's retirement. Premier Borbidge had the grace to speak of Keith's service to the State. But no, not the Treasurer. She cannot shake a grudge. What did she say? "We look forward to winning his seat at the next election." The Treasurer is like the office worker who skips another worker's farewell party to lay claim to the vacant office.

This Government mishandles everything that comes before it. Just as in Fawlty Towers, "Basil" Borbidge and the "Sybil" Sheldon, our Premier and Treasurer, are running around madly trying to hide the rat from the health inspector. However, like the health inspector, Queensland smells a rat and it goes by the name of Basil.

The Opposition supports the legislation before the House because it believes that it is a serious attempt to resolve this petrol price problem. The Opposition is determined to keep a very careful eye on this Government. It will make certain that it does not backflip any further. What is important is this: when the Premier and the Treasurer go to the leaders meeting tomorrow in Canberra, and eventually to COAG, they actually have the moral fortitude to argue a case that will see this State's position enhanced, not reduced. Our difficulty is that the Premier and Treasurer are regarded with such disdain and with such humour in Canberra that they have no clout to deliver any package that would look after the taxation interests of this State.

We are currently facing a crisis in terms of State taxation in the sense that the High Court has removed certain taxing powers. The Opposition is opposed to any increases in taxation. It believes that the Commonwealth should give some taxing powers to the State, but that does not mean any increases in taxation. However, this State is led by two people who are incapable of arguing a sensible case to see that the State is looked after. When these taxation talks take place, we are represented by people who have no clout.

The honourable Mr Harper said that the Government was going to Canberra with an open mind. Unfortunately, the two minds that go there are not only open, they are blank.

An Opposition member: They are empty.

Mr BEATTIE: They are empty. We will not be represented. This is a sad indictment on this Government. Frankly, the sooner they go the better.

Time expired.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (5.38 p.m.): This Bill highlights the Government's approach to its responsibilities but, more importantly, the method of governing this State. Instead of trying to pre-empt a problem, it dithers and waits until it is too late and then it has to act. This issue shows that this is a reactive Government rather than a pro-active Government. The coalition has not been pro-active since the day it fell into the Government benches. It is a Government that is pushed around by events rather than one that actually tries to shape them. It is a Government that is moulded by events without showing any leadership at all.

We have a Premier who is far too weak to take charge and too distracted by his fixation on the CJC and on the High Court. We have a Treasurer who is too arrogant or too stupid to know what to do. This is just a classic example of that stupidity. As we know, the Treasurer has a penchant for playing practical jokes in the House. We all remember her attempt at humour over that tax gaffe.

Mr Hamill: Just taking a little rise out of the Opposition.

Mr ELDER: Yes. We will be examining this legislation to make sure that the Treasurer did not sneak any jokes onto the people of Queensland, because the biggest joke of this issue has been the way she has treated the people of Queensland. Honourable members will recall that the Treasurer first rose to prominence with her outrage about blond jokes. Unfortunately, business leaders in Queensland can now see the irony when they look at the link between blond jokes, the

Treasurer and the comments that she has made. Business leaders are not laughing now, because the ultimate blond joke has been forced upon them.

Let us look at the lead-up to this legislation. The case before the High Court had been around for months. Everyone knew that it was coming up and everyone knew what its impact would be. In cases like this, there is just as good a chance of winning as there is of losing. What was the Borbidge Government's reaction to the High Court's negative ruling? It was just like a rabbit caught in the spotlight. It did nothing. That reaction was typical. It did not have a clue what to do and it did not know where to go. I recall some of the classic comments made by the Treasurer at the time. "We had a contingency plan", she said.

Mr Schwarten: She was going to legislate at one stage.

Mr ELDER: Exactly.

Mr Beattie: There was a helicopter to fly out of the State.

Mr ELDER: That was about the only contingency plan and I wish she had taken it. We would all be better off.

The Treasurer said, "We expected this. We were ready for it. We had a fall-back position. We had a contingency plan." The contingency plan was nothing but blind panic. The Government did not know what to do or where to go. The Premier and Treasurer had to go to Canberra on about three different occasions just to try to resolve the situation and get themselves out of what was clearly an unexpected outcome.

Mr Hamill: But every new plan dug them into another problem.

Mr ELDER: It seemed to me, and I think to all Queenslanders, that that was exactly the case. It shows the Government's lack of ability in negotiating through difficult issues. The Government lacked the intellectual rigour to get itself out of the situation. It should have had a contingency in place so that it could deal with the issue from the day that the High Court decision was delivered.

What has the Government done to Queensland? As with a number of this Government's decisions, this one has made Queensland a laughing-stock within the business community. They sit around wondering whether, at the end of the day, any sense will come out of the Government. To date, there is no central policy function within the Government and its reaction to the High Court case shows that the State is suffering as a result. However, that is not demonstrated only by this High Court case. Myriad major issues have come before the Government and its lack of a central policy function has been seen by all. It has resulted in the failure of the Government to deliver on a whole range of policy areas. As I said earlier, the Government had no contingencies in place for what was a lost situation.

Honourable members will recall what happened in the liquor industry. The Government did not talk to the liquor industry until one week after the decision came down. Businesses and the major brewers were so frustrated that they actually went public on the frustration that they felt to point out just how incompetent the Government had been in handling that situation.

Mr Schwarten interjected.

Mr ELDER: I think they were considering legislation at the time. Their first reaction was, "We will just have to legislate. It doesn't matter whether it is unconstitutional; we will get it through."

Mr Connor: You obviously have a lot more support than your leader.

Mr ELDER: I can tell the honourable member one thing: they would not be stupid enough to call a quorum on their own legislation. I bet that the member for Maroochydore makes the Courier-Mail tomorrow. She would have to be the first member of this Parliament I have heard of who has actually called a quorum on her own Treasurer's legislation. Whom did she have to pull into the Parliament? She had to pull in the Treasurer! She will go down in history.

Miss Simpson interjected.

Mr ELDER: I know that the member for Maroochydore has a high opinion of herself, although no-one else does. I say to her: keep up the interjections, because I enjoy them. I ask the honourable member to please take more points of order if she wishes, but she should ensure that when she calls a quorum again it is not on Government legislation. That was a classic!

And fancy the member for Nerang interjecting! He must enjoy the back bench. It has been a hard ride and a hard fall from the front bench. Actually, when one thinks about it, the Government might have been better off with the member for Nerang. He might have seen through this.

Mr Schwarten: No!

Mr ELDER: No, I give up. That was just a failing moment of charity and I should not have let myself be overcome by it.

Businesses were so frustrated about the Government's decision in relation to the liquor industry that they had to publicly chastise the Government for its handling of the issue. The tobacco industry did not even get an opportunity to do that, because it was abandoned completely. At the time the Treasurer said that there would be no increases in prices or taxes in relation to tobacco. However, there were increases and they were increases across-the-board, which everyone is paying for.

The oil companies have, at the end of the day, probably felt utter frustration at the way that the Government has handled this issue. They have been shattered by the Government's lack of preparedness and its inability to deal with the issue. As has been articulated by the shadow Treasurer and the Leader of the Opposition, I cannot come to grips with the question of why the Government would strike a deal on a per capita basis, when Queensland uses, per person, 300 litres of fuel more than any other State. Can the Minister tell me the reason for that?

Mr Hamill: They're dumb.

Mr ELDER: I thought that the answer would be more complex, but I will accept that as being the reason.

Mr Palaszczuk: The Minister is nodding his head. He agrees.

Mr ELDER: He always nods his head. Normally when ones tie slips, one nods.

Mr Schwarten: That's because he's got nothing in it. It's like a rattle on his shoulders.

Mr ELDER: In the Minister's case, the tie always slips and his head rattles. Imagine doing a deal based on a per capita measure, knowing that Queensland sold and used more fuel and would be disadvantaged by that.

Mr Hamill: You know what Jeff Kennett says? "Here comes Joan. You beauty!"

Mr ELDER: It is not only Jeff Kennett, but also Premier Court in Western Australia. Premier Carr in New South Wales would be laughing all the way to the bank, because New South Wales squares off with about $52m from this. An adjustment might be made at COAG when the time comes, but in the interim they are laughing all the way to the bank. They are laughing at our expense and at the inability of the Premier and the Treasurer to get Queensland's fair share. Instead, it is passed straight across to Western Australia, New South Wales and Victoria.

The only consultation that occurred after the decision was with the fuel companies. Honourable members will recall that it involved only the oil company and distributor levels; the constitutional argument was used for not including the retailers. Then out of the blue the Premier and Treasurer go to Canberra and come up with a special deal. Suddenly, the retailers are in the spotlight. That was the first time that the retailers actually knew about this.

What did the retailers do? When the Premier and the Treasurer called a meeting to find a satisfactory solution to the problem because they had already gone public and said that it would be collected at the retailer level, the retailers told them, "Go jump in the lake." I think that that is the kindest way that I could put it. Not one retailer was supportive of the proposal to buy fuel at a high price and sell it at a low price and then wait for the Treasurer to reimburse them. None of them would cop that.

Mr Hamill: Imagine waiting for Joan's cheque in the mail.

Mr ELDER: She said that it would be a day in the mail, but as we know from our own experience in the Opposition office, cheques are at least a month, if not more, in the mail before one gets reimbursement.

An Opposition member interjected.

Mr ELDER: She should have been in Canberra, but she must be awfully disappointed at having to listen to this, because we have stopped her from swanning down south. Maybe that is a good thing, because if she was down there doing the deal again, we would probably get burnt twice.

The simple fact of the matter was that there was no way in the world that the retailers were going to accept that proposal. That is why we said at the time that the talks had collapsed. They had certainly collapsed in this one respect: the retailers had said to the Treasurer, "We aren't going to cop it. Find someone else or we are not talking." That is why the talks went for over a day and a half. We said that the talks had collapsed. Too right they had collapsed; they had collapsed with the retailers. They might have been going on, but the retailers were not listening. They were not going to have a bar of it if their administrative costs were not going to be covered. They were not going to cop the impact on their businesses.

Mr Hamill: What was the Minister for Small Business doing during all of this?

Mr ELDER: If the truth be known, he was probably out looking for rhinos. The Minister can tell me when he finds one.

This has now gone back to the distributor level. Surprise, surprise—in regional Queensland, the major distributors are retailers. If over the next few months the Treasurer and Treasury are delayed in getting these refund cheques back to the distributors, I will be interested to see how long they will hold their prices at the pump. Out there they are run as a single business; they are both distributor and retailer. This will hurt them. It will be interesting to see how long the distributors will wait. If they are not refunded on time they will put up prices in the regional areas.

Mr McGrady interjected.

Mr ELDER: I take the interjection in relation to prices in Mount Isa. Interestingly, today the Treasurer told us that prices were stable. They are not stable in Mount Isa, Townsville or Rockhampton. In fact, they are not stable in my electorate, which is in south-east Queensland. We have people checking the prices at the pumps. There has been a creep in prices of a couple of cents generally——

Mr McGrady: Three cents.

Mr ELDER: I will accept that there has been a 3c price creep. I thought that it was a 2c price creep, but I will accept that there has been a 3c creep right across this State. Government members know that for a fact. At the end of the day, there has been a petrol tax by stealth. The Premier and Treasurer said, "If that's the case, we'll do something about it." But that is what they always say and promise. They have broken so many promises; they are unable to keep them. These price rises are happening now. Prices are up in regional Queensland. Instead of making threats, they should do something about it.

Another thing annoyed me about this. When all of this was going on and when a contingency plan was supposed to be in place, where was the Treasurer? She went on an extended holiday. She took a couple of weeks' leave. I suspect Bob Carroll told her that she was about as popular as poison in the opinion polls and that she needed a long holiday and a make over so that she could come back and make herself a little more presentable. I say to all of the Liberal backbenchers sitting opposite that the Treasurer, Mrs Sheldon, will not save them. At the end of the day, no amount of make overs will save her standing in the opinion polls. The reason is simply this: if you look like a dud, move like a dud and sound like a dud, you are usually a dud. That is the situation with the Treasurer. As I said, no amount of long holidays and make overs will save her. Certainly, that is the view of Queensland business.

Do members know what people say about the Treasurer—that is, those who offered an opinion that can get by her arrogant and rude attitude? They just cannot wait to get rid of her. Most business people cannot wait to see the back of her. This is a sad reaction, because there was a fair degree of support when she first hit the deck. The trouble was that the Treasurer hit the deck and that was all she did. From those in the business community who know the Treasurer, that is a sad reaction. Unfortunately, the oil companies are of the same opinion. There is no confidence in either the Treasurer's or the Premier's ability. Right from day 1 they have mismanaged this situation and been incapable of handling it. What is their way through it? Their way through it is simply to look at another tax option. That tax option is simply a GST. A GST sounds like a GST, looks like a GST and, when the Treasurer talks about a broad-based tax, it is in fact a GST.

Mr Hamill: And that will be on fuel as well.

Mr ELDER: That will be on fuel. We will get the fuel tax increase, but we will get it through another mechanism. That is what the State will be advocating at that meeting. It will be interesting to see what is in the formal paper put before this tax summit. Western Australia has had the courage to come out and put its position. South Australia has had the courage to come out and put forward a formal position. I am told that Victoria has done the same thing. One of the only States that has not put forward a formal position in relation to its views on taxation for the community to see is Queensland. We know from the fact that this Government has tried to run and hide that we can expect that in that document will be a broad-based consumption tax, a wealth tax and carbon taxes. All of the issues that are being canvassed by other States are likely to have been canvassed by this Government.

At the end of the day, this Government's approach to this issue has been shabby and appalling. It has done nothing to improve the confidence level of motorists. The Government is not just being dishonest with respect to petrol taxes. The motorists have been slugged with respect to oil and registration, and in

particular CTP. We can all recall the slug last year after we were told that there would be no increases in taxes and charges. Why should we believe what the Government is telling us about the fuel tax? We were stuck with a $66 rise in registration fees. Since that time, the Government has introduced speed cameras. The speed cameras were supposedly introduced as a road safety measure. We have seen where those cameras are being used. The cab drivers of Brisbane are only too well aware of where they are. They are being seen as simply a revenue-raising measure. The motorists have copped it in the ear again.

The Government was dishonest with motorists in relation to its tax promises in the previous Budget when it said that motorists would not cop a slug in that case. They did—$66 straight in the ear. The Government was dishonest when it said, "We will introduce speed cameras as a road safety measure." Based on the figures to date, that has been purely a revenue-raising measure. The Government was dishonest with people in relation to this issue. The Government was caught, hung, drawn and quartered, and it tried to back out of it. It is still trying to back out of it by circulating the dishonest paraphernalia that we have seen from it over the past 24 hours. That will not work. I have been through all of the regions. They know exactly who is responsible for this. In Cairns, they know it is the member for Barron River and the member for Mulgrave. In Townsville, they know it is the member for Mundingburra.

Mr Tanti: You're a lunatic.

Mr ELDER: Ah, Manuel! It is good to see Basil, Sybil and Manuel, the member for Mundingburra. I knew there was a Manuel somewhere opposite; it had to be the member for Mundingburra.

An Opposition member: Oh, Mr Fawlty!

Mr ELDER: Oh, Mr Fawlty! I thank the member for Mundingburra for putting up his hand. He is as good as the member for Maroochydore. He should do that more often. At the end of the day, the Government abrogated its responsibilities and failed the people of Queensland on this issue.

Debate, on motion of Mr Elder, adjourned.

QUEENSLAND PARLIAMENTARY SERVICE

Annual Report

Mr SPEAKER: Order! Honourable members, I lay upon the table of the House the annual report of the Queensland Parliamentary Service for 1996-1997.

UNMET NEEDS

Ms BLIGH (South Brisbane) (5.57 p.m.): I move—

> "That this Parliament recognises that the unmet needs of Queenslanders with a disability, their families and carers are at critical and unacceptable levels, and expresses concern that—
>
> - the Borbidge-Sheldon Government has failed, for two consecutive budgets, to meet its 1995 election promise to increase spending on disability by $34m per year for three years;
> - the allocation of $500,000 for unmet needs in this financial year falls so far short of requirements that there will be no funding round in 1997-98 for the first time since funding rounds were instituted under the Commonwealth/State Disability Agreement; and
> - Government Ministers, including the Minister for Families, Youth and Community Care, have spent more than three times this amount, $1.7m, on renovating and upgrading their own ministerial offices; and
>
> calls on the Government to make an immediate allocation of $5m in crisis funds from the Treasurer's Advance to meet the critical need for accommodation support, respite care and other needs of Queenslanders with a disability throughout the State."

I move this motion in an effort to secure urgent funds for a growing crisis in our community—funds to meet the critical levels of unmet needs for the thousands of Queenslanders with a disability, their families and carers, who are currently left in the cold. Let me start by addressing the specific components of the motion before the House. I turn firstly to the election promises of the coalition Government.

The motion condemns the coalition for wilfully breaking an election promise. What was that promise? I quote—

> "The coalition will provide an additional $34m per year over three years to assist Queenslanders with disabilities. More than $20m of these funds will go to intellectual disabilities each year. There will be a special allocation for centres

providing training and activities for school leavers with disabilities."

How does the record stack up against that admirable promise? In the 1995-96 financial year, less than $1m was allocated in funds for unmet needs. In the current financial year, $4.5m has been allocated for meeting the needs of disabled school leavers in the Moving Ahead Program, and $500,000 has been allocated for unmet needs.

The Government's election promise was nothing more than cynical electioneering, and it had no intention of keeping that promise. It was not a vague or imprecise promise; it did not make loose statements such as, "We will try to increase funding over a period of time", it guaranteed a specific amount. It guaranteed $34m per year. We could argue about Budget allocations all night, but the Minister will never convince me or the disability sector of some of the claims that his previous two Budgets have been anything other than tricks with mirrors. Even on the Minister's and the Government's own claims about their two previous Budgets, they are $90m short of the promise they made to Queenslanders with a disability. In the document that the Minister circulated today, he confirmed that over the next three years the Government anticipates spending $36m. That is $36m over three years, not $34m in each year. That is not even one third of the promise that the Government made.

If the Parliament tonight endorses the motion that I have moved, the Minister will still be millions and millions of dollars short. He will have to find in excess of $85m in the next year's Budget to catch up to the promise he made to the people in 1995. The public, the families and those with a disability have a right to expect Governments to make every genuine attempt to meet their election promises. If this Minister was $4m or $5m short I would not be standing here condemning him, but he is $90m short. In this case he has not even made a token effort. I understand that he has recently established an interdepartmental working group comprising representatives of his own department and Treasury with community groups. Finally, after two years in his Ministry, the Minister has worked out that he actually has to do some work to achieve a Budget allocation. I wish him luck, but it is too little too late.

Let me turn to the question of the abolished funding round in this financial year. The Minister made a pathetic allocation of $500,000 this year for growth funds for the many families waiting for services. This allocation was an insult to those people whose hopes were cruelly raised by the false promises of an opportunistic coalition. What does this actually mean in dollar terms? The money was allocated to regions on a proportional basis. The Minister confirmed in the Estimates committee that the money would be allocated as follows: first, the Brisbane north region would be allocated $137,000 for the year; Brisbane south, $147,000 for the year; south-west Queensland, $83,000; central Queensland, $70,000; and north Queensland, $60,000. So in central Queensland, where families have been told that they are on a 40-year waiting list for services, the Minister has allocated $70,000 to alleviate that for the 33 families assessed as critical. In north Queensland, stretching from Townsville to the Torres Strait, he has allocated $60,000 for families in critical need while he spends $200,000 on a ministerial office for himself in Cairns.

In answer to a question on notice in August, the Minister told me that the money had been allocated to regions and that individual proposals are being approved as they are being finalised. It is simply not true. Either he lied to me deliberately in that answer or he has no idea what is going on in his department. Individuals, families and organisations up and down this State have been told by departmental officers in regional offices that there is no funding round, that the funding round has been cancelled so they should not bother to apply. But what does all of this mean in human terms? In Townsville earlier this year I visited a number of organisations with my caucus committee. I learned of a 45-year-old woman with profound intellectual and severe physical disabilities. She is living on a mattress on the floor of her home and is being cared for by her parents. Her father has been incapacitated by a stroke and she missed out in last year's funding round for any support. That family obviously had high hopes for this year and now it does not have even hope.

I am pleased to see that the member for Maroochydore will be speaking in this debate, because I would like to present an example here this evening of four young men from different families on the Sunshine Coast. Parents of two of these young men are in their eighties and a parent of another is in his sixties and is suffering from a heart condition. Three months ago the Department of Housing allocated a purpose-built house to allow these young men to live independently and relieve the burden on those families. So the Department of Housing allocated money, it

built a purpose-built house and then what happened? There was no funding round. There are no support dollars for those young men; therefore, they could not take up the department's offer of a house. It has subsequently been allocated to someone else. That makes a mockery of any claims towards Government coordination.

The whole process is a shambles. These are heart-breaking stories. I hear them every time I travel through Queensland. As Minister, Mr Lingard must hear them all the time. How can he listen and take no action? What kind of a man is he that he can come in here this morning and present this glossy propaganda as some kind of substitute for real action? How dare he insult the people on waiting lists up and down this State! How dare he insult their intelligence! The document starts with an insult. The Minister speaks in the following terms—

> "In circumstances where there must be restraint in Government expenditure in the interests of responsible economic management, it is essential that we make the best use of available resources."

How dare this Minister speak of restraint! Can honourable members imagine "Black Label Kev" having the temerity to utter the word "restraint", the man who spent $1,800 a week on personal entertainment expenses when he was Speaker of this Parliament?

An Opposition member: $60,000 in eight months.

Ms BLIGH: He spent $60,000 in eight months. He took personal excess to new heights, prompting the Auditor-General to bring in new regulations to curb that kind of thing in the future. How dare he speak of restraint! He spent $360,000, including $65,000 on new furniture, on his own office! Now he presents this glossy propaganda to prop up his failing image. It is no substitute for action or getting on with his job as an advocate for people with disabilities in the system.

I think that the people of Townsville should have the last word in this debate. What did they have to say about this Minister two days ago? The Townsville Bulletin carried the headline "Lingard 'sickens' disabled". The Minister would be interested to hear what a number of people in that community had to say. One woman who has worked tirelessly for years in the disability field said that she could think of only vulgar words to describe her reaction to the Minister's spending on refurbishing his office. She said—

> "He'll spend $300,000 on his office and then say families ... have to have the choice (of either institutional or community living).
>
> But they (families) don't have real choices ... because the services don't exist ..."

Meanwhile, another worker in the field said that it sickened her to think of Mr Lingard making himself more comfortable, knowing the deprivation that existed in the community.

It is in the Minister's power to fix this. He has the power to go to the Treasurer and ask for a $5m one-off allocation from the Treasurer's Advance as a crisis allocation to meet a growing need that has become critical. It has reached unacceptable levels. It has been his job for two years and he has done nothing. He has wasted every opportunity that he has had. He has brought nothing but dashed hopes to the many people who are relying on him to deliver a promise that he never intended to keep. I urge every member of this Parliament to support this motion. I can tell those people on the speaking list from the other side of the House that the way they vote tonight will be recorded, and every member of the disability community in their electorates will know about it.

An incident having occurred in the public gallery—

Mr SPEAKER: Order in the gallery! It is a privilege to be in the gallery, not a right. You cannot interject, sing out, clap or cheer. I ask for silence in the gallery or I will invoke your removal from the gallery.

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (6.08 p.m.): I second the motion moved by the shadow Minister. In doing so, I highlight the fact that this is a Government of wrong priorities. The shadow Minister pointed out that the current Minister has spent a total of more than $360,000 on a new ministerial office for himself. That is $295,000 on the actual office and another $65,000 on furniture.

Mr Springborg: How much did your new office cost?

Mr BEATTIE: I am delighted that the member opposite has raised that issue about my office. When I was the Minister for Health, my office was a dungeon. I did not spend one cent. Do honourable members know why? Because the money went into services! That is what I was about. The office was falling down. The curtains collapsed off their rails, but I did not replace them because I wanted to make certain that the money went into services.

This Minister spent $65,000 on furniture and $295,000 on the actual office. This Government has spent $1.7m on ministerial offices. What about disability? Where can it find money for that? It cannot. I am told that the Minister did not like the carpet in his office, so he ordered a new one. He did not like that one either, so he ordered another new one. But the Budget contains no more than $500,000 for the unmet needs of the disabled in this financial year. This figure is so paltry that it is too small to be divided up throughout Queensland. I am told that the amount is so ridiculously small that Minister Lingard has now cancelled it. People are being told not to bother applying for any help under this scheme. But it was Minister Lingard whom the Auditor-General criticised for spending an average of $1,800 a week on entertaining.

What effect are these wrong priorities having on people? The Townsville regional manager of the Paraplegic and Quadriplegic Association of Queensland, Ray Roberts, said that $300,000 could have provided assistance to about 10 disabled people who needed help with meals and getting out of bed each day. Only four of the 84 people who submitted applications from his association this year had received funding from Mr Lingard's office.

There is a young child with a disability who has been placed in Rockhampton Base Hospital, not because that child is ill or needs medical attention, but because there is nowhere else to go. There are no community supports available in the child's home town. That child is not alone in Rockhampton Base Hospital. A mother living several hundred kilometres away was told that the only option for her disabled child was for the child to be hospitalised. Rockhampton Base Hospital was the only hospital available.

In north Brisbane there is a young man who very much wants to live at home. An accident means that he needs help in looking after himself. That help is not being provided by Minister Lingard's department. That young man has lived for a long period in a hospital.

In Redcliffe, the daughter of an elderly man has spent the last 15 months in hospitals because there was no accommodation support available. That was bad enough. Then she was transferred to a geriatric unit. Then she was transferred to a psychiatric unit. She is not old. She does not have a psychiatric disability.

There is much misery involved in children and adults having to spend all their waking hours in hospital. They are away from their families. Hospitals are not designed to be lived in. They are not homes. The most ridiculous fact is that it costs more to keep someone in hospital than it does to give them the support they need at home.

On 12 June last year Minister Lingard said that the Government was committed to reforms aimed at moving people from institutions into the community. But he said such reforms were very costly and he could give no guarantees about funding. What a hollow promise! Carers are shocked that virtually no money is being spent on moving people from institutions into the community.

The Minister has also spent hundreds of thousands of dollars on a blatantly political ministerial office in Cairns where National Party propaganda has been distributed, but no money is going into services. It is not good enough. We are talking about people and their quality of life. It is not good enough to simply leave these people in hospitals, or leave them without care.

I know it is an expensive exercise. I know it is difficult. But we have to try harder than we are doing now. It is not good enough to simply try and blame the Commonwealth. This amendment is a disgrace. It says in two parts that we have to wait until the Commonwealth does something. For heaven's sake! I know the Commonwealth has to provide funding, but we have a responsibility at a State level. It is not good enough to simply put it all back on the Commonwealth. Anyone who supports this amendment ought to be ashamed of themselves.

Time expired.

Hon. K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (6.13 p.m.): Weeks before the last election in 1995 the Parliament was presented with a petition from 11,500 signatories saying that the ALP had not done the work for the unmet needs that it needed to do. There is a massive demand for unmet needs. In 20 months we have faced the problem of the Challinor Centre where I gave $12,000 and have completely resolved the problem as far as that centre is concerned. The Labor Party spent $16.5m but only moved five people out of Challinor. The situation at the Basil Stafford Centre has been completely resolved. It will now be a respite centre. I have invited the Opposition to go to Basil Stafford and look at the situation there, but not one of those opposite has accepted that invitation. W. R. Black has been completely finalised—

Ms Bligh: I rise to a point of order. The Minister is misleading the House. He knows full

well that I visited the centre on two occasions. I thanked him for his courtesy.

Mr LINGARD: W. R. Black has been completely finalised. Sir Leslie Wilson has been completely finalised as far as moving people into the de-institutionalisation program is concerned. I have said emphatically that I am extremely concerned at the polarisation of this debate.

I will not enter into the debate where I have advocacy groups promoting 100% de-institutionalisation and moving everybody out into the community. That idea has completely failed in some areas. Similarly, I will not support those people who say that we should have 100% centre-based care. I have always said that I will provide choice. I have provided choice to the people of Challinor. I have provided choice to the people of Basil Stafford. The people from W. R. Black and Sir Leslie Wilson have moved out into the community on a very costly de-institutionalisation program.

Mrs Edmond interjected.

Mr SPEAKER: Order! The member for Mount Coot-tha is not in her usual place and cannot interject.

Mr LINGARD: However, when I am spending up to $170,000 per person in support in moving out into the community, providing infrastructure for the house, and then providing the infrastructure for the program, I cannot and will not blame or criticise people who say to me, "We have looked after the person with disabilities in our own home, but you are providing this massive amount of money for these people coming out of institutions. What have you given to us?" Unfortunately, we have to say that we have provided very little to many of those people. That is why I am sympathetic to the whole motion. Even though I will move an amendment to that motion, I am sympathetic to their concerns.

But those opposite are being dishonest. This Government cannot support that sort of dishonesty. Today, I have handed out documents which show that this Government has spent $584m in cross-departmental money. That is much more than we had promised at the last election. Whilst some people still say that it has not gone to the area they wanted it to go to, look at the money that has gone to the de-institutionalisation program; look at what money has gone to the Moving Ahead program, which is part of the unmet need program; and look at the money that has gone to the elderly who are looking after people in their own homes. As far as the unmet need is concerned, we have promised that that is the next step. Everyone knows that that is a very big step.

Therefore I move—

> "At line 1, all words after 'recognises'—
>
> omit, insert—
>
> 'the unmet needs of Queenslanders with a disability, their families and carers and acknowledges—
>
> - the allocation of $263.9m across government in 1996-97 and $548.2m across government for 1997-98 to address the needs of people with a disability;
> - that until the Commonwealth State Disability Agreement is signed funding is pending for unmet needs. Allocation of State funding commitments will continue; and
>
> calls on the Government to allocate CSDA funds to meet the critical need for accommodation support, respite care and other needs by Queenslanders with a disability throughout the state as soon as funds are released.' "

We have to come to an agreement with the Commonwealth as far as the CSDA agreement is concerned. At present we have not come to an agreement with the Commonwealth and, therefore, we cannot hand out money which has not been allocated by the Commonwealth. But look at that document—

Time expired.

Mrs WILSON (Mulgrave) (6.18 p.m.): I am pleased to second the amendment moved by the Minister for Families, Youth and Community Care. A few weeks ago I met with some concerned Queenslanders who had come to discuss what this Government was doing in the area of disability funding. The Basil Stafford Centre situation was mentioned. That weekend the Minister announced a $2.6m extra package to enable a number of residents of the Basil Stafford Centre to move into the community. The Minister has offered the opportunity of choice to people with disabilities, and has not swayed from that stance.

The concept of choice exists for those residents at Basil Stafford Centre who choose to remain as residents or who choose to live within the community. The Borbidge/Sheldon Government has not failed, as has been mentioned by the member for South Brisbane.

The initiative of this Government has been the allocation of $550m in cross-Government spending. It does not sound like a failure to me. The Borbidge/Sheldon Government will continue to provide for and work with people with disabilities and families and carers.

The Disability Budget statement that was presented today clearly outlines the commitment of the coalition Government in the major areas of Health, Education—which plays a major part—Housing and, of course, Families, Youth and Community Care. I want to focus on the areas of unmet needs, concentrating in particular on Moving Ahead and post-school services.

Until recently, the majority of young people with severe disabilities in Queensland left special educational programs with limited opportunities to access employment, ongoing education or other activities. The provision of post-school services to young people with disabilities and complex support needs had long since been an area of significant unmet need, and this Government responded to community demand by recognising this area as a priority. The lack of post-school services has also been recognised as a significant national iss ue through the Commonwealth/State Disability Agreement evaluation.

Cabinet first considered the issue of post-school services for young people with severe disabilities in November 1996 and directed the formation of an expert interdepartmental committee to oversee the development of an action plan for post-school services. Cabinet considered a submission from the Department of Families, Youth and Community Care on 8 April 1997—this year—regarding post-school services for young people with severe disabilities. The result of this decision is the introduction of the Moving Ahead Program, which has initially supported 70 young people with disabilities to move from special schools to community-based placements.

Ms Bligh: What about the other $20m?

Mrs WILSON: I ask the member to listen for a moment.

In the 1997-98 Budget, the Queensland Government allocated $17.431m over three years for the expansion of the Moving Ahead Post-school Services Program. This will mean that up to 200 school leavers with disabilities will access the program each year. This initiative recognises the significant unmet need in this area and the growing community demand for post-school service provision for young people with disabilities and complex support needs. The Moving Ahead Program has benefited from extensive input and assistance from the non-Government sector in ensuring the successful implementation of the program. Staff of the Department of Families, Youth and Community Care have worked with Education Queensland school transition officers and teachers in negotiating with service providers to respond to the needs of young people with severe disabilities.

The development of the Moving Ahead Program has been enhanced by the evaluation of the post-school options demonstration projects funded by the Department of Families, Youth and Community Care. This evaluation revealed that encouraging progress can be made for many young people with severe disabilities when appropriate and flexible programs are put in place. Benefits were found in various ways, including families being better able to cope with challenging behaviours, increased participation of young persons in community life and the improvement of young persons' life skills.

The program provides young people and their families with the opportunity to determine the type of service they require and who will provide that service. This is achieved through the provision of individualised funding packages and the involvement of parents and young people in the planning process. Young people with disabilities and their families have complex needs which require a range of service responses. The model provides flexibility for young people and their families and carers to choose centre-based programs with fixed hours and routines, or the development of a program with a service provider which meets their needs or a combination of these. In other words, it provides individualised programs for the people who need them.

The duration of the Moving Ahead Program for individuals will be two years. However, Cabinet will review this decision in 12 to 18 months' time, informed by an independent evaluation of the program.

Time expired.

Mrs LAVARCH (Kurwongbah) (6.23 p.m.): Little Megan Smith is a bright and beautiful six-year-old child, but little Megan lives in a frustrating world of silence. Megan was born with cerebral palsy and cannot speak for herself, but that does not mean that she does not know what is going on. She knows and understands everything. Little Megan knows that her mum and dad, Chris and Paul, love her dearly and want her to be happy and

comfortable, reaching her full potential. She knows that her mum and dad are trying their hardest to meet her needs. She sees them struggling on their own to do this with little or no help from the Government. Little Megan feels her parents' anguish. She watches their uphill battle to give her the gift of communication.

A special computer known as the Macaw 3, costing around $3,000, would open up a whole new world for Megan. This sum is far beyond her parents' financial capacity. Megan strives for the chance to end her silence. She wants to be able to communicate that she wants a drink or that she is hungry. Her parents, Chris and Paul, want to be able to provide this for her. They have appealed to the Pine Rivers community to help raise funds for this special computer. With a young family of three children and with Megan requiring full-time care, to have to go out and fundraise places an enormous burden on Chris and Paul Smith.

Today the Minister for Families, Youth and Community Care tabled this glossy document, the Disability Budget statement. I am sure that this glossy document would have cost the Minister more to produce and circulate than it would cost to end Megan's silence.

Ms Bligh: Shame!

Mrs LAVARCH: Absolute shame! Tonight I thought I would pop in on the way home and give Megan's parents a copy of this document. I wonder what they would have to say about the Government's commitment to furthering the rights of people with disabilities and assisting them and their families. I am sure that Megan's parents would see this statement for what it is: hollow rhetoric and shameless self-promotion. If little Megan was given the chance to end her silence, she would have a lot to say about it.

Megan may not be able to speak, but I can speak for her. What she would want me to say is this—firstly, to the Minister for Health: "Why is it that a Macaw 3 communication device had been recommended by the Medical Aids Communications Assistance Scheme yet, under the Medical Aid Subsidy Scheme, only one third of its cost is provided?" She would ask: "Why does my mother have to go out and fundraise for the remaining $2,000?" The Ministers of this Government have spent 8,500 times that amount refurbishing their ministerial offices. They sit in luxury, but Megan cannot even tell her mother that she is hungry.

Megan's next question would be to the Minister for Families, Youth and Community Care, and of him she would ask: "Why is it that I receive only four hours of respite care every school holiday period?" That is only 16 hours out of 8,736 hours in a year. She would ask: "Why is my mother not automatically entitled to this?" Megan's mother has to ring around and chase up respite care every school holidays. She basically has to beg for respite care. Megan cannot walk, she cannot talk, and she is not toilet trained. I might add that the respite which Megan receives is at the Pine Rivers respite centre, which is an excellent centre, but it caters mainly for aged people. Is this truly meeting the needs of a six-year-old girl?

To the Minister for Education, Megan would like me to say that she would like to read his statement in this glossy document, but she cannot, because she cannot get into a school. Do members know why she has been denied entry to a school? Because she requires a full-time teacher aide. Megan is failed by her body, not her mind. She is entitled to a mainstream education. She is a very bright and intelligent child, and she has the right to develop her potential there. But the Education Department does not have the money to provide a full-time aide for her.

Megan's next question would be to the Minister for Transport. It is a very practical question. Megan is confined to a wheelchair.

Time expired.

Mr CARROLL (Mansfield) (6.28 p.m.): Relatives and friends of intellectually disabled people sought my help from October 1994 onwards with requests to stop the then Labor Government's moves to tip all people out of institutions for the intellectually disabled. It was clear that Labor was then not listening to the people. Of course, things improved very quickly after February 1996 when this coalition Government came to power. Labor now pretends to be listening. Tired old Labor again creates an opportunity to stir up the anxieties of the families of the intellectually disabled. The special challenges and anxieties facing those people are weighty enough without tired old Labor crying wolf and provoking alarm.

Let us consider the facts. While we consider the facts, let us remember that the upgrade for the Opposition Leader's office in Albert Street cost $600,000. I wonder how many aids for disabled kids or how many hours of respite that might have provided.

The previous State Government had a policy of institutional reform under which they

planned to close both the Challinor and Basil Stafford Centres. Despite the allocation of a significant amount of money, the previous Government actually moved only five people with intellectual disabilities from those centres over two years. That process had been the subject of much criticism, particularly from families of people living at the two centres and particularly on the grounds that many families were concerned about the capacity of their family members to be supported in the community after having spent many years in either Challinor or Basil Stafford.

This coalition State Government has responded to this criticism and offered families a choice. The policy of choice has resulted in the retention of the Basil Stafford Centre as an accommodation option for people with intellectual disabilities and in the provision of centre-based options for people leaving the Challinor Centre. Families should not be faced with concerns about their loved one's future. They should not have to be concerned about the unnecessary alarm that the Leader of the Opposition and other members of the Opposition are trying to provoke. Whatever options are planned for a person with an intellectual disability leaving one of the centres, our Government believes strongly that alternative services should be well planned and well resourced to meet the needs of the individual. There is no point in relocating people from the centres unless there is certainty about the alternative service delivery and a capacity to adequately meet the needs of each person with an intellectual disability. That is why we firmly applied the brakes to deinstitutionalisation and have allowed it to proceed as one option only at a careful pace.

It is useful to contrast the funds provided for that process through this Government with the funds provided by the previous Labor administration. Under this coalition Government, a total of just under $22m has been allocated to support the relocation of people with disabilities into the community. The previous Government allocated a significantly smaller sum of just five and three quarter million dollars for the same purpose. Clearly, our Government has been more responsive, committed more resources and achieved greater results than the previous Government. A total of 71 people have moved from the Challinor Centre to date. It is anticipated that a further 20 people will move by the end of the year.

This project will be the subject of a major evaluation study that will identify and measure changes in the lifestyles of the former Challinor residents over a period of three years. The study is being conducted by the Schonell Education Research Centre at the University of Queensland. Expressions of interest have been called for two centre-based care support options in Brisbane south and Ipswich. Cabinet recently approved funding in excess of $2m, which will provide a number of Basil Stafford Centre residents with the opportunity to move into the community. The allocation of that funding is evidence of this coalition Government's commitment to providing choices for people with a disability, and, in particular, choices between living in a residential centre and living in the community.

In keeping with the concept of choice, those people who wish to leave the Basil Stafford Centre to live in the community will be supported to do so. At the same time, those people who choose to remain in a centre-based facility will be supported to do so in a safe and well-managed environment. The additional funds in excess of $2m, along with capital funds for refurbishments at the centre, will help to improve the quality of life for the 100 people who currently reside at the Basil Stafford Centre. It is expected that some residents will relocate to public housing in their community of origin or choice by mid 1998. Families are being given the opportunity to indicate whether they wish their family member to remain living at the centre or be considered for relocation into the community. Based on that information, the relocation of residents to public housing will proceed as soon as possible and as soon as support services can be arranged. Staff of the Disability Program have commenced planning with regard to family consultations, individual case reviews and the process for deciding which individuals will be able to move. A total of $3.8m has been committed over three years for the upgrading of the facilities at the Basil Stafford Centre.

Time expired.

Hon. J. FOURAS (Ashgrove) (6.33 p.m.): I would like to tell the member for Mansfield that I will not pretend that Labor's record while in Government was unblemished. However, the blinkered speeches of Government members do them no credit. We all have the opportunity tonight to do something positive for people with disabilities by supporting the motion moved by the Opposition. All we heard from Minister Lingard was his defence of institutions. He calls it "choice". For years, there has been ongoing debate as to whether large centres for people with intellectual disabilities, such as Basil Stafford, should be

closed. They should. However, this debate on deinstitutionalisation has masked the serious underresourcing of disability services.

Fewer than 3% of people with disabilities in Queensland live in institutions. Therefore, 97% live in the community, many with ageing parents who are given little or no support. Successive Governments—and for the benefit of the Minister, I point out that that includes the Labor Government—have avoided the issue of the provision of adequate funding for support services, accommodation, respite care and post-school options. Sadly, the low priority in the allocation of public funds has been largely due to the belief of Governments that they can rely on the commitment of families to continue to care for their members. Such cynical Government neglect should not be allowed to continue. Queensland spends a mere $122 per person on child disability and welfare services. Honourable members can compare that with the average around Australia of $291. Let us not pretend that that is not a fact; it is fundamental to this debate. In 1996, the Commonwealth/State Disability Agreement demand study found that 1,370 parents over the age of 65 who were caring for high support needs children were being provided with no support whatsoever. This is a legacy of decades of neglect. It is an outrage. Surely those carers and their families who face many challenges every day without the support and services that they need to lead quality lives in the community deserve a better deal.

I also would like to tell a story about a mother. She says—

> "My husband is 71 years old and I am 69. My daughter Caroline is 23 and has down syndrome with severe intellectual impairment and no speech. We have brought up seven children, six have left home, have marriages, children and careers. Since Caroline's birth, I have been very involved with her as she needs constant supervision. We love her and will care for her as long as we are able, but we cannot live forever. Our health is indifferent and the situation is aggravated by our extreme anxiety about Caroline's future. We want her to live in the community which she knows and where she is known, with adequate support to lead an ordinary life. We are aware that there are many parents in our situation and that our desperate crisis could come tomorrow."

This crisis will not go away until more resources are provided to meet the support needs of people with disabilities in the community. New funding is urgently needed for additional places in existing and new disability services to provide accommodation support, day options and flexible respite and family support programs.

I turn now to my electorate of Ashgrove, where we have an outstanding service, Ashgrove Unicare. That service provides programs to some 60 families, such as in-home support, centre-based respite, emergency support in crisis situations, post-school options and school holiday programs. That is not scratching the surface of the need in the community. Because of the high level of unmet need, Unicare is currently developing informal systems of support for individuals and families and researching the use of volunteers. I will be attending a meeting at that centre tomorrow. All they can do is ask the community for volunteers to meet their needs. That is disgraceful.

In the electorate of Ashgrove, Westcare is the only service provider of respite care overnight. Its books have been closed. Nobody else can get on that list. If a family wants a holiday, it cannot have one unless its name is on the list. Eight families in the Ashgrove electorate have got together to build an overnight respite care home. They could not get any funding, because no new funding is provided in this Budget. Last year funding submissions totalled $36.8m—only $1m of which was met. Now we have no new funding submissions at all. There is no way that those families can go to any agency and say, "We have the land. We will build the house. We want to run a program." There is no recurrent funding. What happens to those people? They cannot go on a holiday. Their quality of life suffers. They will become stressed. Their carers will face breakdown and they will have a diminished quality of life. Their emotional and physical health will break down. That is the outcome of this non-caring approach. It is about time we forget about publishing these beautiful books, like the one I am holding up, that do nothing but waste money.

Time expired.

Miss SIMPSON (Maroochydore) (6.38 p.m.): I do not believe that there is one person in this House who does not care and have concern for the needs of disabled Queenslanders. However, I believe it is time to strip away the hypocrisy of the Labor Opposition, particularly when it refers to the cost of ministerial offices. I note that the spending on ministerial offices in Queensland pales into insignificance when one pulls out

what Labor spent during its time in office; yet Labor also spent less on disability services.

We have to acknowledge that a record amount of money has been spent on disability services and $550m is targeted for the 1997-98 year. I think that recognises that there is great need in this area and that this problem is not going to go away overnight. We recognise that many people need considerable help. However, it should be noted that more money has been spent under the term of this Government than was spent during the term of the previous Government.

I want to refer to the $1.7m that Labor spent on its ministerial offices. In fact, it spent more than that. I have been able to retrieve from archives figures relating to only five Ministers of the Labor Government. During the 1993-95 period, those five Labor Ministers spent over $200,000 on their ministerial offices. In 1993, Mr Braddy spent $250,000; in 1994, Mr Elder spent $275,000; and in 1994, Mr Mackenroth spent $233,000. I have not finished yet; there is more. In 1994, Mr Milliner spent $253,000 and in 1995, Mr Hamill—who I note is in the Chamber—spent $336,000. In current dollar terms, those five Labor Ministers spent $1.445m. There is more. A further two Labor Ministers spent in excess of $100,000 on their office accommodation.

Mr Springborg: Ms Bligh didn't tell us this.

Miss SIMPSON: No, she did not. There is more. In 1993, Mr Wells spent $157,000 and in 1994, Mr Casey spent $144,000. I believe that, in current 1997 dollar terms, that expenditure amounts to $330,000. That totals over $1.7m.

In addition to that expenditure, departmental records indicate that in excess of $200,000 was spent by Mr Gibbs when he was the Tourism, Sport and Racing Minister and a further $200,000 was spent by Mr Mackenroth when he was the Emergency Services Minister and his office was located at Forbes House. These figures are the only figures that I have been able to retrieve from archives at short notice.

Mr Springborg: A drop in the bucket.

Miss SIMPSON: That is right. I think it is time to strip away the hypocrisy and acknowledge that that is Labor's record. Those are the only figures that I have been able to retrieve from archives.

There are significant needs in the area of disability services. That has been recognised. The Government acknowledges that that need cannot be addressed overnight. However, there is great need, and $550m has been allocated in the 1997-98 Budget for it. I have heard tragic stories, such as that relating to the little girl who has difficulties. However, day respite centres are being built and respite is being provided and planned for school holidays, which was never planned for by the Labor Opposition.

Mr Fouras interjected.

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

Miss SIMPSON: In late 1995, the Unmet Needs campaign was launched, which was a legitimate lobby to start to receive increased funding for community-based services for people with disabilities. In June this year, the Unmet Needs working group was formed. That group is comprised not only of departmental officers but also people who are serving the needs of the community—parents and service providers. That group is seeking ways to increase the availability and accessibility of services and support required to ensure the quality of life for people with disabilities in Queensland.

The initial task of the group is to provide advice and direction for a planned departmental response to Unmet Needs and a Budget submission seeking resources to implement that response. The terms of reference for the working group include contributing to the identification, extent, location and nature of unmet needs in Queensland and to contribute to the assessment of the appropriateness and adequacy of existing service responses and supports.

Time expired.

Hon. D. J. HAMILL (Ipswich) (6.43 p.m.): It is a tragedy that this debate has degenerated in the way that it has. A number of Government members, including the Minister, have gone out to deliberately misrepresent the situation as it pertains to unmet needs.

Before the member for Maroochydore leaves the Chamber, I want to make some comment in relation to an allegation that she made. The member claimed that in 1995 I spent $300,000 on office renovations. I challenge that and I challenge the source of that information. In 1995, I became the Education Minister. I went into an office that had not been renovated for about 10 years. I remember receiving a quote for renovations of about that magnitude. What did I do? I rejected it. I did not actually have that office renovated. The Minister for Education would

well know that the only changes that were made in the office were a new table and chairs and some lounge chairs; there was not $300,000 spent on it. The member for Maroochydore has stooped to the tactics that are well known by the Minister—to misrepresent and besmirch rather than deal with the substance of the debate. The substance of the debate is the failure of this coalition Government to deliver on its commitment to the disability community of Queensland. What was the substantial commitment? $34m extra per annum! What has been the delivery? $1.5m over two Budgets! It has been pathetic. It has been embarrassing.

If the Minister wants to be emphatic, then I say to the Minister that he should be emphatically embarrassed by his non-performance in this critical area. It is not good enough to hold up a glossy brochure and talk about $500m of expenditure on disabilities when he knows and I know that about half of the sum that he claims is being spent is actually the wages and salaries of professionals not in the Minister's department but, rather, in delivering special education services. That is not a new figure; it has been around for some considerable time. I suspect that it actually includes the running of the special schools and I suspect that it includes cutting grass at the special schools. However, it does not deliver to where the real unmet needs are. That is really what we are on about here—getting an additional allocation of $5m to be directed to those who do not have a choice.

The Minister talks about choice and he talks about institutional care. However, we are talking about families such as a family in my area that has no choice whatsoever as to whether their disabled child is cared for at home. That family has no choice when it comes to respite, because respite is not available. That family has no choice when it comes to care, because it cannot get adequate care in the home. For a Government that talks about family support, this coalition should hang its head in shame that it will not support a proposition to fund an additional $5m to provide for additional respite care and other support to families that are in need and families that are in crisis.

For the Minister to try to amend the motion to try to push the issue onto the Commonwealth is yet another cop-out. It is an absolute cop-out from a Government that opted out of delivering on its commitment. We are asking for $5m to come from a Treasurer's Advance that has over $100m in it. We are asking the Government to allocate $5m when the Government had promised that it would allocate $34m. Surely what is being asked for this evening is not a great ask.

The money is for funding in areas such as recreational needs. A great organisation in my area called Project Recreation would love to deal with the needs of many other disabled people, but it cannot handle those needs. People in the community are inadequately served with respect to their leisure activities. The attitude of this Government is to put people out into the community and then not to service their needs. It was the same when it refused adequate support for organisations when the SACS Award came in. It is the same in this instance when the Government hides behind a glossy publication to try to hide its non-performance.

I say emphatically to the Minister that, if he is going to deliver choice to families, he can deliver it by supporting the motion. $5m is not a big ask.

Time expired.

Mrs GAMIN (Burleigh) (6.48 p.m.): This Government is very aware of the high level of unmet needs for disability services in the community. This matter has been brought to the Government's attention a number of times through activities such as the Unmet Needs campaign.

The Department of Families, Youth and Community Care understands that current service levels are a reflection of the spending priorities of the previous Labor Government. The Queensland coalition's Budget initiatives highlight this Government's commitment to working together with communities in order to develop the best possible strategy to address unmet needs. Total Government expenditure by the former Government on services to people with disabilities was an estimated $242.8m in 1995-96. We will increase this to an actual $548.2m in 1997-98, a total increase of $305.4m.

Mr Fouras interjected.

Mr SPEAKER: Order! I have already warned the member for Ashgrove once.

Mrs GAMIN: This represents a significant achievement beyond the 1995 election promise of the coalition to increase spending on disability services by $34m per year for three years, an amount equivalent to a net increase of $102m. This means that in two years the Government will have been able to achieve its 1995 election promise three times over.

In 1996-97, the Department of Families, Youth and Community Care spent approximately $150m on disability services across Queensland, almost half of which was allocated to the non-Government sector to provide services. In addition to those funds, the State Government allocated more than $113m to services for people with a disability through the areas of Health, Education, Housing and Transport.

The 1996-97 Budget committed a total of $26.8m of new funds over three years through the disability program of the Department of Families, Youth and Community Care for the provision of services to people with disabilities. This amount included additional funding of $8.6m over three years in order to support families caring for people with disabilities. This includes additional respite, counselling and specialist services and support for ageing carers. This is a significant first step towards addressing the unmet needs of people with disabilities and their families.

The 1997-98 Budget has allocated $36.047m over three years through the Department of Families, Youth and Community Care to address the unmet needs of people with disabilities. Further funding support to services has been made available through the Government's decision in late 1996 to provide funds to assist services in meeting the impact of the SACS Award. The 1997-98 Budget provided $13.2m over three years for this purpose to the department. The Commonwealth Department of Health and Family Services has agreed to provide supplementation to services of the costs associated with the implementation of the SACS Award for those services which transferred under the Commonwealth/State Disability Agreement in 1992.

The post-school demonstration projects funded by the Department of Families, Youth and Community Care have been evaluated to inform the cross-government planning process for the provision of post-school services. This evaluation has been used in the development of the Moving Ahead Program, which has been allocated $17.431m over three years to provide vocational, personal and social skills programs for young people with severe disabilities who complete schooling at age 18.

The high level of unmet needs has been identified in the review of the Commonwealth/State Disability Agreement as affecting the whole of Australia. As such, all States and Territories have ensured that unmet needs and adequate levels of Commonwealth funding are key components of the current negotiations relating to the Commonwealth/State Disability Agreement.

In Queensland, the survey of the disabled and the aged, and their carers estimates that 582,200 people have disabilities. This represents 18.7% of the State's population. Of those, nearly one quarter have been identified as having high support needs. It is also estimated that more than 84% of the people with high support needs live in the community, while the remainder are in some form of institution, nursing home, hostel or hospital care.

A further opportunity to address the unmet needs of people with disabilities would arise by encouraging service provision by mainstream services in communities. To encourage this approach, the Department of Families, Youth and Community Care is committed to achieving results in its lead agency role on disability matters. It is working with other departments to develop mechanisms to give effect to a whole-of-Government approach to disability-related issues.

Question—That the words proposed to be omitted stand part of the question—put; and the House divided—

AYES, 38—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McGrady, Mackenroth, Milliner, Mulherin, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

NOES, 38—Baumann, Beanland, Connor, Cooper, Cunningham, Davidson, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Stephan, Tanti, Veivers, Warwick, Watson, Wilson. Tellers: Springborg, Carroll

Pairs: Elliott, De Lacy; Borbidge, Goss W. K.; Slack, Dollin; Woolmer, McElligott; Mitchell, Nunn; Stoneman, Smith

Mr SPEAKER: Order! I inform honourable members that any further divisions will be of two minutes' duration.

The numbers being equal, Mr Speaker cast his vote with the Noes.

Resolved in the **negative**.

Question—That the words proposed to be inserted be so inserted—put; and the House divided—

AYES, 38—Baumann, Beanland, Connor, Cooper, Cunningham, Davidson, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs,

Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Stephan, Tanti, Veivers, Warwick, Watson, Wilson. Tellers: Springborg, Carroll

NOES, 38—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McGrady, Mackenroth, Milliner, Mulherin, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pairs: Elliott, De Lacy; Borbidge, Goss W. K.; Slack, Dollin; Woolmer, McElligott; Mitchell, Nunn; Stoneman, Smith

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Motion, as amended, agreed to.

Sitting suspended from 7.03 p.m. to 8.30 p.m.

FUEL SUBSIDY BILL

Second Reading

Resumed from p. 4139.

Mr CARROLL (Mansfield) (8.30 p.m.): As a member of the Treasurer's ministerial committee, I am very pleased to speak in——

Mr HAMILL: I rise to a point of order. Mr Speaker, I draw your attention to the state of the House.

Quorum formed.

Mr CARROLL: As I was saying, as a member of the Treasurer's ministerial committee, I am very pleased to be speaking in support of the Fuel Subsidy Bill. Over the past couple of years the issue of fuel pricing has been an increasingly popular topic among several of my constituents. When constituents are faced with a price of two-thirds of a dollar per litre for fuel and when the cost of auto gas is less than half that price, constituents often want to discuss this matter. What annoys them most frequently appears to be the fact that prices are raised and lowered at regular intervals, sometimes irregular intervals. That puzzles them. I have sought explanations from the major fuel companies and sent details of those explanations on to my constituents. We have virtually no control over the matter, but we do have some control over the matter which is the subject of the Bill before the House tonight.

Firstly, I wish to take the opportunity to inform the House of the background that has necessitated the introduction of this legislation, which puts a lid on one possible way that fuel prices could have been forced to rise. In March 1997 the High Court heard submissions from the States, the Territories, the Commonwealth and the affected parties in two cases that challenged the validity of the fees collected under the New South Wales tobacco business franchise legislation. The two cases were known as Ha and Lim v. New South Wales, and Hammond v. New South Wales. The parties were arguing the same point: that tobacco licence fees imposed constituted an excise and, therefore, were invalid as only the Commonwealth can impose excises under section 90 of the Commonwealth Constitution.

As honourable members would be aware, this section provides that the Commonwealth is given exclusive power in respect of the imposition of customs and excise duties. However, the law in Australia concerning section 90 of the Constitution has been the subject of much judicial attention over the years. The cases decided by the High Court shortly after Federation favoured a narrow interpretation of the term "excise" in section 90 of the Constitution which limited the concept to the imposition of taxes on goods at the manufacturing stage.

Shortly after the end of the Second World War, the High Court of Australia broadened the concept of an excise to cover any impost levied at the manufacturing, distribution or retail stages. Since then the High Court has taken a broad interpretation of the term "excise", with the States relying on a major exception to the general interpretation of "excise" established in a 1960 case known as the Dennis Hotels case as the basis for levying tobacco, liquor and fuel franchise fees.

In 1997 the history of Australian fiscal federalism has taken another turn, with the High Court finding on 5 August that the New South Wales tobacco franchise fees were invalid under section 90 of the Australian Constitution. This left sufficient doubt over the constitutional validity of business franchise fees on tobacco, fuel and liquor that States and Territories had little choice other than to cease collecting them. As a result of this decision, States and Territories faced an annual revenue shortfall in excess of $5 billion—revenue needed by State Governments to finance vital services such as roads, health, education and policing.

Given the size of this revenue loss, the States and Territories had no alternative other than to ask the Commonwealth to use its tax powers to collect revenue raised previously by the State and Territory business franchise fees

on liquor, tobacco and petroleum. However, because the Commonwealth must abide by the Constitution, which requires Commonwealth taxes to be applied uniformly across Australia, the increases in excise and sales tax in some jurisdictions were higher than the franchise fees that they replaced. This necessitated the development of subsidy arrangements for liquor, tobacco and fuel to return any excess revenues and keep prices down.

As honourable members can appreciate, this was especially important for the coalition Government. As members will recall, successive coalition Governments established Queensland's proud position as the low-tax State. One should not underestimate the magnitude of the task that was before the Government and, indeed, all State and Territory Governments around Australia. A legal and administrative minefield was created by the decision. However, the coalition Government got on with the job and no effort was spared in negotiating arrangements with industry that were both workable and capable of delivering real benefits to Queenslanders. Again, this Government passed the test of leadership and vision with flying colours on this occasion.

Subsidy arrangements were put in place for liquor that provided for the return of additional revenue over and above that which would have been collected had the State franchise fees remained in place. In respect of tobacco products, agreement was reached between the States and Territories and the tobacco companies on arrangements that would minimise the effect on industry and consumers. However, arrangements for fuel proved a little more difficult.

Under the 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 increase in prices. This is especially important in Queensland, where thanks to previous coalition Governments no fuel tax had existed. Extensive discussions took place over many weeks between the representatives of the States and Territories and the fuel industry on ways in which an effective and sustainable subsidy arrangement for fuel could operate, yet it proved difficult to reach a final agreement.

One reason for this was that it became apparent that some would 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. This exploitation of these subsidy arrangements created problems for Queensland, for the other States and Territories and for the vast majority of complying fuel industry participants. Attempts to deal with the issue of cross-border trade within the subsidy arrangements encountered a number of administrative and legal difficulties.

Despite those difficulties, the Queensland Government's resolve never faltered, and State and Territory Treasury and fuel industry representatives continued to work tirelessly to develop workable subsidy arrangements. Finally, after detailed consideration of the options open to Government, the Honourable the Premier and the Honourable the Treasurer then met with the Prime Minister and the Federal Treasurer to agree on a strategy to allay the concerns of fuel industry participants, the Queensland Government and, most importantly, fuel consumers.

On 13 October 1997, the Queensland fuel subsidy scheme was born. The contribution of the Commonwealth and the fuel industry in the development of this scheme cannot be understated. There was real cooperation. Only two weeks later, we see the introduction of a Bill into the House to give effect to the scheme, which will protect the interests of Queensland's fuel consumers. There is no more uncertainty, and no-one can criticise this Government; the job has been done very efficiently.

Fuel is the common lifeblood in a State as large and diverse as Queensland, and this Bill recognises that simple fact. Now, every time a person fills up at the bowser or purchases fuel for their farm or business, they will see the benefit of having a Government that does not quit when the going gets tough. I pay tribute to the tireless work of the Treasurer and her staff in particular in tackling these complex issues and negotiating an agreement which is both workable and reasonable.

I can clearly recall the warm response that greeted the Treasurer, Mrs Sheldon, earlier this month when she attended the metro Cabinet meeting held at the Coorparoo RSL in the Greenslopes electorate and a reception hosted by the hardworking member for Greenslopes, Ted Radke. That was really good news, and the Treasurer was pleased to announce it. This is another example of this Government getting on with the job.

Ms SPENCE (Mount Gravatt) (8.40 p.m.): On this National Consumers Day it is quite appropriate that we discuss the issue of petrol prices, an issue that concerns Queensland consumers more so than many others, and reflect on this Government's bungling over the last two months in its negotiations with the Federal Government to reach a deal to avert fuel price rises in this State in the long term. What we have seen from this Government is two months of bungling in which Queenslanders have experienced the highest petrol prices ever in this State. Queensland consumers are aware that these unfortunate high petrol prices are a result of the inability of this State Government to come to a successful deal with the Federal Government over this issue.

In terms of the public perception, the petrol industry is viewed with suspicion, if not outright hostility, by many consumers. City motorists cannot understand why petrol prices can fluctuate from day to day and week to week. Those in regional and rural areas are angered by what they see as the inequitable gap between city and metropolitan prices. But honourable members should not take my word for it—and I can see that members opposite are a bit doubtful as to whether to believe me on this issue—let me quote from yesterday's Courier-Mail in which the RACQ's Gary Fites is quoted as saying that local motorists are annoyed by the lack of rhyme or reason to petrol pricing and also dearer pump prices outside the south-east corner of the State. The article states—

> " 'The public sensitivity to petrol pricing is predicated by the fact it (fuel) is such an essential commodity ...
>
> 'No other product comes under such scrutiny. No other product's prices are advertised so widely up and down the road.'
>
> But what motorists sought, he said, were plausible explanations for people in places such as Townsville and Cairns as to why fuel prices there, with the same maximum wholesale price as in Brisbane, were that much higher at the pumps.
>
> ...
>
> 'Yet there are apparent inequities and inconsistencies throughout the state. Why does petrol cost more in Roma than Charleville?' "

In recent years the petroleum industry has undergone a process of rationalisation at all levels. The number of petroleum distributors has fallen from 17,000 in 1980 to around 400 today. Of the 9,000 service stations in Australia today, it is estimated that the number will drop to 6,000. The entry of Woolworths into the market has put pressure on service station operators and petroleum distributors in regional and rural areas throughout Australia and, indeed, in Queensland. Given that Woolworths' entry has been actively supported by the ACCC and Government, we believe that enactment of an access regime will allow retailers and distributors to compete on an even playing field. That is all that small-business people of the petroleum industry are asking for. They are not asking for handouts or special treatment, they are merely asking for a competitive wholesale market that gives them a chance to compete against the likes of Woolworths.

As I said, it is estimated that the number of service stations that will remain in the market will drop from 9,000 to 6,000. Some groups, such as the Service Station Association, believe that this figure could be even lower unless the regime of competitive price access is instituted. The impetus for an access regime is even more imperative if the rumours that Shell and Coles will soon begin joint operation of petrol sites prove to be true. That will send even more small businesses in rural and regional Australia to the wall. While it is certainly true that Woolworths has had a competitive impact in rural areas, Woolworths is another large multinational and there is no guarantee that, once it has secured its market share, it will act any differently from how the oil majors have in the past.

For the pricing disparities between metropolitan and rural areas to be truly addressed and for a real competitive environment to exist, there needs to be a regime of competitive price access to petrol terminals. We believe it is time that the Federal Government addressed the core anti-competitive problems that plague the petroleum industry. These will be best addressed by enacting an access regime which requires the oil companies to negotiate on price, terms and conditions. A competitive wholesale market will allow service station owners and distributors to compete more effectively against new entrants such as Woolworths. Surely, as the industry is still facing extensive rationalisation in the retail sector, being able to compete on a level playing field is not too much to ask.

The current system fosters an artificial environment of price and profitability support that leads to price fluctuations and consumer anger and hinders true competition. It is also

time that Australians in rural and regional areas were able to gain from the benefits of a competitive wholesale petrol market and the reduction in petrol prices that true competition will bring. As the shadow Minister for consumer affairs, I will continue to explore policy options that will deliver equitable, profitable and competitive outcomes for consumers, service station operators and distributors and the industry as a whole.

The Federal Government is reforming the petrol industry and tackling high prices by moving down a path of deregulation. This model will merely increase the power and vertical control that the oil majors have over the industry, especially at the retail level. The Federal Government's approach to deregulation does nothing to increase competition where it is most needed—in the wholesale market. It is the right of service stations and distributors to obtain product at commercially negotiated prices, terms and conditions. The retail sector is already highly competitive. The Government's program for deregulation will merely increase the power of the oil majors at the retail level. How this will benefit consumers and address the disparity between country and city petrol prices has not been adequately explained by the Government.

Given that the existence of the maximum endorsed wholesale price in no way prevents the oil companies from lowering prices under the current regime, to say its abolition will help lower prices is a curious argument to say the least. It is a bit like the argument that the Attorney-General is currently using to support his current legislation to abolish the commissions on real estate agents' fees. Indeed, it would seem that the only one who believes that the Government's policies will lead to lower prices is the Government itself.

In December last year in a letter to the Federal Treasurer, the managing director of BP, Mr McGimpsey, when referring to the Government's policy stated that it would not lead to lower prices. He went on to say that there is a strong perception in the public's mind that there will be reductions in the price of petrol. He stated further that BP does not share this expectation and believes that that raises false hopes. If BP cannot see the Government strategy producing lower prices for consumers, one has to question the Government's blind faith in its deregulation regime.

The Labor Party wants to see policies put in place that will benefit consumers, distributors, service station owners and the industry as a whole. We have yet to see that kind of commitment from the Government or from this Treasurer.

Mr SPRINGBORG (Warwick) (8.48 p.m.): It is with a great deal of pleasure that I rise to participate in this debate because I believe that this is a very significant piece of legislation. It quarantines Queensland from the very adverse effects which would have flowed from any adoption of a fuel tax in this State. One thing that I think has been a key and has set Queensland ahead of the other States for a considerable number of years has been the fact that we have been able to maintain our position as a low-tax State. Very importantly, we have been able to quarantine this State from any negative impact of a fuel tax.

Speaking from the perspective of a rural member, I was most concerned when the High Court ruled, as it did recently, that a whole range of excise taxes which were actually levied by State Governments were, in fact, unconstitutional. As I speak to people in my electorate and in other places around Queensland it becomes clear that they find it a strange situation that the Australian States have been able, for a number of decades, to levy tobacco excise, liquor licence fees and fuel taxes, but with one stroke of the pen the High Court was able to take that away. I suppose that is the value of having a High Court.

However, I think it is a little bizarre that something that had worked quite well over a number of years was taken away in, basically, a few minutes. The reason why that happened and the matters leading up to that situation were all very strange. From the perspective of a rural member of this House, any fuel tax levied on rural producers and people who live in the remote and rural areas of this State would have had a negative result. I am sure that the honourable member for Rockhampton and the honourable member for Fitzroy, together with members on this side of the House who represent vast and sprawling rural electorates, would appreciate that. We are the most decentralised State in Australia. The majority of our State's population live outside the major metropolitan area.

It was very important that we had this particular tool in our armoury. That allowed us to make sure that we were able to foster and keep that decentralisation. Farmers have absolutely no capacity whatsoever to pass on any fuel tax that might be levied in this State. Farmers are price takers, not price makers. Down the track, the transport industry might

have been able to pass it on to some consumers, and ultimately prices would have risen. I believe that farmers would have suffered an absolute double whammy. As I go around my electorate, the farming community, the business community and the general community are most appreciative of the steps that have been taken by this State Government to ensure that Queensland was quarantined from the effects of any possible fuel tax.

I would like to place on the parliamentary record my appreciation of the efforts of the Premier and the Deputy Premier and Treasurer in taking up the fight with the Commonwealth on this matter. Tonight we have heard a lot of easy answers given by members of the Opposition, but that is the nature of being in Opposition: one can put up the easy answers or say that one might have done something differently. This was always going to be a most complex issue. There were always going to be administrative issues and administrative problems. There were always going to be constitutional problems if this matter was not handled correctly.

There would have been nothing worse than the State rushing in in haste and legislating something that was later thrown out by the High Court. Undoubtedly we would have seen a situation in which the State would have suffered the consequences of a fuel tax. The way that the Premier and the Deputy Premier and Treasurer handled this issue ensured that we now have a scheme which will quarantine Queensland.

Right from the outset of this issue I found it very difficult to understand the administrative arrangements. No doubt they were always going to be somewhat complex. We were dealing with a difficult issue. It was something which had potential legal and constitutional problems. It was absolutely vital that the matter was legislated correctly.

It was very important that we were able to quarantine retailers from the impact of collecting this particular tax. Retailers would have had to collect the tax and then pay it out. We are all aware that retail places are really small businesses which run business overdrafts. They might run a $50,000 or $100,000 overdraft. If an extra $5,000 or $10,000 is added to that overdraft, it would have an extremely negative impact on retailers. The Motor Trades Association of Queensland recognised and applauded the actions of this Government in being able to assist in ensuring that retailers did not feel the sharp end of this matter.

Obviously, in any system which is a subsidy scheme, somebody has to pay. It is a lot better that the agents, or the fuel companies in the case of the franchises, pay it because it is a lot easier to deal with 5 or 10 particular points than it is to deal with 5,000 or 6,000 points. In this way, retailers are saved from any flow-on consequences to their businesses. It certainly saves the Government from having to go through the process of administratively rebating this tax to 5,000 or 6,000 businesses across the State. I still have some uncertainty about this working, but I believe that it will work because some very good people have spent a considerable amount of time on it. From what I understand of it, it is High Court proof.

As I said earlier, there was a great deal of concern about the impact this would have on the primary industry sector. I understand that the president of the Queensland Graingrowers Association was reported as saying that a price rise of 8.1c per litre would have added about $10,000 per year to the average farming operation in Queensland. This is at a time when those people are on their knees because of adverse climatic circumstances and low commodity prices, plus suffering years of high interest rates. I believe that this tax would have been the death knell for a lot of those people. This legislation has effectively quarantined those people from paying, on average, an additional $10,000 per annum.

The issue that has been touched on by the Opposition and Government members in this debate is the crying need for proper and consistent taxation reform right across Australia. This is something that has been talked about in this nation for many decades, and it is something that comes up every few months. But nothing really happens. I believe that what has happened on this occasion has made it important that we pursue this matter. We must attempt to give all the States and Territories of Australia a guaranteed share of income tax revenue or other taxation revenue that may be raised.

It is very difficult to be able to frame a Budget and provide services to the people in a State that is as diverse as Queensland if we are unsure of what we are going to get from one year to the next. We talk to businesses about the need to budget properly and to know what is coming in and what is going out. It is passing strange that we have a situation in which the Government is not even sure from year to year about what it is going to receive. We have the difficulty of not knowing what we are going to raise, but we still have to frame a

Budget as far as outlays are concerned. I hope that the current discussion, which is obviously being conducted with a great deal more fervour than it has been in recent years because of the consequences of the High Court decision, will lead to some comprehensive reform which gets us out of this malaise that we have been continually falling into over a long period.

I do not really wish to speak any longer, other than to say that the 8.1c per litre impost which would have arisen as a consequence of the fuel tax levy would have added in excess of $500m per annum to the costs of ordinary and average Queenslanders. Obviously that was going to be quite untenable.

Once again, I would like to congratulate the Premier and the Deputy Premier and Treasurer on the work they have done in bringing a solution to this Parliament. I believe that this legislation needs bipartisan support. I acknowledge that the Opposition has the right to raise its concerns, but the Government is putting up a solution to this problem tonight. Obviously time is the thing that tells.

Mr Hamill: Is this the final solution?

Mr SPRINGBORG: It is the best solution I have seen. As I said at the outset, this has always been an extremely difficult issue because of the administrative and constitutional consequences. This Government has worked through this particular matter in an extremely meticulous and forthright way to make sure that it can get this legislation as right as it possibly can. When we are entering a brave new world, only time will tell. Based on what I have seen, I feel very confident that this legislation is going to offer the solution which the people of Queensland need and require to ensure that we avoid paying any fuel tax in this State. I commend the Bill to the House.

Mr SCHWARTEN (Rockhampton) (9 p.m.): Firstly, I want to thank the Treasurer, on behalf of my electors, the good people of Rockhampton, for the extra burden that they have had to suffer in the past two months as fuel prices have increased by at least 2c per litre. As I speak, the bowsers are still pumping it out at 75.9c for super fuel and 73.9c for unleaded fuel. Fuel pricing in Rockhampton has been an issue for many, many years. Try as people might over the years, they have not been able to solve the problem. Nobody has ever been able to satisfactorily tell me why it is that one can go to Rosslyn Bay in the electorate of the member for Keppel and buy fuel at anything up to 5c a litre cheaper than one can buy it in Rockhampton.

Mr Perrett: It's because of a better member.

Mr SCHWARTEN: The honourable member for Fitzroy used to be the member for that area. That situation with fuel prices was the case then, and it has been ever since I can remember. But I would not expect the honourable member for Barambah, the Primary Industries Minister, to understand the local politics of Rockhampton. He goes there very infrequently and, when he does go there, he has no good news. He is widely condemned by people in the rural communities in that area for his lack of ability to stand up to his southern counterparts and for his great love of Pauline Hanson.

The poor old fuel retailers—the servos—in Rockhampton get the blame for this predicament. It is not their fault. I know, from my own local garage owned by Viv Sigvart, that at the moment he is buying super fuel for 69c a litre and selling it for 75.9c. In anybody's language, that is hardly a great margin. They are doing it tough in Rockhampton. Of course, the ACCC's answer to all of this is to allow supermarkets to come into the whole argument in Rockhampton. That will mean that, basically, some 50-odd people will go to the wall. The Howard Government was elected on a platform of looking after those family businesses and small businesses, but they will go broke.

Elderly people sometimes find it somewhat confusing to have to look after their own cars. For example, I know of one case in which one person put his petrol in the place where he should put his oil, and vice versa. It is quite tragic, really. I know that sounds funny, but it is not actually meant to be funny. If supermarkets come into the game, the standard of service will deteriorate. They will not be interested in providing bowser-type service to customers. Indeed, we will see an increase in people putting their petrol where their oil should go.

Mr Hamill: Oh no!

Mr SCHWARTEN: I would think so.

Mr Elliott: Do you have a bit of a problem with that occasionally?

Mr SCHWARTEN: No, but I know of people who have made that mistake. I would not like to elaborate. Someone on that member's side of the House made that fundamental error, and I would not like to embarrass that person.

Mr Lucas interjected.

Mr SCHWARTEN: I do not know what the member is talking about. He ought to get some help up the back there. Turning back to the serious side of the debate——

Mr Hamill: Why?

Mr SCHWARTEN: That is a good point, I suppose. The Treasurer is treated as a joke in the south, so we might as well turn the whole blessed thing into a joke, really.

What is very interesting about this whole issue is how the Treasurer told us that she was going to hit the ground running, the Government had a contingency plan and it was all going to be sweetness and light. The nickname around the State for Aunty Joan is "Jump Around Joan", because she has jumped around on this issue more than a barefoot man in a fire. First of all she told us some nonsense about the retailers having to pay for this. That did not work, of course. Then there was that delightful pearl of wisdom. Do members remember that one? She said, "We will have to make some legislation." Somebody reminded her that it might be a bit unconstitutional, so she said, "Oh, well, we will just hope that no-one would challenge it." Of course, the fuel companies or the grog companies would not challenge that. None of those multimillion-dollar companies would take her to the High Court. She must be a child of nature altogether to believe that.

The fact of the matter is that this solution that the Treasurer is proposing might look good on paper, but I do not believe that we needed to go down this path. Nationally, a solution could have been found. If they had a bit more respect for her down south and did not treat her as such a joke, they probably would have offered to help her out. But they probably thought she could paddle her own canoe up here and do the best she can.

The member for Warwick spoke about rural Queensland and how people in those parts of the world are very much the victims because they do not have the volume of turnover of fuel, which is about the only saving grace in petrol prices. The only way to deal with fuel companies is to lower the prices. That is the only sort of internal competition that applies.

I draw a parallel with electricity prices. This is something that members opposite should bear in mind, particularly with their obsession with privatising things. If they ever privatised the electricity industry, the guarantee of equalisation of tariff costs would go out the window. If we had equalisation of fuel costs throughout the State, we would be much better off. For the people who live in the far-flung parts of the State, a car is an absolute necessity rather than a luxury. There is no other option, because there is no public transport. If we had cross-subsidisation, there would be a far more equitable result for all concerned.

The other point that I would like to raise is the stranglehold that fuel companies have. I hark back to the ACCC and Professor Fels. Basically, nobody dares to criticise him. I cannot understand why all the economists in this country pay homage to him over things like this. Clearly, he has got it wrong when he talks about introducing competition by allowing supermarkets to sell fuel. All that will happen is what happened in Canada and Japan. Once those supermarket chains and the multinational companies get a stranglehold on that market, there is no competition; they become an oligopoly or, in some cases, a monopoly, and at the end of the day they charge what they like. As a result of that, there is no watchdog on the price. I do not understand what they must be smoking in the ACCC or what drug they are on, but they have ignored the international example of how some countries are going back to the regulation of fuel prices.

The other thing this does is create balance of trade problems, because those companies go out into the marketplace and buy cheap fuel from places such as Indonesia because they have the buying power to do it, and they bypass the mainstream fuel companies—not that I have any sympathy for them, I have to say.

As to the overall control of that industry, history shows that some 40-odd years ago the United States had to legislate to break that control in the United States. We are going back down that path. It will be a sad day when companies such as Coles-Myers have control of fuel in this State. I believe that they are not far from it. I understand that currently they are trying to negotiate their way into a service station in Rockhampton. We have some protection in Queensland, because the selling of fuel involves certain statutory requirements. It cannot be sold out of the back door of a supermarket like it can in other States. I understand—and Aunty Joan might like to comment on this—that the ACCC has made a reference to Queensland and advised Queensland that it must change that law, because it is uncompetitive. In other words, it will allow a company to sell fuel out of a tin shack, and remove the regulation because it believes that it does not allow for competition.

I think it is madness. I believe that the day that the supermarkets get control of fuel in this State is the day that we will see small businesses fall over one after another. Mum and dad businesses that in some cases people have been in for 30 and 40 years will go out the door, and the level of service, particularly for our elderly, will go with them. At the end of the day, we will pay more for our fuel.

I noticed that imbecile, the member for Capricornia, Mr Marek, stated that we will now get cheaper fuel. He said that we need it now and that he does not worry about tomorrow. I think that it is a great tragedy when people take such a short-sighted view. He was wide in his criticism of me for standing up for the mum and dad businesses in Rockhampton—the small businesses that no doubt supported his Government in the vain hope that it would do something to help them. I do not want to prolong the debate. I think it is regrettable that this legislation has had to come before us two months down the track. It has caused a lot of discomfort and unnecessary unease within the community. It should have been fixed up well and truly prior to this. I think the haphazard pricing that has occurred in the past couple of months can be sheeted home to the Honourable the Treasurer sitting opposite, who is obviously hanging on every word I have to say.

As I said earlier, I believe that nationally there was an alternative to this. As the problem was created nationally, it could have been solved nationally. As the shadow Minister has pointed out, we support the Bill.

Ms WARWICK (Barron River) (9.13 p.m.): I rise to support this Bill and to offer my thanks and my congratulations to the Premier and the Treasurer for their negotiating skills and their speedy resolution of what could have been a disastrous situation, a situation that was not of our making. It had its genesis in the High Court decision of 5 August 1997 when that court found that the New South Wales tobacco franchise fee was constitutionally invalid. It then followed that similar business franchise fees in other States and Territories would also be unconstitutional. Obviously, the States and Territories needed to restore certainty to their already inadequate own source revenue, and so the Commonwealth was asked to impose a tax surcharge on fuel, liquor and tobacco.

The Commonwealth increased the excise duty on fuel products by 8.1c per litre. That was to take effect from 6 August 1997. It was reasoned that this surcharge was enough to provide other States and Territories with sufficient revenue to offset the loss of their fuel business franchise fees. Revenue that flowed to Queensland from the Commonwealth excise surcharge was returned to the industry to avoid any increase in prices. That, of course, was in line with the commitment that this Government had made to have no fuel tax. Unfortunately, people from other States were taking advantage of our subsidised fuel and coming across the border, purchasing fuel that was subsidised in Queensland and then taking it back to other States where it was resold at the excise surcharge inclusive price. Obviously, that situation was not one that Queenslanders could accept.

As everyone would be aware, very extensive discussions and consultations were carried out among the Commonwealth and other States and Territory Governments, with the fuel companies, with distributors and with the ACCC to resolve an untenable situation. It is as a result of those negotiations that the interests of Queenslanders were mostly catered for. The Premier and the Treasurer went into bat for the people of Queensland. Unfortunately, when this crisis was being dealt with competently and swiftly by the Premier and the Treasurer of this State, who were working in conjunction with the Prime Minister and the Federal Treasurer, the Labor Opposition took the opportunity to cause panic and fear in the community. They travelled up and down the coast spouting mischievous and unfounded rhetoric that did nothing but cause alarm, particularly in regional and rural areas.

Mr Hegarty: It fuelled uncertainty.

Ms WARWICK: It fuelled uncertainty.

I was outraged when Deputy Opposition Leader, Jim Elder, came to Cairns and made statements that did nothing to inspire any kind of confidence in the people of my area. I will quote from his media release dated 2 October. It was titled "Far Nth Queensland will pay dearly for 8c/Litre petrol price hike". The media release stated—

> "Premier Rob Borbidge's failure to broker a deal with Prime Minister John Howard on tax reform will cost Far North Queenslanders dearly through higher petrol and food prices, Deputy Opposition Leader Jim Elder warned today.
>
> Mr Elder said the imminent 8 cents a litre petrol price hike in Queensland will add an extra $188 a year to fuel costs for every car owner.
>
> ...

> For an average family of four in Cairns, this will mean an extra $165.76 a year for food and clothing and when you add in the extra $188 for fuel, you will be forking out more than $350 on top of your current bills."

Mr Healy: He created fear in the community.

Ms WARWICK: Exactly—he was creating fear in my community. I was not impressed in the least. This kind of misleading and mischievous information did nothing for the economy of north Queensland. In fact it is statements like that that are responsible for a lack of confidence in the business community. If the Opposition were so concerned, surely it could have adopted a bipartisan approach and offered support to try to solve the issue, not just go around with petty and offensive scaremongering.

I will again quote from that media release of which I spoke—

> "Mr Elder said Premier Borbidge and Treasurer Sheldon must accept part of the blame for the looming petrol price hike.
>
> ...
>
> 'But there is so much bad blood between Mr Borbidge and Prime Minister Howard that Mr Borbidge has proved incapable of brokering a deal on tax reform with his Federal Coalition colleagues to minimise the impact of these price increases on Queensland.' Mr Elder said."

I have news for the Opposition. The Premier and the Treasurer of this State worked harmoniously and constructively with the Prime Minister and Federal Treasurer in order to ensure that Queenslanders do not have to pay a fuel tax. Both Mr Borbidge and Mrs Sheldon have paid tribute to the goodwill and genuine concern that was displayed by both the Prime Minister and the Federal Treasurer.

I was pleased to hear the Leader of the Opposition state in his contribution to this Bill that he is supporting this legislation. He is calling it positive. It is a pity that he and other members of the Opposition were not a little more positive when they came to my part of Queensland and started creating fear in my community. I also think it is a pity that, when the Leader of the Opposition was speaking here tonight, not one Opposition member sat in the Chamber and listened to him. Obviously, he does not have a great deal of support.

Mr Healy: How many came in and supported Mr Elder, though?

Ms WARWICK: Yes, it was interesting that when Mr Elder was speaking, he did have quite a sizeable support base.

I understand that it is the role of the Opposition to question actions or the lack thereof of Governments. However, I take offence when negative and misleading information is put about purely and simply to score cheap political brownie points, and at the expense of my constituents. I have never doubted the ability of the Premier and the Treasurer to resolve this issue, and I conveyed that message to everyone I came in contact with. It is very important legislation and I am pleased to support it.

Mr HOLLIS (Redcliffe) (9.20 p.m.): I decided to join in the debate on this Bill after reading the Treasurer's second-reading speech. When I got to page 3, I thought, "This cannot be true." The Treasurer stated—

> "As Treasurer I can say we have faced many difficult problems which were not of our making. Problems which were brought about by the previous Labor Government's incompetence, by changing commercial conditions, and by High Court decisions."

Mr Hamill: The biggest problem she faces is herself in the mirror every morning.

Mr HOLLIS: Exactly. The Treasurer stated further—

> "These include:
>
> Labor's underlying Budget deficit;
>
> the $75 million health budget black hole.
>
> ...
>
> tobacco franchise fees;
>
> liquor franchise fees; and
>
> the potential of an 8.1 cent fuel tax."

Is that not an amazing statement to make? Already we have proved that the underlying Budget deficit was a Liberal lie. Already we have proved that the $75m Health budget black hole was a Liberal lie. In relation to the tobacco franchise fees, the average packet of cigarettes is now up 20% per packet. In relation to the liquor franchise fees, the average cost of a carton beer or a bottle spirits has increased by $3. Now we have the potential of an 8.1c fuel tax.

However, since the Government started playing around with this fuel tax, in my electorate of Redcliffe fuel has gone up by 6c

or 7c per litre. So one has to wonder when the Treasurer stated further—

> "We have tackled each and every one of these issues, and solved each and every one of these difficult problems."

How has the Government solved them? By everything going up! In her second-reading speech, the Treasurer asked—

> "Will the Leader of the Opposition now go 'up and down the State' extolling the virtues of this Bill?"

Why would we be extolling the virtues of the Bill when so many people are paying so much extra for their petrol, their liquor and their cigarettes?

I also wanted to speak to this Bill so that I could read out a letter that the Treasurer might be interested to hear. She not only now has a series of questions on her desk but also she will have this letter. The letter states—

"Dear Mr Hollis,

Once again this government has gone back on its word, three weeks ago the Premier and the Treasurer flew to Canberra and arrived back home stating that petrol prices would not rise here in Queensland, like thousands of others, including yourself, we failed to see it.

In fact ever since they did arrive back it has had a rise of between 6c to 8c a litre isn't that wonderful for everyone.

Something stinks here. Hence this letter to you which I would like you (besides asking the question yourself when you sit next, which I believe is the following week) to be presented for the Premier to read, and hopefully we may get a straight forward answer.

Some one is telling big lies here and if the oil companies, or the distributors, or the garages are fleecing the public they should be told in no uncertain terms, and of course the last burning question is, has the Premier kept to his promise to compensate the oil companies that is the burning question.

Can this government imagine the hardship that this will mean for such people as pensioners, the ordinary battler etc, etc, I doubt it but something has to be done.

I thank you for taking time to read my letter, and I sincerely hope like others that you can bring this matter to a satisfactory conclusion.

Yours sincerely,

Mr and Mrs P. A Edgington."

That letter indicates what is happening in this State today. The State coalition is raising taxes and raising charges. We see more of that every day. We now have the awful situation of people who have fought wars for this country and then the next thing they know the Federal Government is taking their houses away from them so that they will be able to enter a nursing home. That is the sort of thing that is happening under this coalition Government.

The pharmaceutical benefits have been reduced for our aged people. The Government has also gone further and stopped funding the very body that speaks for pensioners, the Pensioners Superannuants League. So pensioners no longer have a voice.

Yesterday, what we heard from the Housing Minister was incredible. Each year, the former Labor Government built units for pensioners. It gave them a decent place to live at a reasonable rent. Yet in answer to a question that I asked of the Housing Minister, the Minister pointed out that in 18 months in Redcliffe just one unit of housing was built. That is a shameful example of the Government's disregard for the battlers, the pensioners and the other people who need support.

That is why I thought that I would speak to this Bill. There is no guarantee that the provisions of this Bill will not fall over in the next few months. We not only have a high-tax Government but also we have a Government that has absolutely no compassion for those who need it the most.

Back in the late 1970s and the early 1980s, I operated a small carrying business, which used diesel. At that time, we had a conservative Government. During the term of that Government the price of diesel, which is a by-product of petrol and one third of the cost of petrol, equalled the price of petrol in this State. Again, that increase hit the battlers—the truckie and the people who needed to buy the products that the truckie transported because those goods became more expensive to carry. That was another impost that a coalition Government brought upon this State.

It is not just the fact that petrol has risen already by 7c or 8c but that all costs will rise. Once the price of petrol and other fuel such as diesel increases, the cost of living increases. I think that, with this Bill, with the increase in petrol prices and with the lack of will of this Government to control prices in this State, we will see the end of zero growth in the CPI.

When the Treasurer flits off to Canberra in future, I ask that she ask the Federal Government to be a little bit more compassionate and to think a little bit more about the needy and the battlers. By the way the opinion polls are going for both the Federal Government and the State Government, neither of them will be there to hit the battlers next year.

Mr HARPER (Mount Ommaney) (9.27 p.m.): I am very mindful of the importance of petrol prices to the people in the Mount Ommaney electorate and to the people of Queensland as a whole. I think that it is important to remember that, from day one of the High Court decision, the Premier and the Deputy Premier have said that Queenslanders would not pay extra for their petrol owing to that finding of the High Court. This Bill demonstrates clearly the resolve of the Premier and the Treasurer and the work that they have done to ensure that petrol prices do not rise.

In contrast, for several weeks the ALP has been huffing and puffing about this matter. Its leader, deputy leader and others have been running up and down the State making dire predictions and scaring people. We see that over and over from the Opposition. It does not care what it does to people. It is happy to scare them.

Mr Beanland: Part of their five-point plan for a fuel tax.

Mr HARPER: That is probably true. Opposition members are quite happy to run up and down the State unnerving people, making them edgy and worrying them sick, simply to try to gain political advantage for themselves. However, the people realise what they are trying to do and it is just not working. The Opposition would be better off if it took a responsible attitude and joined in trying to solve the problem that has arisen.

Tonight, Opposition speakers have talked about price rises. Obviously, some of them do not understand how petrol prices are set at the retail pump. Not one cent of the price rises that have occurred over the last few weeks has been due to tax rises or to extra taxes imposed on Queenslanders. Yet if one were to listen to the members opposite, one would swear that all rises in petrol prices have been due to this Government. I repeat: not one cent of the price increases has been due to tax increases.

Members opposite should remember that the ACCC sets the prices for petrol. If they are really keen to know what is happening in their electorates and if they really want to protect their constituents who may be taken advantage of by some of the service stations and the petrol companies, they can get the price lists from the ACCC. Those lists show the minimum and maximum prices that can be charged for petrol in any particular region. They would then be able to tell their constituents whether the prices being charged were correct or whether they were over the top. Obviously, over the last few weeks some of the petrol companies and stations, fuelled by the Opposition, have taken advantage of the situation and increased prices within the range set by the ACCC. Anybody who buys petrol knows that the prices go up and down within that range, yet from what the members opposite say one would swear that the price increases have all been due to increased taxes. As I said, not one cent of any price increase has been related to an increase in tax. That needs to be clearly stated to put an end to the misrepresentations made by those opposite.

Indeed, in the future it will be very interesting to read some of the speeches that Opposition members have made today on this Bill, because that will well and truly put the attitude of the members opposite into the right context. A couple of classic speeches have been made. I am sure that the people of Queensland, especially the constituents of those members, would be interested to read the speeches to see how the Opposition approaches this matter. It certainly does not show the mark of being ready for Government.

The Leader of the Opposition and his deputy made certain claims about what Queensland would lose should this legislation be passed. I remind them that the Commonwealth Government's safety net is in place and that the Commonwealth Government has said that no State will lose. From day one, the Premier and the Deputy Premier have negotiated to ensure that Queensland does not lose out and that Queenslanders do not pay any extra for their fuel. Obviously that situation has been brought about due to their hard work and also the hard work of Treasury and other department officials. They are to be commended for that. I have observed and can testify to the hard work that has been done. Members opposite have not been interested in doing any hard work or in solving the problems. All that they are interested in is scaremongering to try to make themselves look like an alternative Government. In effect, they have done the opposite.

From the events of recent weeks and from the Bill that is now before this House, it is clear that the Borbidge/Sheldon Government has moved decisively to fend off the threat of higher fuel prices in Queensland. As I have said, the Premier and the Treasurer are to be praised for that.

Motorists, users of public transport, farmers, businesses that use diesel to operate their machinery and people living in remote areas would have suffered as a result of the High Court decision of last August. Motorists would have been hit directly at the petrol pump. Bus and train fares would more than likely have risen. Businesses using diesel-powered machinery would have seen their costs spiral. The costs of transport to remote areas would have risen, meaning higher prices for people living and working in the bush.

Of course, none of this would have come as a surprise to our friends in the Opposition. They have been making dire predictions that Queensland families would be exposed to a $400 increase in their cost of living. In fact, the way they were talking, one would think that they were hoping that it would happen, just for their own advantage. They have been telling us that the competitiveness of the Queensland industry is at risk. They are very good at raising problems, because they do it all the time. However, the Borbidge/Sheldon Government comes up with the solutions and gets on with the job for Queensland.

I turn now to some of the details of the fuel subsidy scheme as it affects Queenslanders. One of the great advantages of this scheme is that fuel retailers—essentially, service station operators—can continue to purchase fuel from distributors at the subsidised price. This means that service station operators will not have to go through a complicated process of claiming subsidies from the Government and being out of pocket while they are waiting for their subsidy to arrive. They simply need to quote their licence numbers to purchase as much subsidised fuel as they want. Because this Government cares about small business, it realised that that would be a problem. We care about those people.

The scheme is equally straightforward for off-road diesel users. All they have to do is quote their licence numbers to receive as much fuel as they require for their off-road operations, all at the subsidised price. Other purchasers of bulk quantities of fuel will also be licensed to purchase subsidised fuel for their operations in Queensland.

Motorists will not be affected by the administrative arrangements set out in the scheme. They will continue to have access to subsidised fuel. There will be no other impact on ordinary motorists and, most importantly, no extra tax will be paid by those motorists. People living in remote areas can be assured that there is no need for any increase in their cost of living as the fuel component of transport costs will remain unchanged.

Considerable pains have been taken to ensure that there are no cost increases in the fuel industry generally that might be used to justify higher prices. This is another area to which great attention was paid. To this end, the timing of the subsidy payments to the fuel industry will be coordinated with the timing of the Commonwealth fuel excise payments. This will remove the prospect of some companies in the fuel industry being forced to pay the Commonwealth excise well in advance of receiving their Queensland Government subsidy.

The fuel subsidy scheme avoids this problem, further reinforcing the point that there is no need for Queensland businesses and individuals to pay more for their petrol. There are also provisions in the scheme to ensure compliance. Unfortunately, these measures are necessary to ensure that Queensland retains its low-tax status and to ensure that that status is not exploited by others to the detriment of Queensland and Queenslanders. Arrangements have been made with the New South Wales Government for the fuel schemes of the two States to be coordinated to ensure the integrity of both schemes.

In summary, the Queensland Government fuel subsidy scheme is fair, efficient and as straightforward as possible. It is easy to see why the scheme has earned the unanimous support of the fuel industry. It is clearly worthy of support by all Queenslanders. The Government is to be commended for getting on with the job and for looking after the Queensland people by introducing this legislation. I strongly support this Bill, which will look after all Queenslanders.

Mr BRISKEY (Cleveland) (9.37 p.m.): Government members amaze me. They try to put a spin on this issue to make it look like the Premier and the Treasurer have achieved something. What they have achieved is a monumental mess. There have been months of mishandling a situation that could have been resolved quite easily. Absolutely no consultation took place with anybody over this issue. They just said, "Everything will be right. We'll go out there and say that fuel prices will

not go up", but they did not do anything to stop them going up.

Mr Pearce interjected.

Mr BRISKEY: Absolutely, and tonight we are at the last-minute stage of bringing the Bill before the House. All that the Government did was create months of uncertainty for Queenslanders and the Queensland economy. People did not know what was going to happen. They did not know whether petrol prices would go up and by how much they would go up. The result of those petrol price increases would have been disastrous for the whole economy of Queensland. As the honourable member for Fitzroy said, an effective mechanism could have been put in place early on in the piece. Indeed, it should have been put in place months ago. This Bill is a two-minutes-to-midnight disaster. We will accept it. We understand that it has to happen, but it should have happened two months ago. Government members got together with the industry representatives and were forced into a backdown over this issue. It shows that they are hopeless at running the State of Queensland. The people of Queensland are seeing that. Government members are trying to put a spin on this and are saying how wonderful it is, yet the people of Queensland see right through them. They see that the Government has no idea how to run the State.

The Treasurer made a promise early on that Queenslanders will not have to pay any extra for fuel. We have already heard from members on this side of the House that straight after that promise was made people did pay extra for fuel. I will cite the example of what happened on North Stradbroke Island. I was contacted immediately after the Treasurer's promise on fuel was made. On North Stradbroke Island, the fuel price went up by 2.3c a litre.

Mr Lucas: It's a disgrace.

Mr BRISKEY: Yes, it is a disgrace. Today on North Stradbroke Island my constituents are paying 78.4c per litre at the grocery store at Point Lookout, 79.1c a litre at the general store at Amity Point, and 80.3c a litre at the BP at Dunwich. At the BP at Point Lookout they are paying 81.3c a litre. That is outrageous and it should not be happening.

Mr Hegarty: Transportation costs.

Mr BRISKEY: I will come to that in a minute.

Mr Lucas: You're well known as a fighter for your electorate; you fight for the islands.

Mr BRISKEY: I thank the honourable member for that interjection.

Let us look at the costs of fuel across the State as reported in this week's Sunday Mail. As we know, Warwick is about 160 kilometres from Brisbane. The average price there was 66.2c per litre. In Toowoomba, which is only 130-odd kilometres away from Brisbane, they were paying 68.7c a litre. Up in Bowen, which is almost 1,200 kilometres from Brisbane, they were paying 72.6c a litre. In Townsville, which is almost 1,400 kilometres from Brisbane, they were paying 73.7c a litre. As we all know, Longreach is about 1,200 kilometres from Brisbane. They are paying 78.9c per litre there.

What are they paying at Point Lookout on North Stradbroke Island, which is a 25-minute water taxi ride from Cleveland? They are paying 81.3c per litre. Let us look at Mount Isa, which is almost 900 kilometres from the coast. Its fuel comes from Townsville. Do members know what the average cost of fuel is in Mount Isa? They are paying less than people at Point Lookout are paying—78.4c a litre. That is an absolute disgrace!

Let us look closer to home. Today in Wynnum they could buy petrol at 61.7c a litre—just across the bay from North Stradbroke Island. In Cleveland they were paying 68.9c a litre. Honourable members should compare these prices with those on North Stradbroke Island. The honourable member mentioned transport costs. Of course, transport costs are a factor in respect of North Stradbroke Island. Let us have a look at that. Stradbroke Ferries transports fuel to North Stradbroke Island. It charges $15 per metre for transporting trucks and so on. Fuel tankers are 17 metres long. That means it costs the transporter of the fuel $255 to get over there. Each petrol tanker holds about 40,000 litres. That means the cost to transport fuel to North Stradbroke Island is 0.64c per litre—not even 1c per litre.

If we add that transport cost to the price of fuel at Cleveland, fuel on North Stradbroke Island would cost 69.5c a litre. If we add that 0.64c per litre onto the cost of the price of fuel in Wynnum, it would be 62.3c a litre. But my constituents on North Stradbroke Island are paying between 78.4c a litre and 81.3c a litre.

There are two petrol stations on North Stradbroke Island which bear the BP emblem, but they do not receive price support from the BP oil company. On the mainland, the companies support their stations through price support when the petrol pump price is forced down because of competition between petrol

stations in a particular area. There is no competition on North Stradbroke Island. Therefore, my constituents are forced to pay up to 81.3c per litre. Why should they have to pay more than the regular cost of fuel plus the transport costs of 0.64c per litre—less than 1c per litre? Indeed, why should they pay any more than Wynnum residents pay plus the cost of transport to the island?

The present wholesale price of fuel is 66.7c per litre. This is the price that oil companies charge their outlets before they provide price support for them. Petrol is supplied to North Stradbroke Island by a distributor. However, that distributor does not pay the wholesale price. The distributor gets fuel from the oil company at a cheaper rate than the wholesale rate of 66.7c per litre. Even if the distributor paid the going wholesale price of 66.7c per litre and then added the transport costs of 0.64c per litre to get the fuel to the island, the cost of fuel landed on the island would be 67.3c per litre. My constituents on the island pay too much for fuel. They tell me they are being ripped off, and I agree with them.

This Government and its Federal colleagues should ensure that all Queenslanders do not pay any more than they should. Before they got into Government, members opposite promised that theirs would be a Government for all Queenslanders. What about North Stradbroke Island residents? They are Queenslanders. The Government has forgotten about them. It has done nothing. It promised to look after all Queenslanders, but what is it doing about the petrol prices they are having to pay? My constituents and I want to know why they are paying up to 81.3c per litre. I want to know what this State Government is going to do—this State Government that said it was there for all Queenslanders. I want to know what its Federal Government colleagues will do also—other than to take people's homes when they have to pay for their entry into nursing homes.

Mr Lucas: Shame!

Mr BRISKEY: That is absolutely right; that is a shameful thing to be doing to our elderly population.

The fuel prices that they have to pay on North Stradbroke Island are grossly unfair, and it must stop. I call on this State Government and the Federal coalition Government to investigate the price of fuel on North Stradbroke island and ensure that a fair price is charged so that my constituents are not paying more for petrol than other Queenslanders, allowing, of course, for the cost of transportation.

Mrs CUNNINGHAM (Gladstone) (9.48 p.m.): Similar to the constituents of the member for Cleveland, my constituents pay too much fuel. I know that most of the people who live in the Gladstone/Calliope area are very frustrated by that. Unfortunately, I think it has little to do with the State Government. My investigations found that the price we pay in our area does not attract the 5% highway rebate that the fuel companies give some of the fuel outlets on the highway. That is a continuing problem for us. People can drive 20 minutes north of Gladstone and buy fuel that is 3c to 4c a litre cheaper. If people drive 20 kilometres to 40 kilometres south, they can buy fuel that is 3c to 4c a litre cheaper. We do not have a State excise. It has little to do with the Federal excise; it has everything to do with the companies manipulating the availability of this rebate and company competition.

It is wrong that country Queenslanders, such as folk in my electorate, suffer. They travel from Gladstone to Brisbane and find that the price of fuel is in the mid sixties—and sometimes the low sixties—and they are paying 72c a litre in Gladstone. Fortunately, as some of the speakers have said, we have not been subjected to huge fuel price fluctuations as a result of the threat of the increase in fuel prices. Some distributors who contacted my office were concerned about the possible 8c per litre increase in price because of the High Court's decision and the Federal Government's reaction to it.

I want to take a minute or two to pass on my appreciation to the Minister. Whilst I was not given in-depth briefings in the sense of a day-by-day, blow-by-blow account on what was happening, I do know that a couple of months of work—a great deal of work—was done to try to avoid price increases for Queensland. Ours was the only State that did not have a State fuel tax and, therefore, what could have been a position of strength was quickly eroded to a position of weakness in which the rest of the States of Australia could quickly coerce the Federal Government on the basis of votes and reaction to ensure that, if any State was left out in the cold, it would be Queensland.

I thank the Minister for her officers' briefings. I have had three or four briefings on the status quo. I do believe that her officers worked very hard to try to find an alternative. A number of times they had what they believed was a solution. One which I thought was excellent was found to be unable to be substantiated as far as the Commonwealth

law was concerned. I want to pass on my thanks to the Minister as well as my support for the Bill. Whilst one niche in the market is going to have additional paperwork, the end winners will be the mums and dads, as previous speakers have said, who consume fuel carrying the kids to school, going shopping and visiting their families. They do not deserve an 8c per litre bowser increase because of a High Court decision. I would like to pass on the appreciation of my electorate for the avoidance of that.

Mr LUCAS (Lytton) (9.51 p.m.): The issue of petrol prices is dear to the hearts and wallets of many Queenslanders. Whilst Queensland does not have a State fuel tax, we recently saw a situation in which a number of petrol stations took advantage of the confusion over the High Court excise tax ruling to jack up the price of petrol at the bowser. As a Labor member of Parliament, petrol prices are of particular concern to me because they represent a very high proportion of expenditure for people on fixed and lower incomes.

It does not matter if one is the wealthiest person in Manly living on the hill or one is the most modest battler in a housing commission unit at Wynnum West, one still has to drive the same distance to the city and one still uses the same amount of petrol. However, in that example, the two incomes are massively different. So the impact of the petrol prices on the little people—the battlers, the pensioners and families—is much greater than it is on those who are more wealthy. I think it is very important that we ensure that we focus on a system which makes petrol as cheap as possible for those whom we seek to represent, that is, the ordinary Queenslanders—the mums and dads, the pensioners and battlers.

We have also heard and seen instances in which service stations in rural and regional areas have taken advantage of their isolation and lack of competition to charge exorbitant prices. Earlier this year a local constituent compiled a survey of retail petrol prices in my electorate. She compared the prices charged by four service stations over a period of several weeks. Two facts became immediately clear. Firstly, I was struck by the extraordinary coincidence that each petrol station charged exactly or almost exactly the same price for fuel on any given day. When prices did vary, it was usually a case of just one operator charging 0.4c per litre less than its opposition. On many occasions, the price charged by all four stations was exactly the same. So much for competition!

Secondly, it became clear from the survey that operators are taking advantage of their increased trade at weekends by raising prices accordingly. It was not uncommon for the price of both leaded and unleaded petrol to jump by 2c or 3c a litre between Wednesday and Sunday and then fall again by the same amount. This is an issue which is of great concern to consumers. But it is not only consumers who suffer; it is the small-business people who often operate service stations and who are often squeezed and forced into working many hours a day for ever-decreasing margins. The real point is that, in the interests of all Australians, the petrol industry needs attention from the top to the bottom. I table the petrol watch in Wynnum/Manly for the period February to May this year.

In the wake of such evidence, motorists are entitled to ask some hard questions about petrol pricing. Indeed, the issue of petrol pricing has been a hot potato for Federal Governments in recent years with any number of inquiries and calls for further inquiries into pricing practices. Last year, the Howard Federal Government agreed with the Australian Competition and Consumer Commission's recommendations that petroleum products be removed from price surveillance in 1997 subject to pro-competitive developments in the market. The Government also has agreed with the ACCC recommendations to remove the Petroleum Retailing Marketing Sites Act and the Petroleum Retail Marketing Franchise Act once agreement is reached on the strengthened legislated oil code of conduct. Negotiations on these matters have been ongoing between the Federal Howard Liberal/National Government and oil operators. I understand from the ACCC that a Federal Government announcement on new arrangements is imminent. I am sure that Queensland motorists will await this announcement and its subsequent impact on petrol prices with interest.

The Federal Government states that promoting competition and removing undue regulation and publicity is the best way to achieve lower petrol prices at the bowser. I would suggest that competition relies on two factors. One is having the information in the hands of the consumers; they must have knowledge about what prices are and their movements in different areas. The other factor is the very important principle of non-collusion. Honourable members have only to look at situations such as home loans and bank fees to see what happens in relation to collusion. Even though the banks advertise the

packages that they offer, there is no real opportunity for people to compare one with another. How could this callous Howard Liberal Federal Government—the one that slugged pensioners $80,000 to go into a nursing home—sit on its hands in relation to petrol prices? How can it possibly say that less information is better than more? In this modern day of the Internet and computer technology, we need a regime in which there is more scrutiny of prices, prices are publicised more and the consumers have a chance to see what a fair deal is and is not.

But it is not enough for the Liberals and Nationals on petrol. Who could forget their aborted attempt to slug oil with their so-called environment levy to raise $8m a year that went by the wayside? Petrol is very important to the people of my electorate. They are battlers; they are ordinary people, and petrol consumes a large proportion of their income. This is also important because in my electorate is a very major employer in the oil industry. Ampol is situated in the electorate of Lytton and employs many local people. I do not say that Ampol is perfect, but it is a pretty good corporate citizen in the local area and it does take its local role seriously. It has a pretty good environmental record but, of course, that is something that we all must continually work on to improve.

I would encourage consumers throughout Queensland and in my electorate to keep a sharp eye on fuel prices. I can assure the people of my electorate that petrol prices will continue to stay under scrutiny. I look forward to tabling in the House in the future more petrol price watch lists in the Wynnum Manly area so that we can ensure that people are kept honest for the benefit of the battlers and the little people.

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.58 p.m.), in reply: Let me start by acknowledging the Opposition's support for this Bill, tardy though it is, but I do thank them for it. This Bill will ensure for the first time that the people of Queensland do not have a fuel tax. I must say, though, that I am totally bewildered by the Opposition's criticism that the Government has been slow to react to the High Court's decision. As I am sure the Opposition would recall from its own experience in 1993 when the Capital Duplicators case was being considered by the High Court, it is impossible to pre-empt any decision of the High Court or to have in place a detailed legislative response to a decision before the decision itself is known.

It is important to remember that the High Court challenge which led to the decision which invalidated business franchise fees related to the New South Wales tobacco legislation and not to any Queensland legislation. It was, therefore, not possible to know before the court's decision was given whether any legislation other than the New South Wales tobacco legislation would be affected.

Regardless, Queensland and the other States had developed a strategy to ensure that State revenues were protected in the event of an adverse decision. The Commonwealth's very quick announcement on 6 August of its introduction of safety net and windfall gains tax legislation to not only protect future revenues but to ensure that past revenues were not lost through refunds to licensees, highlights the substantial work which had been done before the decision was handed down.

The Government also moved very quickly to implement interim subsidy arrangements to ensure that fuel prices did not rise while a longer term solution was being developed in consultation with industry. These interim arrangements have been successful in keeping prices down, and will remain in place until the schemes provided for in this Bill come into effect.

If we had adopted the approach which the Opposition seems to be suggesting we should have, we would have drafted legislation before fully understanding all the issues which needed to be addressed. The Government was not prepared to take such risks. Instead, we undertook a detailed consultation process with industry to understand their issues and to enable us to develop a scheme which minimised any costs to industry while also addressing the financial risks to Queensland and the concerns of the fuel industry. This detailed consultation could not occur before the High Court decision. As I am sure the Opposition would appreciate, industry is not interested in developing solutions to issues before it is clear that there is in fact an issue. Meaningful consultation and problem resolution can only begin once the problem has been identified and is clear, and that is exactly what the Government did.

I would say to the member for Ipswich and the member for Brisbane Central: give credit where credit is due. The Government went from a standing start a little over two months ago—a time when we had no knowledge of the fuel industry because we did not have a fuel tax—to now having before the

House robust and complete legislation which is being used as a model by other States—States which, unlike Queensland, have years of experience with fuel taxes and the fuel industry. In fact, New South Wales has already publicly announced to the fuel industry that it will adopt a similar scheme.

In getting to this position, the Government recognised the need to have the support of the Federal Government, and we gained that. The Government also recognised the need to have industry support and, again contrary to the member for Capalaba's views, has that. In fact, I released a joint communique with members of the fuel industry on 16 October in which they announced their unanimous support for the Queensland fuel subsidy scheme. Their view clearly is that it provides a workable solution to the problem of ensuring that there are no fuel price increases in Queensland.

The Motor Traders Association of Queensland publicly stated that—

> "Everybody concerned with producing the scheme should be congratulated and the public should be thankful to the Government for ensuring that petrol prices do not increase."

That clearly is strong evidence that the scheme has delivered in the way which the Government always said it would—by ensuring that all necessary steps are taken to put in place a scheme which not only works to protect all Queenslanders but which the industry can work with.

The member for Ipswich has sought an assurance that the Government will be vigilant in ensuring that there is no profiteering under the scheme. I am happy to provide that assurance. The legislation clearly makes it an offence for any fuel seller to recover any part of the Commonwealth excise surcharge from eligible purchasers. I ask all members in the House who have been complaining about petrol price increases to listen to this. As members looking after constituents it is their responsibility to see that this is followed. Members should report any breaches to us and we will see that it is stopped by the fuel industry.

I would like to repeat that the legislation clearly makes it an offence for any fuel seller to recover any part of the Commonwealth excise surcharge from eligible purchasers. Coupled with this, the Office of State Revenue, which will administer this legislation, has established a compliance unit and is now developing a detailed strategy to monitor compliance with the Act. We will not tolerate profiteering. I would encourage anyone who has knowledge of such unscrupulous activity to immediately notify the Office of State Revenue so that the matter can be addressed. I guess that after tonight's speeches from members of the Opposition the Office of State Revenue will be very busy.

In conclusion, this Government has moved decisively to protect Queensland's position as the low-tax State and ensure that we have a positive solution to the problem presented to us by the High Court so that Queenslanders do not pay any more for their petrol. The Opposition has recognised that by its support of the Bill.

I would like to thank all members for their contributions tonight. Some contributions were very valuable—particularly those from this side of the House. It is a great pity that those on the other side of the House tried to take cheap political shots through the wording of their support.

I would like to place on record my appreciation of my Treasury Department and staff. They have worked tirelessly on this issue. They have worked day and night. They have given of their own time. We should be thankful to them for their expertise, for their dedication, and for the results that they have accomplished. These words are further emphasised by the fact that other States are going to support the legislation we are putting in place. That is a clear tick for what has occurred in this State because, as I said, we have never had a fuel tax. We started from a base where we did not have this information. We did not have the experience that other States have had; yet our Queensland Treasury has put forward the position paper that not only was accepted by the Commonwealth Government and by the fuel industry in total, but also is now being supported by other States. I would like to support those officers. I would also like to thank the officers of the Parliamentary Counsel for the long hours and hard work they have devoted to the preparation of this Bill in a very short time.

Motion agreed to.

Committee

Clauses 1 to 20, as read, agreed to.

Schedules 1 to 3, as read, agreed to.

Preamble, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mrs Sheldon, by leave, read a third time.

TRANSPORT LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 8 October (see p. 3697).

Mr LUCAS (Lytton) (10.09 p.m.): There are a number of issues that I want to raise in the House this evening in relation to transport which are very important in my electorate, and also some transport issues that are important in a wider context. I am very glad that the Transport Minister is here tonight, because it is very important that he listens to the very important and urgent concerns of the people of my electorate, particularly those who use trains.

One of the greatest concerns that I have come across as a relatively new member of Parliament—and people are talking to me about it all the time—is the behaviour of some people on and around railway stations. It is very important to remember that railway stations are used predominantly by people who are not of high-income backgrounds. People from higher incomes can generally afford to drive cars or catch taxis, but someone on a fixed income or someone of fairly modest means is left in a position of having to rely on public transport.

The electorate of Lytton is very well served by public transport. Indeed, there are six railway stations in the electorate, and they are pretty centrally located for most people. Once upon a time, the line went to Cleveland, then it came back to Lota, and now it is back to Cleveland again. One of the real concerns that people have is using the trains at night. Public transport safety is really a function of numbers. When people who use public transport get scared of using that public transport, they do not turn up to use it. Then other members of the community see fewer people there, so they do not want to use it, either. This has an effect on revenue, and we end up with a situation in which the railway stations become ghost towns.

I have taken a great interest in security issues at train stations in my electorate. This has involved not only discussions with Queensland Rail and lengthy representations that I have made to the Minister over various issues, but it also has involved lengthy discussions that I have had with local police—and, indeed, up to assistant commissioner level—which have culminated in the recent Operation Safe Suburbs, which was very effective in dealing with people who were misbehaving on and around railway stations.

The problem is that we cannot have police on a train station for 24 hours a day. After the operation ceases, we need some ongoing protection. This is where railway surveillance cameras come in very useful. Those stations that have surveillance cameras—and that is all stations with the exception of Lota and Lindum—are connected to Queensland Rail facilities in town where they can be monitored. Recently, I was speaking with someone from Queensland Rail who told me that each time they dial up a particular camera on a train station it costs them the equivalent of an STD call. Surely, in these modern days, there is some facility or some capability for modern technology to allow instant and inexpensive flicking to and from cameras on various stations.

The police are faced with this situation: there might be some louts who muck up on one train station. The police arrive and tell them to move on. They hop on a train and go two stations down the track, and then muck up again. That is very unfortunate, because it just transfers the problem to somewhere else. So we need a situation in which the police are aware of what is happening, so that they can take action in the best interests of the suburb.

Mr Grice interjected.

Mr LUCAS: It is interesting that the member speaks about police. Last year, the Wynnum police district had the worst police to population ratio of any district in Queensland, and Queensland has the worst police to population ratio of any State in Australia. So when members talk about police numbers, I am more than happy to talk about police numbers, because the decent hardworking folk of my electorate get ripped off by this Government because they have the cheek to vote Labor. This time last year, they were given the opportunity to decide who they wanted, and they voted resoundingly for Labor because they have had a gutful of being treated as second-class citizens.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr J. N. Goss): Order! Let us have a little calm. I know that the member is trying to keep everybody awake. The member for Lytton will continue.

Mr LUCAS: In relation to police numbers, the people in my electorate ask only for the same as people in other parts of Queensland are given. The member raised the issue of

police, but I have discussed this on other occasions, so I will get back to the issue of transport.

Recently, I had a very productive meeting with police and Queensland Rail officials, who do the best they can with limited finances. I certainly do not blame the police or Queensland Rail. The Government has to make these funds available to them. The Wynnum Police Station, being a 24-hour police station, has a watch-house, surveillance cameras and a big bank of television screens where they are monitored. It occurred to me: why would it not be possible to have a situation in place whereby vision from Queensland Rail stations is able to be examined by police officers, so that when they get a call at the local station they can have a quick look to see what is happening, and when they move people on they can have a quick look to see what is happening? I am sure that it would not involve a great expense in this day of Internet technology and sending pictures via landline. This is something that the Minister should very seriously investigate.

I do not tolerate misbehaviour by louts who take away the rights of people to use public transport, and the rights of people to go where they want to go in safety. It is very unfortunate that the people who are most affected by this fear of louts and misbehaviour are the elderly and women, some of whom are virtually forced to be prisoners in their own homes. We should not, as a Parliament, tolerate that. We should give the police every power possible to deal with that issue by way of surveillance equipment and information so that they can move on those people who are going to take away the rights of others to use public transport in peace.

I turn now to the issue of work licence applications. I note that the Bill contains some discussion about section 28 of the Traffic Act. I was told a number of years ago that other States do not have work licence applications similar to ours. But recently, John Singleton, who was caught speeding at an incredible speed, was able to get his licence back. That seems to be a little unfair when a lot of other battlers cannot do that. The very important thing about work licences is that they are fair and people have access to them. This is not an ideological issue, but it relates to the terms and conditions under which those licences can be issued.

A number of years ago an amendment was made to the law that removed the ability of people who have licences in other States to get work licences. That is very unfortunate, the problem being that a person might be an interstate truck driver or someone who has just moved to Queensland and they have not yet changed over their licence. That person is faced with a technical situation that has nothing to do with the merits of the particular case. I am more than happy for a magistrate to determine this issue. It is very important that only responsible, fit and proper people are given a work licence. But because of a technical reason some people are denied work licences.

I am aware that the Minister knows a lot about the transport industry. He has a great deal of concern for truckies. They are the sorts of people who are affected the most. When I was in practice, I would often have to say to people, "Look, I am very sorry, but the situation is that, due to this technicality, we cannot assist you." The problem with that is that it not only penalises the worker involved; sometimes they have huge amounts of money tied up in loans for their rigs or their taxi licences, and they are faced with a situation in which they and their families become destitute.

I do not condone drink-driving, and I never have. I believe that we should take a very tough stand on it. But if we are going to have work licence application provisions in our law, then we should make sure that those technical impediments, which I acknowledge have been around for quite a while, are considered. I ask the Minister to have a look at that issue in the future.

Hon. V. P. LESTER (Keppel) (10.18 p.m.): Public transport is an issue on which each and every one of us must place greater emphasis. The harder we try to get people to use public transport, and the more we are successful, then the more room there is on our roads for those people who really have to use them.

Firstly, I wish to mention the Yeppoon-Rockhampton railway line. In the past, there have been unsuccessful attempts to close that line, and I do not want that situation to arise again. So it is up to the community to do whatever it can to ensure that that line is used. Pineapple growers use the line. As well, a deal has been struck with the cannery at Northgate whereby it uses the rail to transport its products.

It disturbs me very greatly, however, that, within the forestry industry, the companies involved in shifting logs have chosen not to use the railway. I make an appeal tonight to see if there is not some way in which those logs can be loaded just outside Yeppoon to

the south and transported by rail to the main line and then to wherever they have to go. I say that very sincerely, because I do not like to see great trucks loaded with logs going up and down the highway when I believe that could be avoided. The reasons the railway department give me for not doing it is that it would cost quite a bit of money to upgrade the line. I have to point out the argument that, because roads get knocked around, it costs a good deal of money to upgrade the roads as well. I make that little appeal here today.

I also make the point very clearly that the Yeppoon Railway Station will remain open, in spite of the carryings on of some people who would like to see it shut some six months before an election. It will not be shut six months before an election, six months after an election or ever. I make that particularly clear.

The roads between Rockhampton and Emu Park have received an enormous amount of work. The whole road has been widened, which is very, very good. We have another passing lane, the timing of which the Minister has brought forward considerably. I thank him for that. It is needed to enable people to commute between Rockhampton and the Capricorn Coast. I understand that currently the Capricorn Coast has the second fastest growth rate of any shire in Queensland. That is a pretty good effort, but it means a heck of a lot of traffic on the road. We have to continue those improvements. I will not give up until such time as that road is made a four-lane highway, which was started in the term of the National Party Government. Where it is four lanes, it is very successful. The Labor Government halted that project. Since then, we have had a bit of trouble cranking it up. However, the passing lanes will be very good.

It is not usual to mention a public servant's name in Parliament; however, Terry Hill, the General Manager of the Department of Main Roads in Rockhampton, deserves a mention. I understand that he is giving a great service to all members in assisting them to get little jobs done. There have been a few niggly little jobs that I have needed; I have asked him and they have been done. Some of his predecessors would have done well to have taken note of that gentleman's great efforts. He was onto the job very quickly. I know that he is applying that effort across-the-board to all members of Parliament, irrespective of their party. To Terry and all his staff—well done!

The new tilt train is coming to Rockhampton. Everybody is getting very excited about that. I have some plans for that train when it gets to the central Queensland area. Those plans are being finalised in talks between the Minister and me.

An emphasis must be given to public transport. I ride on the bus quite a bit. I do that to try to provide a bit of an example. It is all very well for me to talk about people using public transport, but if I do not ride on the coach occasionally, I can hardly expect anybody else to do so. It is surprising how one can work one's schedules. If one works around the timetable of the coach or the bus, one can normally fit things in. One cannot do it all the time, but at least some of the time it does work out particularly well.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (10.23 p.m.): This Bill covers a wide range of topics across numerous pieces of legislation.

Mr GRICE: I rise to a point of order. The lead speaker for the Opposition spoke for 15 minutes. As I understand the Standing Orders, following speakers have 20 minutes.

Mr DEPUTY SPEAKER (Mr J. N. Goss): Order! There is no point of order.

Mr ELDER: Is the member right now, or would he like to go out and continue in the bar?

This Bill covers a wide range of topics across numerous pieces of legislation administered by the Department of Transport. Many of the amendments are merely routine changes to tidy up ambiguities in existing legislation and to ensure the legislation remains current. Generally there are no problems with the approach of amending many Acts administered by one department in one large omnibus Bill. Because of the massive and overdue visionary changes in Transport legislation that occurred under the previous Labor Government, it is inevitable that there will continue to be minor changes to correct anomalies and errors and to generally tidy up that legislation. The changes under Labor were necessary to rescue an antiquated and floundering organisation that was on the verge of becoming totally irrelevant in our modern society.

Many changes were made. They could never have happened under the moribund policy vacuum that existed under the previous coalition administrations. No-one has ever tried to claim that the changes were perfect, but no-one has ever been able to seriously argue that many of the changes were anything other than absolutely necessary. However, there are a number of substantive policy issues addressed or at least touched upon by this legislation that deserve detailed scrutiny and

comment. In some cases the opportunity now exists for substantive policy change to be effected by regulation. That is not always a desirable means of changing policy and is certainly something that deserves thorough examination. Labor will not be opposing this Bill, but I am taking the opportunity to examine the issues raised in the Bill to highlight some of the issues that are not properly addressed in the legislation.

The legislation purports to ban wheel clamping and introduce an improved parking management regime for privately owned property by creating a right to pursue offenders who park illegally on private property. There should be no doubt that those on this side of the House support the Government's move towards the banning of wheel clamping and hope that these provisions will be effective. The Minister has assured us that his moves to allow local authorities to regulate parking on private property through tripartite agreements with the land-holder and a security firm if so desired will work. Although illegal parking on private property is not an overly widespread problem, it is a problem for some land-holders. Under this legislation, the only land-holders that will receive relief are those in local authority areas where the local authority is actually willing to take action. I am advised that the majority of local authorities simply do not want to be involved and do not believe that they have a problem in their area. Unless one has a property in a small number of predominantly south-east Queensland local authority areas, one will not be able to effectively manage illegal parking on one's property.

It is probable that only the very largest local authorities, and possibly only the Brisbane City Council, will themselves be able to police any regulation of parking on private property. This means that other local authorities who wish to police any such regulation will have to contract with private security firms, sign a three-way agreement and pay the security firm to police the regulations and to issue any notices or fines. That will not be cheap. Any local authority will have to be highly motivated to pursue such arrangements. In reality only one or two will enact such local laws, and so the provisions will have little or no impact on parking management on private property. I would be happy for the Minister to outline a different scenario, but I think that is highly unlikely. The picture that I have painted is likely to be the case.

While on the subject of the ban on wheel clamping, I refer to the most recent report of the Scrutiny of Legislation Committee concerning this legislation and, in particular, to the concerns they have expressed about the possible implications of clause 36. I ask the Minister to clarify in his reply whether or not clause 36, which amends section 72 of the Traffic Act, would prevent the recovery of money for services provided by a wheel clamping operator before the commencement of the section. Further, I ask to Minister to clarify whether or not the proposed section 72 would require the repayment of money received by a wheel clamping operator after the commencement of this section for services already provided. I would appreciate it if the Minister could cover those issues in his reply, as would, I suppose, the members of the Scrutiny of Legislation Committee.

The transport of dangerous goods in Queensland is already largely covered by existing Transport legislation, that is, the Carriage of Dangerous Goods by Road Act 1991. That is another good example of the progressive legislation enacted by us while we were in Government in the Transport Department under the stewardship of my colleague the member for Ipswich. The National Road Transport Commission essentially started with the Queensland Act and worked from there in the development of national legislation. In other words, Queensland was and has been a leader in this area for some time. What we are seeing in this instance is the National Road Transport Commission catching up.

Thus these are practical implications, and these changes would be minimal for Queenslanders. I know that the member for Broadwater would probably like to entertain. However, throwing paper planes around the back of the Parliament is something that we would do during our school days. It is pretty poor behaviour from a member of Parliament. I suggest that if the member is not interested in what are serious matters, that he retire——

Mr GRICE: I rise to a point of order. I find that comment offensive and I ask it to be withdrawn.

Mr ELDER: Which is offensive? That the member was actually throwing a paper plane across the Chamber? Does the member find that offensive?

Mr DEPUTY SPEAKER (Mr Laming): Order! The member finds the comments offensive.

Mr GRICE: I rise to a point of order. I find that additional remark offensive—that I would be doing that—and I ask it to be withdrawn.

Mr ELDER: The remark is true; but if the member finds it offensive, I will withdraw it.

I turn now to the substantive matters of this very important piece of legislation. The member for Broadwater can please himself; but if he wants to entertain, he can entertain outside. The Minister has already received significant publicity in relation to the changes to the motor vehicle safety scheme and the motor vehicle safety certificate scheme. We are about to see the abolition of road safety certificates to be substituted by new safety certificates. The new scheme seems as though it will be an improvement on the existing situation. However, in the long run any improvement may prove to be only marginal and very minimal indeed.

A detailed assessment of how the scheme will work is very difficult because, as is increasingly the case with legislation administered by this Minister, major policy issues will be resolved by regulation and not by substantive legislation. That is a disturbing trend as over and over again this House is being asked to cede its legislative powers to subordinate authorities.

It will be a requirement for the safety certificate to be displayed on a vehicle at the time of advertising for sale rather than at the time of the change of registration, which is when a roadworthy certificate has to be produced. The theory is that potential buyers will critically evaluate a safety certificate and assist the department in identifying dodgy safety certificates prior to the sale of the vehicle. I remain to be convinced that such vigilance from the public will occur on anything other than an extremely rare occasion.

The reliability of safety certificates will inevitably fall back onto the levels to which officers of the department will be able to scrutinise the validity of the certificates. That will be a matter for the systems that I presume are established within the department and the resources any Minister is willing to allocate to such policing activities. There is no suggestion that there will be any substantive increase in the budget for such enforcement activities.

It is worth noting that the real problem with the old system was a lack of any significant enforcement strategy. Nothing the Minister has said suggests, even with this move, that that will change. Perhaps it will if the proposal is to have defect notices cleared by private sector approved inspection stations rather than by Queensland Transport. Some of my concerns could be alleviated by an unequivocal assurance from the Minister that this transfer of functions to the private sector will not be used to reduce staffing levels in his department but rather to promote greater enforcement.

My final concern arising out of these changes is: who is going to manage or monitor these approved inspection stations that handle defect notices, especially in smaller towns where the repairer will also be the approved inspection station? I would appreciate it if the Minister could answer my concerns in his reply.

In relation to driver training, a set of Australian standards has now been adopted by the Australian Driver Training Association. That is a welcome development for the driver training industry. When I was the Minister for Transport, that industry was agitating for regulation and I set in motion procedures to facilitate development of a regulatory system by looking at the various options that were available. It was clear that a number of the most responsible and respected operators of driver training centres believed that the industry was not sufficiently broad and mature to be able to provide a self-regulated accreditation scheme. Although in modern public administration there is a clear preference for self-regulatory schemes and arrangements, I am only quite happy to accept the Minister's recommendations that there is a need for a compulsory accreditation scheme in the driver training industry. Labor supports the implementation of that scheme until the year 2000 with a review at that time.

The provisions of competency based training for driver training using Australian standards should provide improvements to the services offered by this industry and remove some of the difficulties that have arisen out of poor services that have been offered over the years. Perhaps the only disappointment was the one that was expressed to me by a number of operators who said that the way to go was clear by the time this Government came to power and that it has taken the Minister nearly two years to introduce the legislation. The operators have been disappointed about that. Some operators despaired that the legislation would never emerge. However, at least it is here. That is the only criticism that I heard.

While I am on the subject of driver training, I will express some concern about the apparent overtraining of driver examiners. I fail to see the need for driving examiners to be

taken to the Mount Cotton Training Centre and put through high-speed and other complicated driving drills to the detriment of their examining schedules. That is especially so when a private training provider is using a Government vehicle to train a driving examiner and the car is rolled. One would have to ask why a private driver training provider was required? Why was the training necessary at all? What are the driving examiners being trained to do and why? Is it not true that many of the examiners themselves fail to see the point of this training that they are required to do and have expressed frustration at the problems that it has caused for them in scheduling their driving tests? I suggest to the Minister that, in relation to that incident, it is very lucky that there were no serious injuries out of that incident. The Minister would have had more to account for had that been the case.

Mr Grice: The more often you hit a golf ball, the better you play golf. Driving is the same.

Mr ELDER: Unlike the member for Broadwater, they do not roll into concrete walls every time they take someone out around the back streets to teach them how to drive and to examine their driving skills. That is something that they do not have in common with the member for Broadwater.

Mr GRICE: I rise to a point of order. I find that comment offensive and I ask it to be withdrawn. The member is talking about a subject about which he knows very little.

Mr DEPUTY SPEAKER (Mr Laming): Order! The member finds that remark offensive.

Mr ELDER: If the member is prickly and he is hurt, I will withdraw. That demonstrates one thing: the member might be good behind the wheel but he is not too good in here.

Mr GRICE: I rise to a point of order. I find that remark offensive and I ask that it be withdrawn.

Mr ELDER: If the member finds it offensive, I will withdraw it. I will continue. I will take the entire 60 minutes that I have in which to speak. The member can sit here for as long as he likes. I turn to stock crossing roads. The changes allowing local authorities——

Mr T. B. Sullivan interjected.

Mr DEPUTY SPEAKER: Order! The member for Chermside!

Mr T. B. SULLIVAN: I rise to a point of order. Mr Deputy Speaker, you did not pull the member into line once and the first time I open my mouth, you pull me into line. What is the deal?

Mr DEPUTY SPEAKER: Order! The member will resume his seat. I warn the member under Standing Order 123A for interjecting across the Chamber.

Mr T. B. SULLIVAN: I rise to a point of order. Mr Deputy Speaker, I made one interjection and you called me to order. The member opposite has made a number of interjections and you have not called him once. I wonder what the purpose behind your ruling is.

Mr DEPUTY SPEAKER: The member will resume his seat. I call the member for Capalaba.

Mr T. B. SULLIVAN: Mr Deputy Speaker, so you are saying that you do not have to explain your ruling when it is a blatantly biased ruling?

Mr DEPUTY SPEAKER: The member will resume his seat.

Mr ELDER: We can do it tough and we can be here for the entire 60 minutes in which I have to speak, or the member can let me make my speech and we will not be here as long as we might have been. It is entirely up to the member. I do not mind.

I turn to the issue of stock crossings. The changes allowing local authorities to impose local laws concerning stock crossings and facilitating compulsory signage in some circumstance are supported by the Opposition. The changes do not deal with the perennial thorny issue of stock straying on to roads. I understand the common law requirement of that, but that is still a significant issue. However, these measures enhance the opportunities for local authorities to control stock on roads.

Superintendents of traffic and authorised officers is an area that I wish to cover. The Minister has claimed that he will facilitate an improvement in services in rural transport by broadening the class of persons who can become superintendents of traffic. I understand that, at least in part, those proposed changes are a response to a perceived need in the community of Gordonvale to relieve the administrative load placed on local police by having others perform the functions of a superintendent of traffic, for example, the renewal of licences. Residents of Gordonvale and surrounding areas no doubt would find it more convenient to go to the local police station, rather than to attend the customer service centre in Cairns. This is already a busy police station with a

substantial workload in what we all know is a rapidly growing area.

Labor understands the need to remove such pressures from police in those circumstances, but I do not believe that the amendments proposed in clauses 17 and 18 of the Bill are appropriate to deal with this circumstance. These amendments create the possibility that the chief executive could privatise most of the operations of the customer service centres with the stroke of a pen, thereby taking any substantial responsibility in this area outside the public sector.

I will move an amendment to this clause. The Minister has seen that amendment and concurs with it. My biggest fear was that this provision could easily lead to the outsourcing of those services. That in itself would have a significant impact on the public sector. The Government's latest employment security organisational change guidelines talk about significant outsourcing. I know that the Minister does not believe in that, so let us not start it in the Department of Transport.

The provision allows the chief executive to appoint anyone who is appropriately qualified as a superintendent of traffic. "Appropriately qualified" is defined as including "having the qualifications, experience or standing" to exercise a particular power or perform a particular function. Again, at the stroke of a pen the chief executive could privatise the entire provisions for, say, licence renewals or many other functions. I do not suggest that this potential consequence was intended by the Minister. I believe that it was not. However, I certainly do suggest that some members on the other side of the House would be only too willing to issue directives to take advantage of what is a very broad and ambiguous provision. However, I will move an amendment to the clause, and I accept that that amendment will be supported by the Government.

The provisions to clarify enforcement procedures and evidentiary provisions for drink and drug driving offences are a reaction to loopholes found in the existing law during unsuccessful attempts at prosecutions. The laudable aim of these changes is to ensure that someone who is stopped for breath testing whilst driving under the influence is not able to simply refuse the breath test. Hence the changes to the provisions regarding the powers of the police should a suspect refuse a request to provide a sample for testing. Police are given increased powers to require specimens until someone is properly tested or until they are happy with the test that is obtained. The provisions increase the powers of police and, in extreme cases, might be subject to abuse if, say, repeated samples were demanded by an over-zealous officer. However, on balance, the improvements that ensure that those who break the law by driving under the influence are caught and suitably punished would seem to outweigh those concerns.

The changes relating to the Motor Vehicles Control Act, which include provisions to allow unregistered vehicles to be used in public places in certain circumstances, are merely housekeeping. The Government has our support on that provision.

The provision of flexibility in leases over land held for rail corridors improves the commercial prospects for the development of rail services without diluting the Government's prime responsibilities in this area. Again, the Government has our support on this provision.

Of course, rail corridors are a particular problem for the Government. The successor to the previous coalition Government who made the infamous decision to tear up the Brisbane to Gold Coast rail line is a good example. Labor had to re-establish the rail corridor between Brisbane and the Gold Coast and build the line. All that many members on the other side of the Chamber did was talk about doing so. Indeed, they talked about it year in and year out. When the Labor Party came to power in 1989, nothing concrete had been done. When we left the Treasury benches in 1996, there were trains operating between Brisbane and the Gold Coast. All that now remains to be done is to secure the corridor between Brisbane and Coolangatta.

I have an interest in the issue, because I am keen to know what the Government has done about the matter. It has supposedly gone up and down the coast consulting various groups. I think that it has gone up and down only on one spot, because nothing has happened. The people from the southern end of the Gold Coast are rightly despairing that nothing will ever happen while this Government is in power. Of course, the rail corridor is not the only issue on which the Government has let down the people of the southern end of the Gold Coast. At the moment, they are totally incapable of moving anywhere and they have great concerns about where the Government now stands on the Tugun bypass. That is another big transportation issue for the southern end of the Gold Coast.

The other rail corridor that continues to cause this Government problems is the one to

the Sunshine Coast. Last week on the Sunshine Coast I revealed that the member for Maroochydore was seeking to undermine the proposed corridor. The honourable member has stated in the press that I was being scurrilous. She did not state that I was wrong, and the Transport Minister should be aware of that. In her reply to my revelations, the member was not willing to say that she supported the rail link. All she would say was that she was never opposed to the feasibility studies in the proposal and that they should be done more quickly. I know that the Minister is doing his best on this issue, but some people within the National Party are more powerful than he is and they are continuing to undermine him on this issue.

Mr Grice: An outrageous suggestion.

Mr ELDER: But it is one that the Minister understands completely. Departmental officers say that the Minister is a good bloke, and I do not necessarily disagree with them on that. However, he has to start wielding a bit of power and he has to make some decisions in relation to transport issues. Everyone knows that it is almost impossible for the Minister to get his way, because he is being usurped by people in his own party. He is being overruled and undermined by the Treasurer and the Premier's Office and, as I said, some very powerful figures within the party. Indeed, I suggest that the Minister has a good look over his shoulder at some of the people within his own office.

Clause 97 deals with empowering the chief executive of Queensland Transport to appoint persons other than employees of a railway manager as authorised persons. This is done ostensibly to empower licensed security personnel to travel on trains. The reasoning behind the clause is to empower those people to perform various official duties. The Minister has to assure the House that that provision will not be used to transfer jobs from Queensland Rail to the private sector. This is much like the previous issue that I raised, except that I shall be moving an amendment in relation to superintendents of traffic. I know that the Minister's intention is to empower private security guards to work on trains so that they can deal with issues as they arise. However, I do not want to see this becoming a head of power that enables a whole range of railway jobs to be transferred to the private sector. I would like that assurance from the Minister in relation to clause 97.

On the surface, the changes to the Transport Operations (Passenger Transport) Act 1994 seem to be little more than housekeeping, with the insertion of a couple of sensible extra provisions that were not included.

Mr Johnson: What part are you referring to?

Mr ELDER: The changes to the Transport Operations (Passenger Transport) Act. Those changes seem to be little more than housekeeping matters, with the insertion of a couple of sensible extra provisions that were not included when we brought forward this groundbreaking legislation. There is no doubt that there will be bumps along the way.

Since we first introduced the legislation to basically ensure that passenger transport services in Queensland were dragged into the 20th century, we knew that there would be changes. However, as the Minister recognises, we have to ensure that the industry is offered a wide range of flexible, improved and enhanced services to take us into the next millennium. I understand that. The improvements in services have been in many areas, although I know that there are obviously still areas of concern.

We support the provisions allowing the Government to provide seed funding for new services and to support some other services such as longer regional bus services that are non-viable. We support the ability of the Government to fund those services. Previously, unless services such as those were in a contract area, there was no ability to provide the subsidy. People in rural and remote areas of Queensland deserve to have some level of service provided to them. We agree with that. I accept that we need to provide that service to them. It is appropriate for Government, in a decentralised State such as ours, to play a supportive role through the provision of services and to make changes to this Act.

The subsidies will need to be administered very carefully by the Minister and the department. Fortunately, the Minister has many competent officers who have the capacity to ensure that subsidies will be dealt with properly and fairly. They can no longer be used as they were in the past, that is, to prop up poorly run, inefficient services operated by mates of the Government. We cannot allow the industry to go back to the way it was prior to 1989. I agree that we need to do something to prop up those services, but we have to be vigilant in relation to the delivery of those subsidies.

It is disappointing that the legislation does not clearly define CSOs and other subsidies

and fails to tie Government funding to improved operator performance. As I said, we cannot slide back to the old days. That is why it is disappointing. We cannot go back to the old days when, with a nod and a wink, people would get a nice juicy subsidy for the provision of a bus service. Many people lived off those Government business subsidies right through the eighties. We do not want a re-emergence of that. We do not need to see that again.

Interestingly, some changes will assist in entrenching current operators. I accept that. The payment of compensation will make it more difficult for any new tenderer to be viable. Only the current operator can get a temporary contract. It is possible to interpret sections 56 and 62 as saying that existing contractors will get almost any new contract unless they have received a notice of unsatisfactory performance under section 62A. The Minister needs to look at that. We have to make sure that at the end of the day they are efficient services; that they are providing the right services; and that they just do not just operate on a nod and a wink.

Labor supports the amendments that extend the application of operator accreditation and driver authorisation of all operators and drivers of public passenger services. This is a natural extension that provides improved safety and customer service standards. Other changes such as the changes to the definitions of "taxi service" and "excluded public passenger service" purport to clear up many areas of ambiguity. However, strict interpretation and enforcement of the Act will not be easy, and that has the potential to have a substantial adverse effect on existing businesses. There is no doubt that properly licensed service providers in the taxi and limousine industry who have paid significant premiums for their licences and operate within the legal framework deserve guarantees and protection. That will be provided here.

However, dial-a-bus services or, as they are called in the industry, fringe operators, which have sprung up across the State in recent times, can service a particular need within the community. In some cases, the operators of these services have made significant investments and provide a flexible service that clearly meets a level of demand within the community. If the new provisions are strictly enforced, these existing operations will be forced to cease some of their services and operate strictly as charter bus services, that is, they will not collect individual fares. It is incumbent upon the Minister to clear up exactly what will happen in this area and what actions will be taken by his departmental officers under the legislation.

It is difficult in this sense: we have to do something to support the investment in taxi and limousine licences, but we have allowed an industry to spring up and, obviously, there needs to be some provision that deals with it or some enforcement by departmental officers. At the end of the day, importantly, we have people out there who have invested in new services and we have to make sure that they are not disadvantaged. We also have to make sure that they are not taking advantage of the legislation, as they have in the past. It is simply a question of balance. The Government needs to be careful in relation to how that is interpreted and enforced.

The provisions allowing temporary service contracts and clarifying how they will be developed and implemented are supported. Even though I have those reservations and concerns, let me say that we support it. It will enhance the ability of the department to ensure that the best possible services are provided even, as I said, in what are very difficult circumstances. The provisions that clear up ambiguity surrounding the use of substitute taxis and limousines are to be welcomed and deserve support.

Government members interjected.

Mr ELDER: It might not be important to the Government's back bench, but it is important to the people who run taxis and limousines. It is important to have the ability to have substitute taxis. Again, we hope that it is implemented and enforced such that the substitute taxis and limousines cannot be used any time their operators want to use them, but are used by the operators only when one is off the road.

Mr Gibbs interjected.

Mr ELDER: I would probably allow Mr Grice to drive a taxi, but only on the Gold Coast. I would not trust him in Brisbane; he would probably take me the long way, through the Gateway.

Mr GRICE: I rise to a point of order. I find that offensive and ask it to be withdrawn.

Mr ELDER: What? The fact that the member can or cannot drive a taxi? I am prepared to withdraw either of them. Which one does the member want me to withdraw?

Mr GRICE: I asked for the comment about my driving to be withdrawn.

Mr ELDER: I am not sure what the member wants withdrawn, but I will withdraw it.

An Opposition member: He could not have been born looking like that.

Mr ELDER: No, he certainly was not.

As I said, the provisions clear up the ambiguities surrounding the use of those substitute taxis. We have to make sure that when one is off the road, it is actually off the road. That needs to be enforced. This cannot be allowed to be used as a way of getting two vehicles on the road at the same time under one licence.

Why was it necessary to increase the size of the marine board from five to six? I cannot understand that aspect of the marine board provisions. Was there a mate of the Premier that he forgot to stick on there in the first place? The Minister might be able to tell me why that was increased from five to six.

We support the Bill. The member for Broadwater will be disappointed to hear that I will not go on for much longer. I understand that the Minister is willing to accept the amendment that I have put forward in relation to the superintendents of traffic. I believe that the changes in the Bill are worth while and enhance the operation of this piece of legislation—even if the member for Broadwater has no clue.

Mr BAUMANN (Albert) (10.57 p.m.): Tonight——

Mr Gibbs: You've gone from looking like Elvis to Bullitt.

Mr BAUMANN: I see that the member does not recognise me with my new haircut.

Tonight I rise to speak in support of the Transport Legislation Amendment Bill. When this coalition Government came to power, one of the first actions of my colleague the Minister for Transport, Vaughan Johnson, was to initiate an audit of the reforms provided for in the Transport Operations (Passenger Transport) Act 1994. It is well known that that review found that the difficulties of the reform process and the enormity and complexity of the task had been completely underestimated. It also found that the department often had to meet unrealistic deadlines that resulted in inadequate levels of consultation, with resultant policies and procedures developed on the run and in an ad hoc fashion.

Significantly, the operators had no faith in the legislation introduced by the Labor administrators, and a total mood of doom pervaded the industry for quite some time. However, under the coalition's approach this has all changed for the better. I am pleased to say that the proposed amendments to the Transport Operations (Passenger Transport) Act will finetune the legislation and have been developed in consultation with operators, industry organisations and service providers, all of whom have made valuable contributions along the way. It is pleasing to read the October edition of Truck and Bus magazine, which reports that under Transport Minister Vaughan Johnson's stewardship Government and industry relationships in Queensland have "settled into a prosperous and constructive partnership". I seek leave to table a page copied from that magazine dated October 1997.

Leave granted.

Mr BAUMANN: The amendments will ensure that certain people who operated outside the system—and I am sure that the previous Transport Minister opposite, the member for Capalaba, would have attempted to deal with this problem along the way—will now have to comply fully with safety, service and vehicle requirements, as was glaringly obvious for quite some time. Likewise, additional amendments will ensure that all drivers of public passenger service vehicles obtain and maintain the driver authorisation unless the type of service is specifically exempted. By this, I mean the community service organisations, ambulance officers and others who have their own approved accreditation processes already in place, so it is not as if they are going to be exempted from that accreditation requirement.

The National Competition Policy and amendments to the Trade Practices Act mean that changes have been made to the way the Director-General of Transport on behalf of the State enters into service contracts for the provision of scheduled bus services—including school bus services—and some scheduled air services and, whilst making the required amendment, takes advantage of the opportunity to streamline the processes and increase accountability and transparency along the way.

It is proposed to clarify the entitlement of the existing operators' section, as the member opposite has alluded to, which gives most operators of scheduled services the first opportunity to offer for a new service contract for the same kind of service in their area. This section will now specify the situations when this section does not apply or ceases to apply, as well as detailing specific entitlements. That will clarify what has been a grey area for quite a considerable time. Presently, there are separate sections and processes for the single existing operator and the multiple existing

operator situations. Operators in the multiple situation may be required to work out a form of rationalisation, joint operation, amalgamation or other arrangement that achieves a just compromise of their respective rights. This has not worked particularly well in practice and it is also contrary to the requirements of the Trade Practices Act.

Importantly, these changes will ensure that the Government is not exposed to the provisions of the Trade Practices Act while clarifying all operators' rights and obligations. It is proposed that one section will now cover the situation when the director-general proposes to enter into a service contract for scheduled services whether there is one existing operator or multiple existing operators. This will ensure that all contracts for scheduled passenger services are entered into under the same processes.

The existing Transport Operations Act sets out what matters the director-general has to consider when determining the best offer when two or more offers are received for a service contract. However, the legislation is silent about what has to be considered before entering into a contract when only one offer is received. It is proposed to rectify this situation by requiring the director-general to consider the same criteria in all situations before entering into a contract.

The existing Transport Operations Act allows the director-general to amend the area or route of a service contract in certain circumstances. While it gives the contract holder the first opportunity to offer for the contract for the amended area, in spite of this, the contract holder or another operator in the amended area could be severely affected without even being able to comment on the proposal. This is completely unacceptable, and it is proposed that the holder and any other operator in the amended area be given 28 days to make written representation about the proposed area change. At present, there is no time limit in the legislation for the contract holder to make an offer for the contract for the amended area, so it is proposed that a 60-day limit will apply in line with other provisions of the Act.

The existing legislation provides for the director-general to require the holder of a new service contract to pay compensation to the existing operator or operators. It is proposed to extend these compensation provisions to cover contract holders who were unsuccessful in obtaining a contract for an amended area. Unless the contract states otherwise, the legislation provides for the contract holder to have the first opportunity to offer at the end of the contract for the new contract if the area or route is the same or substantially the same when a contract holder's performance has been satisfactory. However, once again, the existing legislation is silent on just what happens if a contract holder's performance has been unsatisfactory. This is remedied by the chief executive having to advise the operator in writing that performance has not been satisfactory, along with the reasons. An appeals process is also in place for anybody who feels aggrieved so that they can take their case further in that arena.

Furthermore, the procedures to be followed in entering into the new contract are those which apply where no operator has an entitlement.

Mr Gibbs: You remind me of Steve McQueen in Bullitt.

Mr BAUMANN: I would not be at all surprised if the member for Bundamba had escaped from a few situations.

It is now proposed to allow the director-general to enter into a temporary service contract, as was discussed previously, if he considers it necessary to establish a public passenger service on the condition that all temporary service contracts will be restricted to a maximum of two years. For emergency situations, normal procedures would be too time consuming and, in most instances, temporary service contracts to ensure continuity of service may have to be entered into at short notice.

It is proposed to allow the director-general to decide the way that offers to provide the replacement service under a temporary service contract are invited. As a safeguard against misuse of these powers, temporary service contracts will not give contractors the first opportunity to offer for the following service contract. Of course, the only exception to this would be where the temporary service contract holder held the previous service contract for the area or route and the contract contained provisions for renewal.

With contracts starting at different times with fixed five-year terms, it would be difficult to alter the minimum service levels when renewing a single service contract while maintaining a level playing field between all contract holders. So it is proposed in the service areas or routes where several service contracts are to be entered into that the director-general may enter into a service contract for a period of less than five years to ensure the service contract expires on the

same day as all other current service contracts of the same kind for the area or route.

The Transport Operations Act provides for the operators of scheduled bus services and certain scheduled air services under service contracts to receive financial assistance, and the Opposition spokesman touched on this. However, there is no provision to allow financial assistance to be provided to other public passenger service operators. For example, a long distance scheduled bus operator in a remote area may need to be assisted to ensure a service remains in operation in that area, and I think that is timely. It is also proposed to allow financial assistance to be provided towards other public passenger services in addition to those under a service contract.

The Transport Operations Act also requires each taxi or limousine in use on the road—and I know this has been discussed before, but we will go through it again—to have a taxi or limousine service licence. It has been the Department of Transport practice under the former legislation and now this legislation to specify a particular vehicle on each licence. It is proposed to make this administrative practice a legislative requirement. As a condition of the service licence, the department has allowed a substitute taxi or limousine to be operated when the vehicle stated in the licence is not available for use. Once again, given the proposed legislative change, there is a need to provide more control over the use of these substitute vehicles, and it is proposed to insert regulation-making powers to control the use of those particular substitute taxis and limousines.

The amendment of the review and appeal provisions of the Transport Operations Act will transfer the provisions to the Transport Planning and Coordination Act to ensure a common procedure for all transport Acts, which is another plus. The legislation also provides for the director-general to appoint authorised persons to investigate and enforce public transport matters and to appoint authorised persons for railways to either investigate safety-related incidents on the railways or to carry out ticketing and passenger behaviour functions. That has received some attention from the member opposite as well.

Following previous ad hoc amendments to the legislation, the way police officers are appointed to these positions is completely different. The proposed amendment will, in a manner similar to the present appointment, automatically appoint every police officer as an authorised person. It is proposed also to amend several enforcement provisions in the Act. For example, it is proposed to expand the provision that a person must not obstruct an authorised person in the exercise of a power. This is going to be expanded to include the insult or abuse of that particular authorised person.

Mr Ardill interjected.

Mr BAUMANN: I take that on board.

A limousine may not ply or stand for hire unless it is at the owner's premises or at a place approved by the Director-General of Transport. Furthermore, limousines have to be pre-booked unless they are at a limousine rank. Clarification of some of these issues is absolutely necessary because of the grey areas that have allowed certain practices to creep into the operation of some of these vehicles.

Departmental enforcement officers often find limousines parked outside or near entertainment places with a person in uniform hovering nearby. It is sometimes difficult to prove that the limousine is being plied for hire at these unapproved places. To cover these situations, it is proposed to include a provision so that an authorised person may request the person in control of the limousine to move the vehicle, unless there is a reasonable excuse—for example, that the limousine controller can provide details of a booking.

There are many other amendments that the Honourable Leader of the House does not wish me to discuss. I commend the Bill to the House.

Mr CAMPBELL (Bundaberg) (11.11 p.m.): The Transport Legislation Amendment Bill has the broad support of the Opposition. The Bill contains 139 clauses and there is only one amendment. In that situation members will understand that there are many aspects of the Bill that the Opposition appreciates. However, there are other aspects of the Bill that we do not appreciate.

Whilst the Minister is being congratulated on what is being done in Albert, I can inform him that the people of Bundaberg do not appreciate that the overpass from Bourbong Street to Quay Street over the north coast railway line has been dropped from the transport plan. We do not appreciate that the Quay Street upgrade has been put back years. As a result, traffic in the CBD of Bundaberg is getting close to gridlock. Money is being spent in south-east Queensland, but the Minister must appreciate that further money needs to be spent on transport in

regional and provincial areas. Bundaberg is one of those areas.

The studies undertaken for the Wide Bay region have shown that public transport services are inadequate. Community service groups and people with disabilities have reported that there are no adequate public transport services to service the intra-city needs of the Wide Bay region. The needs for bus services were not sorted out when Labor was in Government, and in the 20 months that this Government has been in office we find that we are no further advanced.

I know that the transport contracts have not been signed, but I understand that they are not going to provide the adequate services that we need. The bus services are going to be contracted in Bundaberg in situations in which pensioners cannot use the buses. What is the use of having a suburban bus service where we have these 1940s buses that have a 50-centimetre step at the front of the bus? Many pensioners just cannot get on the bus. If the contracts are not going to provide for buses that can be used by the people, why muck around with the contracts?

When we come to Brisbane we see the hail and ride buses. These buses provide a good suburban service. Why do we not have these buses in the regional cities?

Mrs Wilson: They are in Cairns.

Mr CAMPBELL: They might be in Cairns, but they are not in Bundaberg. In the CBD one sees these special transport buses that are hydraulically lifted up and down to allow passengers to enter the bus. However, in Bundaberg the feeling seems to be that if the companies do not want to provide this service, it is forgotten.

On one side of F. E. Walker Street we have public housing units. In peak hour in Bundaberg elderly people cannot cross F. E. Walker Street to catch the bus. If they are able to get to the bus, they find that they cannot get on it. When I leave Crane Street I see this poor little elderly pensioner on the other side of the street waving the bus goodbye. This pensioner is trying to wave the bus down, but the driver says, "I can't stop because I have to get all the school kids to the high schools. I can't wait for you to get across the road." There is something wrong with our transport system when this occurs. The Minister has a chance to rectify this situation.

Mr Veivers: Why don't you stop and carry the lady across the road? If you were a decent man, you'd carry her across the road.

Mr CAMPBELL: It is all right for Mick Veivers. If a car ran into Mick Veivers, the car would come off second best. The old pensioners, however, come off second best. When I asked the department's engineers about putting in a pedestrian refuge to allow people to cross the street I was told that cars come first. There is more to life than just cars.

When a licensed bus service is not allowed to pick up public passengers, something should be done. If the operator of a licensed bus service is not prepared to provide the service, why can we not have the flexibility to be able to ensure that passengers can be picked up on the school bus service?

I am very proud of the taxi service in Bundaberg, which is probably one of the best in Australia. I use it, but I am not going to say when. The important aspect of the Bundaberg taxi service is that it has the cleanest cabs in Queensland. Queensland taxi services are better than those in Sydney or Melbourne. The Bundaberg taxi service has been forced to use satellite computerisation. This is something that should not have been forced on the service. The service had to merge with Gladstone to be able to use satellite computerisation. However, the operators in Gladstone did not know Bundaberg, and the venture failed. That expensive service now has to be operated from Bundaberg. It is a good service, but it is very costly. I do not think we appreciate what it has cost those small-business people—the taxi drivers—to implement those changes. The Department of Transport forced a lot of red tape onto these people.

I am looking forward to the tilt train. I believe that, when that comes in, we will be proud as a State. That train, which has been built in Maryborough, will service basically the region from Rockhampton to Brisbane. However, if we are going to have a train service that has the technology to take it into the next century, then we should provide stations of equivalent quality for the passengers. What is the use of having $60m worth of train if we have to have little porters in little hats who have to bring out the mobile stairs, so that people can get on the train, and then pull them back again?

Mr Veivers: That's employment.

Mr CAMPBELL: I would like to see that. I believe that we are above that. More importantly, with that faster, quieter train, we have to ensure safety at level crossings. I do not know whether we got the most appropriate response to the Public Works Committee's report which raised these issues. Level

crossing safety should be considered to ensure that we have boom gates at every rail crossing.

Members have spoken about driver training. I agree that we do need more driver training. From my experience as a member of the Travelsafe Committee—and I am sure that Mr Ardill will agree with me—I believe that young drivers need better training. I am chairman of ASVA, which organises activities for people under 18. We used to run special defensive driving courses for young drivers. They would do the defensive driving course and we would pick up the tab. Driving schools would take drivers out and teach them the procedures that are being taught in defensive driving lectures. But with all the money that that volunteer group was prepared to contribute, the department could not be bothered to provide one cent. It is too busy doing other projects. When people were prepared to foster road safety and help young kids, the department did not have the time to provide support. That idea received a lot of support in the local area, but it got lost in the bureaucracy in Brisbane. The Minister knows how things get lost in the bureaucracy. If community groups are prepared to foster road safety and look after kids, it is important for the Government to give them the necessary support.

I turn now to the issue of roadworthiness and road safety certificates for vehicles. I hope that the new system works. However, the only way that it will work is through enforcement. If we are still going to let the shonks provide those safety certificates, the system will not work. So I ask the Minister to make certain that the people who issue those safety certificates do the right thing. I now table a full file on a person who bought a $5,000 car and, within three months, had to pay $2,020 for repairs because of a shonky roadworthy certificate. I say to the Minister: bring in the new system, but make certain that it is enforced.

I was a member of the Travelsafe Committee that recommended that speed cameras be introduced. That committee recommended many safeguards for the community. I am a little disappointed, because many of our recommendations in relation to providing these safeguards have not been implemented. I have received complaints in Bundaberg that most people who drive on particular roads travel above the speed limit. That happens. There are certain roads on which most people believe it is safe to travel above 60 km/h.

We were given an undertaking that there would be a total review of speed limits on all those roads before speed cameras were introduced. That undertaking, which I believed was only reasonable, was broken. I believe that speed cameras were used on some roads in Bundaberg before a review was undertaken. If that review was done, it was done in silence.

Mr Veivers: No, we did it.

Mr CAMPBELL: It was a phantom review.

Mr Veivers: You were probably helping that old lady across the road and didn't see it.

Mr CAMPBELL: I was probably helping that lady across the road. I am glad the Minister mentioned that. That lady will still vote for me because she is still alive.

A Government member: That makes two.

Mr CAMPBELL: No, three. Kimberley will still vote for me.

I turn now to the issue of illegal parking and the powers that are being given to local governments to enforce laws. I refer in particular to disabled parking spaces in shopping centres. Able-bodied people take those parking spots, but there is no way to enforce the laws. Perhaps this legislation will help in this regard. I hope it does. I must say that, as an ordinary motorist, I find it hard to go past those disabled parking spaces. However, I believe that most people do the right thing. But for those who do not, there must be some way to enforce the laws.

As a member of Travelsafe, we looked at many aspects of road safety, including breath testing and the possibility of further blood testing of people when they arrive at hospitals. We must ensure that we implement the safest regulations possible to reduce the road toll. I do not believe that people really appreciate how much the road toll has been reduced. In the seventies, the road toll in Queensland was over 700, or close to 700, with half the number of cars travelling half the distance. Since then, many lives have been saved. That has been done by people in this Parliament, because we have been prepared to introduce good laws and tough laws that protect people.

Even though we criticise many young kids today, I believe that they drive safer than we did. I believe that there is a God, because I am still alive today. We should not allow kids today to do what we have done in the past. That is why I am here tonight. I say to the members of this House: be prepared to enforce all the regulations regarding road safety. Be prepared to stand up and say that

we are here to protect the people who are using our roads. We are here to protect our young people, and we are here to protect all those who are not as good as other drivers such as Mr Grice. We must ensure that they get home safely. I believe that, with the bipartisan support of most of these regulations and most of this legislation, we can do an even better job tomorrow.

Mr NUTTALL (Sandgate) (11.29 p.m.): I will not speak for long on this Bill. There are a couple of important issues that I believe need to be raised in the debate tonight. One in particular is the issue of speed cameras. When the legislation covering speed cameras was introduced into the Parliament, certain commitments were given by the Minister and the Government. I will be interested to hear the Minister in his reply state whether those commitments have been fulfilled. One of those commitments was that the revenue that was raised from speed cameras would be spent on rectifying black spots and on driver education. I am interested to know whether that is where that money went.

In September, I asked a question of the Police Minister regarding the number of infringement notices in relation to black spots and speed cameras. In May there were 2,712 infringement notices, and no fines were issued. I make that very clear, because that was a warning period. The Minister indicated that clearly. In June 5,904 infringement notices were issued and fines were imposed upon those people. In July the figure rose from 5,904 to 10,851. The number of infringement notices doubled between June and July. That information was obtained from an answer to a question on notice to the Minister for Police and Corrective Services. Those infringements were picked up by 10 speed cameras that were in use throughout the eight police regions. One or two of those 10 cameras were used for training. In two months, in excess of 16,500 infringements were picked up by eight speed cameras. The answer to my question on notice clearly indicated that more speed cameras would be introduced.

Of those 16,500-plus infringements, some $391,000 was collected in revenue. That is not an insignificant amount of money. When the legislation covering speed cameras was passed, it was passed with the support of the member for Gladstone, who said that the revenue raised should be spent on fixing up the black spots and on a driver education program.

Mr Elder: And for health-related purposes for injury-related accidents.

Mr NUTTALL: The member for Capalaba corrects me. In addition, it was to be used for health-related purposes for people injured in accidents. I am very keen to hear from the Minister regarding that matter, because it is a matter of vital importance. That is the only reason that legislation was passed.

Mr Deputy Speaker, you live in an electorate adjoining mine. I am greatly concerned about the use of speed cameras. I do not believe that the speed cameras being utilised in Queensland are being utilised correctly. That was the danger that the Opposition raised when the issue came before the Parliament. When one considers the answer from the Police Minister, who said that only eight speed cameras are in use, one realises that they are being used in residential areas—but not in the back streets; they are being used in areas such as Sandgate Road and Gympie Road where there are very few fatalities—as revenue raisers. That is the inherent problem that the Opposition raised when the issue was before the Parliament. In my view, this is a matter of integrity for the Government. The Government has not fulfilled its obligation in terms of the legislation. It has defied the law that it has passed. It has deliberately used speed cameras to raise revenue. We said to the people of Queensland that we did not want speed cameras used for that purpose.

When the legislation was passed, it was said that clear signs would inform people that they were moving into areas where speed cameras were in use. Without hesitation I would say that the majority of members within this Legislative Assembly have been through a speed camera area. The sign is a little A-frame sign. It is placed about 10 to 15 metres before one hits where the speed camera has been placed on the back of the police vehicle. That is not what we are on about. If one travels in most States throughout this county and in New Zealand where there are speed cameras, one will see clear signs well in advance of the cameras. Those signs are permanent fixtures saying "This is a speed camera area". They clearly warn the motorists. That is not happening in Queensland. I repeat: in Queensland, a small A-frame sign is stuck on the road 10 to 15 metres before the speed camera. That is not what members wanted. That is clearly not the intent of the legislation.

I believe that the Transport Department and the Police Service are in defiance of the legislation that was passed by this Parliament.

They are deliberately raising revenue. That revenue is not being spent on the programs that it was intended to be spent on. That was the inherit danger. I am not trying to be coy when I say that it is not being policed by the Transport Department and the Police Service. Those two organisations are acting in defiance of the legislation that was passed in this Parliament. I am not blaming the Transport Minister. I want to make that very clear. However, that is a matter that he should address in his department. It is a matter that the Police Minister also should address in his portfolio. It is abundantly clear to the majority of members within this Assembly that speed cameras are being used simply to raise money. The community supported the use of speed cameras on the condition that they were used appropriately. The Government is betraying the trust of Queenslanders. Queenslanders said, "Yes we believe that there should be speed cameras, but those speed cameras should be used appropriately."

Speed cameras are being used at the bottom of hills, on straight stretches of road where the speed limit drops from 70 km/h to 60 km/h. For example, on Gympie Road in the Sandgate region, the Police Service erected speed cameras. There has not been a fatality on that stretch of road in the past three or four years. Nevertheless, they chose to erect the speed cameras and clicked them at 70 km/h. They did not realise that the legal speed limit in that area, as shown on signs erected by the Transport Department, is 70 km/h. The infringement notices had to be withdrawn. They had to apologise for their mistake and say that the speed limit is 70 km/h.

I remember that I clearly asked the Government to ensure that the speed limits within this State were reviewed before the introduction of speed cameras. That has not been done. I challenge any member of the Legislative Assembly who is present to stand up and say to me, "Yes, in my electorate those speed limits have been reviewed and, yes, they have been changed." Quite simply, they have not. The Travelsafe Committee, the all-party parliamentary committee, made it quite clear in its reports to this Parliament that if the Government was going to introduce speed cameras, it should review the speed limits. That simply has not been done.

So what has happened is what we feared. What we feared was that speed cameras were going to be introduced without the review of speed limits and, quite simply, be used as a revenue raiser for the Government. That needs to be changed. It is up to the Transport Minister and the Police Minister to ensure that the legislation that was passed by this Legislative Assembly is addressed by the relevant Government departments to make sure that they comply with the law. I implore the Transport Minister and the Police Minister to have that done.

I say unequivocally that I am a strong supporter of speed cameras. I do not resile from that. However, if we are going to use them we should use them properly. Let us use the speed cameras on the roads where it is known that, unfortunately, fatalities have occurred. I have to say very honestly that I have passed through areas where roadworks have been taking place and there are speed cameras. I applaud both the Police Service and the Transport Department for doing that. I believe that that is where speed cameras should be—where roadworks are being carried out and it is dangerous for the people who are working on those roadworks, or in other dangerous areas. So I do not say that the Police Service and the Transport Department have acted incorrectly. In my view, I have been through areas where it is proper that speed cameras be used.

However, I have also been through areas that are inappropriate for speed cameras. Unfortunately, in the majority of cases the speed cameras have been used in inappropriate places. In terms of the legislation that was introduced in this House, if we are fair dinkum, that is not the right thing to do. I know that this Minister is fair dinkum and I congratulate him on that. On a number of occasions he has talked about the issue of deaths on our roads. In my view, apart from unemployment in this State, the deaths and injuries that occur on our roads are the greatest injustice to our society. It is incumbent upon the Transport Minister to ensure that that legislation is complied with. There is another matter that I wish to raise——

Government members: On, come on.

Mr NUTTALL: I am sorry, I know that it is getting late but that is not my problem. The other matter that I wish to raise relates to the Bruce Highway and the Gateway Arterial. I shall not be long. On a number of occasions I have raised this matter. I have spoken to the Transport Minister about the upgrading of the Sunshine Coast highway and he has given me an undertaking—and I thank him for that—to give me an update on the six-laning or the eight-laning of the highway through to the Sunshine Coast. I believe that if we do not address that issue as a matter of priority, that highway will experience the same problems as

the Gold Coast Highway is experiencing at present.

When members look at the State of Queensland, they would realise that all except two seats are held by members of the Federal Government. It is up to them to do some lobbying to ensure that the money is allocated to Queensland and that that road is upgraded.

Mr Ardill: How can they when it has all gone on the Pacific Highway?

Mr NUTTALL: The member for Archerfield is right. Most of the money has been spent on the Gold Coast highway. However, we should not forget the people who live on the Sunshine Coast. Those people who live in that corridor between Petrie and Bribie Island well know what it is like to travel along that road early in the morning. Basically, it seizes up and people cannot travel along it. On a Sunday afternoon, for people travelling to Brisbane from the Sunshine Coast, again the road seizes up; they cannot move. That matter needs to be addressed.

We as a nation talk about employment. Here is a golden opportunity for the Government to create employment. That road needs to be upgraded, and it needs to be upgraded as a matter of urgency. The Bracken Ridge exit off the Gateway Arterial heading towards the Sunshine Coast cuts right through my electorate. Members should not worry about public holidays; they should go there on a Friday afternoon and have a look at the backlog of traffic. It is backed up for some five kilometres bumper to bumper simply because of bad planning. We have this wonderful Gateway Arterial but as motorists come off it, bang, they come to a grinding halt. That problem needs to be addressed.

I say to the Transport Minister that he needs to address not only the Gold Coast Highway but also the Sunshine Coast highway. The statistics from the Department of Local Government and Planning demonstrate that one of the fastest-growing regions in this State is the Sunshine Coast. People keep talking about growth on the Gold Coast, but the Minister should consider the rapid growth that is occurring in the Sunshine Coast region. Traffic on the road to that region is basically stuck simply because no long-term planning has been undertaken.

The highway has four lanes through to the Bribie Island turn-off, then all of a sudden when a motorist hits there the speed limit becomes 110 km/h. So the speed limit is 100 km/h to Bribie Island and then from Bribie Island to the Sunshine Coast it is 110 km/h. When motorists hit that area, they see a sign that says, "This is a trial zone." That area has been a trial zone for some 18 months. Sooner or later the Transport Department has to make a decision as to whether it is going to make the area a permanent speed zone or leave it as a trial zone.

I will wind up by saying that I have grave concerns about the way in which speed cameras are being used. I also have grave concerns about the revenue that is being raised through the use of speed cameras. I do not believe that the Police Service or the Transport Department is acting in the terms of the legislation that was passed by this Chamber. That is a matter that needs to be addressed. I also say to the Minister that the matter of the upgrading of the Bruce Highway to the Sunshine Coast needs to be addressed. That highway has a strong impact on my electorate. On a Friday afternoon or on a public holiday, traffic on that highway backs up right through my electorate.

I represent the only electorate in this State that has a seven-lane highway going through it. We talk about the eight-laning of the Gold Coast highway. I know better than anyone the impact that a six, seven or eight-lane highway has on an area. I know about the problems regarding noise, pollution, heavy traffic, and the other sorts of issues that six-laning and eight-laning create. Nevertheless, those matters need to be addressed. I will continue to bring them to the attention of the Transport Minister. I say to the Transport Minister and the Police Minister that it is incumbent upon them to ensure that the legislation that is passed in this House is acted upon in a proper manner.

Mr T. B. SULLIVAN (Chermside) (11.48 p.m.): I rise to speak to the Transport Legislation Amendment Bill. Generally, these amendments are sensible, practical provisions. It is just a bit disappointing that some of these changes have taken so long to come to the House.

I want to mention very briefly four matters. The amendments to section 16A, which relate to breath and blood samples, are welcome. As we know, there are over 500 deaths a year on our roads. The four main causes of those deaths are speed, alcohol, fatigue and lack of restraints. Drivers with blood alcohol levels that are too high are a very major cause of serious road accident deaths and injuries throughout the State. These changes will help the police in keeping drink-driving to a minimum. I congratulate the Department for Transport and the Police Service on the changes in policy

and their efforts to increase the RBT testing rate throughout Queensland. This legislation will assist in that.

Secondly, the shopping centre where my office is located is an example of where there is conflict with parking. As the Minister would be aware, that situation affects small business. Off-street parking attracts customers, but these car parks get cluttered with the cars of people who are not customers or who perhaps work in nearby offices. That cuts down on custom and affects business. It also creates tension between tenants and landlords. I am sure that the Minister for Tourism, Small Business and Industry has had to address that situation on many occasions. In his reply, I ask the Minister to tell the House whether he believes that the provisions in the legislation will really help to address that issue or whether they just flick it to the local authority which will have to deal with it.

The provisions relating to the transport of dangerous goods reminds me of the Nundah bottleneck. The motorists, business people and residents of Brisbane's inner northern suburbs are very pleased that the cut and cover option has been chosen. The only criticism is that there has been a delay of 20 months. I have heard no praise for the member for Clayfield, Santo Santoro, who, when in Opposition, promised his support to all and then, as a member of the Cabinet, refused the funding for so long. However, the bypass will now come to fruition. I hope that the date of 2002 will not be the finishing date and that the project will be finished sooner rather than later.

It is disappointing for residents of Brisbane's northern suburbs that they have been dudded by the Premier and the Treasurer because of the money being squandered on the southern busways project. The overall concept of the southern busways project is flawed. It will not achieve any significant improvements in bus patronage or increased speed. In addition, the $500m price tag is about twice the price that is needed to provide an efficient and fast busways route. In the meantime, the people from the north side of Brisbane have been ignored, as Mr Deputy Speaker would know, because the northern busways project will run through his electorate as well as mine. I am sure that some of his constituents are very unhappy with the situation, as are my constituents.

This year Minister McCauley gazetted the development control plan for the Chermside regional centre. One of the key elements for the success of that regional plan is an integrated public transport system. The northern busways project is essential for the Chermside regional centre to be a success. The fact that no funding has been provided for that project is a huge disappointment. It will adversely affect the planning for the north side of Brisbane. I call on the Minister, Premier Borbidge and Treasurer Sheldon to review the southern busways project and to make some funding available for Brisbane's north side residents.

Mr ROBERTS (Nudgee) (11.52 p.m.): I take this opportunity to raise of few matters concerning transport issues that affect my electorate and to remind the Minister of those issues while he is in the Chamber.

A couple of weeks ago I made a speech about aggressive driving. I referred to the fact that in New South Wales the Labor Government has introduced three new offences: menacing driving, driving with intent to menace and predatory driving. It is a fair thing to say that most people in Queensland, or indeed in Australia, can relate to the issue that I referred to in my speech, which is that these days whenever one goes for a drive it is virtually impossible to travel any distance without some lunatic driving on one's bumper bar and trying to force one to either exceed the speed limit or move out of the way to let them pass. This problem is growing and the Government needs to take some legislative action to address it.

This issue was brought home to me by an incident experienced by one of my constituents on the Gateway Motorway. This woman was driving at the speed limit of 100 km/h in the right-hand lane. A large truck came up behind her and appeared to be travelling virtually one car length behind her vehicle. The driver of the truck was making quite threatening and intimidating manoeuvres behind her, which forced her to exceed the speed limit. Eventually, she had to find a safe space to move into the left-hand lane.

Most members in this Chamber can relate to that sort of incident. It happens too often. I believe that aggressive driving is a major contributing factor towards many accidents that occur on our roads. It is about time that we gave serious consideration to empowering the police to take action against drivers in those circumstances. I understand that it may well be a difficult offence to prosecute, given the fact that many of these occurrences occur between the two drivers and finding witnesses could be an issue. However, the New South Wales Government has tackled the issue by introducing legislation. I urge the Minister to

take a close look at what has happened in that State with a view to enacting similar legislation in Queensland.

The other issue that affects my electorate relates to the straightening of Sandgate Road in the vicinity of Zillmere Road at Boondall. I have raised this matter with the Minister on a number of occasions. Earlier, the Deputy Leader of the Opposition said that the Minister is a good bloke, and I have no doubt about that, because every time that I have raised this issue with him over the last month or so he has given me an undertaking that he will listen to the concerns of my constituents. In particular, a small-business constituency in my electorate has grave concerns about the impact on their businesses that straightening the road will have.

The straightening of Sandgate Road also impacts on Nudgee College. I was very pleased that the Minister for Emergency Services and Sport recently announced that the college will receive a significant grant to build an international-standard athletics track. In no way do I want to jeopardise that particular project, but I believe that some compromises could be reached so as to divert the road away from the college. This would enable the track to be installed and would allow enough space for the future development of grandstands and so on. It may also alleviate the fears that small businesses have that the project will impact negatively on their businesses.

I take this opportunity to ask the Minister to meet with those small-business people so that they can have the chance to place their concerns directly before him. I am very pleased with the cooperation that has existed between Bob Drew, the district director, myself, the local small-business people and other people who have raised these concerns. Mr Drew is very helpful and is always willing to listen to concerns, but in the end he had to make a decision. He made a decision that still causes some concern among the business people and they wish to take the matter to the higher authority of the Minister. I ask the Minister give a commitment to meet those people some time in the near future.

Another issue that concerns me relates to the Zillmere Railway Station. I have written previously to Queensland Rail requesting that high priority be given to installing ramp access at that station. Zillmere has a high elderly population, lots of young people and mums with children in prams. Every day one can see people struggling to get onto the station. The area has a high need for facilities such as ramps. Unfortunately, the response I received from Queensland Rail was that, given that the cost of a ramp would be about $1m, it was not high on its priority list. However, much to my disappointment, at the same time that I received letters from Queensland Rail saying that it did not have enough money, a little further along the track at Eagle Junction Railway Station, which already has ramp access—and I have put a question on notice about this to the Minister—approximately $1m was being spent to duplicate disabled access at that station. Eagle Junction station already has ramp access and lifts are now being installed to duplicate that access. Certainly access was required to the additional platform that has been installed, but in my view a much cheaper option would have been to provide ramp access to the new platform. Money could then have been spent at the more needy station at Zillmere, where ramp access is absolutely crucial. I again remind the Minister of that issue and ask that it be given greater priority.

I also draw to the attention of the Minister the issue of parking at Northgate. Some time ago I placed a question about this issue on notice and I acknowledge that the Minister visited the area with me. On any given day one can count between 130 and 150 cars parked near the car park at Northgate Railway Station in the surrounding streets. That is causing safety problems and a great deal of annoyance to local residents. Indeed, the local police say that significant numbers of vehicles parked in those streets are stolen. The railway station has installed full security surveillance at the car park, which has been very well received. However, the spillover of that large number of cars onto the surrounding streets in Northgate is a problem.

My solution, and strong suggestion to the Minister, is that any additional parking at the Northgate Railway Station should go on the eastern side in the commercial and industrial area. I know that Queensland Rail has its eyes on properties on the western side of that railway station closer to the residential area. That will just add to the existing problems. New parking needs to go on the eastern side in the industrial and commercial area.

Another issue concerning my electorate that I am pleased to mention tonight is the Nudgee boat ramp. Again, I am very pleased to report to the Minister that I have had very good cooperation with his officers in the Marine Division in relation to the boating channel from the Nudgee boat ramp into Moreton Bay. Over the past few months,

many local fishermen have raised with me the fact that boats are running aground regularly, at low tide in particular, as they try to go out for a spot of fishing on the bay. After representations to the department and discussions I have had with——

Mr Johnson: Is that Ken Vaughan, is it?

Mr ROBERTS: Ken Vaughan has never run aground while he was going out on Moreton Bay.

The departmental officials were very cooperative and helpful. They reported back to me regularly in respect of their investigations. I am pleased to announce that they have made the sensible decision to install marker beacons to mark the boating channel. That will be very well received by my constituents. I hope my local newspaper gives me a run on that next week.

The other issue that I want to raise and which is of concern to me is bikeways. I know that a significant amount of money has been spent by the department on installing bikeways throughout Brisbane. I have a concern about safety issues arising from these bikeways, particularly those installed on main roads. In my electorate, bikeways have now been installed from Nundah right through to Boondall. I have significant concerns for the safety of both bike riders and motorists using that stretch of road.

For example, heading inbound towards Nundah there is a section of road where the bikeway is situated on a downhill run, and any motorists in the left-hand lane who wish to turn left into any street have the additional hazard of having to look over their shoulders to make sure that there is not a bicycle rider speeding down the road on their inside. I am extremely concerned that there will be a serious accident involving a bike rider on this stretch of road. At some time in the near future, I will be seeking to raise this matter more formally with relevant sections of the Minister's department, because I believe it needs to be looked at very closely. The safety aspects of these bikeways have not been fully considered by the department. I am concerned for the safety of riders, in particular children, who might seek to use these bikeways in the future.

Finally, I wish to raise an issue in relation to the Banyo Railway Station and the Boondall Railway Station. When Labor was in office, money was committed to provide new stations at Banyo and also at Boondall. Unfortunately, after the change of Government the Treasurer or someone else was searching around for a bit of money, and Banyo and Boondall together lost about half a million dollars in funding for station improvements.

The difficulty with the Boondall Railway Station is that for several years now the station staff have been operating out of a demountable hut. Also, patrons at the railway station, if they wish to use the toilets, have to go to a demountable hut. That is totally unacceptable. I urge the Minister to ensure that that money for both the Banyo Railway Station and the Boondall Railway Station is reallocated as soon as possible.

Mr Robertson interjected.

Mr ROBERTS: I am extremely angry about that.

Mr Johnson: I didn't think you were an angry person.

Mr ROBERTS: I can get angry when I need to.

Mr Johnson: So can I.

Mr ROBERTS: I am sure the Minister can.

The issue is a serious one. In particular, the Boondall North Railway Station is in need of urgent attention. I ask the Minister to take a personal interest and allocate that money as quickly as possible.

Debate, on motion of Mr FitzGerald, adjourned.

GRIEVANCES

Year 12 Graduates

Mr SCHWARTEN (Rockhampton) (12.05 a.m.): Tonight I rise to pay tribute to our young people in Queensland who are about to leave our school system after having completed 12 years of formal education in both the State and independent systems. In common with many other members of Parliament, I recently had the pleasure of going to a speech night in my electorate, namely, that for the Rockhampton High School. I was quite taken with the ability of the students there. That is the school that I attended, and it is a school of which I am very proud.

We often do not pay sufficient tribute to our young people. We hear far too many negative stories about them. Tonight I wish to pay tribute to two students in particular who gave the valedictory speeches at that high school. Mr Speaker, I was so impressed by their very short speeches that I seek your indulgence and the permission of the House to have them incorporated in Hansard.

Leave granted.

ALLYSON WOODFORD

Over the past four speech nights I have attended, there are many moments that I can recall, whether they be fond or interesting. Grade eight, the buzz and excitement of the inaugural high school speech night and the thrill of reward, a celebratory Jubilee evening in 1994, an interesting special guest speaker in 1995 which I'm sure most of you will remember and now the joy of my first senior school speech night in 1996.

Throughout all the rush and last minute changes, there have always been a few people behind the scenes who usually are briefly recognised at the end of such a vote of thanks. Not only do they spend their days teaching, administering and preparing reports, but they always have time for the reason that they are here, their students.

Mrs Soans and a few department heads have spent a raucous past few weeks, grade seven showcase, year twelve duties and tonight's speech night organisation. Mrs Moore, as always, has kept the night running smoothly with their marvellous MC-ing and Mr Curran for his usual high standard principal's report that keeps most of us up to date within the school. Miss Franke deserves a mention at this point for without her organisational skills, most of the awards presented here tonight would have gone to the first person to put up their hand and say, "Yes, that's me!". All the department heads, year masters and teachers have been subjected to monitoring, decisions and arguments to bring together the awards you see here tonight. I'd like to thank these people for their on-going dedication and hard work.

Tonight we have been privileged to be entertained by professor Lachlan Chipman who is well distinguished, both in presence and title. He has shown the heart and brains of the future here tonight just how rewarding national conscription, standing around on guard duty and tunnel ball can in fact be. Personal thanks go to him for the content and presentation of an address, unparallel to those guest speakers over past years. Thank you.

Honourable Member for Rockhampton, Mr Robert Schwarten, Brad Neven, Capras member and the ever distinguished heart and soul of Rockhampton music appreciation, Mrs Helene Jones, have shown their support for the outstanding efforts of the students here tonight by presenting the awards so rightly deserved.

No speech night would be complete without the effervescence and wisdom that is Mr Rob Hughes. Rob's contribution as the Vice President of a successful P and C Association and as an enthusiastic parent shows just how tightly the school works with its surrounding community.

Even though I intended not to stick to highly cliched terms, I don't think I could go past in saying that is no surprise to me and nor should it be to anyone else, just how hot the big band, sax quartet, choir and concert band were tonight. Congratulations go to all the talented students involved with such menageries. Without the superb teachings, inspirations and up-beat aerobics of teachers, such as Leanne Mundt, Jordie MacDonald, Martin Thomas, and instrumental teachers, Mr Maurice Watson and Mrs Michelle Illot, a night such as this would not be possible.

The ever impressive green-thumbed powerhouse, Mrs Ellie Von Allmen, receives continuing thanks, not only for the marvellous green house that she has established around our school, but also for the lend of the greenery you see before you.

For the invigoratingly concise wrap up of the school mountain of curricular and extra curricular activities I'd like to send accolades to fellow students and vice captains, Jackie Codd, Skye Brown, Sam Boyle, Doug Chippendale, and for his valedictory address, my partner in crime , Steven Purcell.

As we draw close to the end of a long evening, I'm sure that in some way you will thank Leslie Mitcham and her super team in Home Ec. For the marvellous supper prepared. To Mr Brodie, the marshalling extraordinaire, the gurus in the sound box, the amazingly patient lighting man on the ladder this afternoon, Miss Melanie "Stage Manageress" Brown, all of the teachers here tonight, we thank you for your ongoing support.

Thanks must go to the parents. They spend every waking moment worrying about a sometimes unassumingly unappreciative angel-like teenager, who is tonight redeeming their faults, by making their parents proud. You deserve all the congratulations in the world.

If there is anyone that I have left out, please accept my apology. I'm not really rude, but as someone reminded me earlier this evening, I am a bit slow in the head at remembering important things for a long period of time.

Finally to the students. High school is supposedly a few of the best years of your life. Don't trust anyone who says that. Purposefully go out and make them the best years of your one and only life. Take advantage of everything that this institution and those to follow, throw at you. It will make you strong and appreciative. Take every day as it comes and make the most of every waking moment. Seize the day by living life to the fullest, strive high and live hard.

Thank you.

...

STEVEN PURCELL

Human achievement: Neil Armstrong, "One small step for man, one giant leap for mankind." Martin Luther King, "I have a dream that one day all men shall be equal." John F Kennedy, "Ask not what your country can do for you, but what you can do for your country." Queen

Elizabeth the First, "Sempea Eadeam—Always the same." Mother Theresa, Princess Diana, all these people are great achievers. But what is Human Achievement? How is it defined. Is it those above average? Is it measured by the height or breadth of our goal?

Or is it simply the best you can do? When trying to define Human Achievement, a value judgment is made. Like it or not, the term achievement, implies that "She is the best in her class", "He got the top score", "She ran the fastest in the race". Biggest, Best, Brightest. This is the reason why some look sourly upon events such as speech night. In some aspects they are right, human achievement cannot be measured so simplistically.

An individual's achievement can only be judged by themselves. By their own sense of self worth. Their desire, and their motivation. But the students you will see up here tonight have made a great achievement - academic, sports or other extra curricular activities. Which are well worth reward. Last night's art expo showed the diverse achievements of our schools art students, yet only a few of those you will see up here tonight.

Is that what it's all about. I think no. Many theories exist around the psychology of achievement. Whether our motivation is derived extrinsically, by external rewards, or intrinsically, motivated by pleasure in an activity for its own sake, or for self fulfilment. The difference being the concepts of work and play. As one of the achievers of Rocky High, I can truthfully say that my achievement is due to a good combination of both. All Grade 12 students, whether or not they are here tonight, are motivated by the pressures of society to attain the "best OP". However, we have learned through the years, the personal satisfaction in achievement. Our friends, teachers, and families, have inspired within us the confidence, the ambition and the sense of self worth to do our very best. An achievement we can all share in.

But you will see many new faces, many new talents, many new achievements. The school tries its best to honour students in all their achievements, unfortunately everyone can't receive a certificate. So I would like to take this opportunity now to honour those who were not up here tonight, to let them know that a certificate does not symbolise achievement. The true essence of achievement is in our faces tonight, and in the faces of those who are here to support us, as we all share in our common successes. So Human Achievement. Mrs Smith, mother of five, holding down a regular job. Joe Black, works at the post office. Never aspires to promotion, but always makes it home by five to play with his son. A Downs Syndrome child takes his first step. All these people are achievers. The only difference between these people and the students you will see up here tonight, is a small piece of paper.

We shouldn't feel ashamed to honour those who have achieved a goal. Whether or not a value judgment is made, we must always remember, that as individuals we are all achievers, and as humankind we can all share in these achievements. As Neil once famously said, "One small step for man, one giant leap for mankind."

Mr SCHWARTEN: I believe one of the great joys we have as members of Parliament is the chance to participate in speech nights.

Mr FitzGerald: One of mine is on tonight.

Mr SCHWARTEN: Unfortunately, that often happens to me; we are often down here when they are on. I guess that I owe the Leader of Government Business a vote of thanks, because he cancelled last week's sitting of Parliament and I was able to go to this one.

Far too often we focus on the negative side of young people's behaviour and not on the overwhelming majority of our students, who are performing very well. These two students—Allyson Woodford and Steven Purcell—gave excellent speeches.

Time expired.

Wine Promotion Centre, Granite Belt Region

Mr SPRINGBORG (Warwick) (12.07 a.m.): I am pleased to inform the House that a $40,000 grant from the Government has been provided to the Stanthorpe Shire Council to help build a wine promotion centre for the Granite Belt region. This one-off grant from the Department of Tourism, Small Business and Industry will be used to establish a centre which will truly showcase the State's wine industry.

The Granite Belt is the most recognised winery region in Queensland. In fact, it is the gateway from the southern States to our wine industry. There are currently 18 wineries in the Granite Belt region spread over a 60-kilometre stretch of the New England Highway. The Toowoomba and Golden West and Southern Downs Joint Regional Tourism Strategy identified wineries as a major tourist attraction in the region. With this in mind, the new Stanthorpe centre will not only become the focal point for the promotion of quality Queensland wines but will also promote the Granite Belt as a unique tourist destination featuring scenic beauty, a broad agricultural base and national parks.

There has been no greater advocate for the State's wine industry in this House than the Minister for Tourism, Bruce Davidson. As many will be aware, the Minister has been the

architect and vocal supporter of the formulation of a State Wine Industry Development Project. This project, developed in full consultation with the wine industry, aims to double the Queensland wine industry's turnover from $17m to $34m over the next three years.

I commend the grant to the Stanthorpe Shire Council and the State Wine Industry Development Project to this House. Whilst I am on this subject, I would also like to place on record in this Parliament my thanks to all of those members from both sides of the House who attended the recent wine-tasting at Parliament House. Members were probably very pleasantly surprised with the quality of wines on offer from the Granite Belt and the South Burnett, which goes to prove that this State has done a lot over the past few years to increase the quality of the wines in this State.

Time expired.

Palm Beach Community and Dental Clinic

Mrs ROSE (Currumbin) (12.09 a.m.): Last week we saw the first sod turned on the site of the Palm Beach Community Health Centre and Dental Clinic in Fifth Avenue, Palm Beach. One would expect that such an event would cause some excitement in the community or even get a few accolades, but has it? I regret to say: no, it has not. Why? Because this Government through the Health Minister has made so many promises about when work would start on the centre and when it would open and has broken those promises that people just do not have any faith in what it says! People might have thought, "Has the Government just sent in a backhoe to push around a few mounds of dirt? Can they really be serious about finally starting construction of the building? We will wait and see."

Let us examine the feelings of a pensioner whom this Government has deprived of the desperately needed dental clinic in Palm Beach, and I will quote from this pensioner's letter. It states—

> "The wait for a dental exam is more than three years.
>
> The wait for false teeth is more than six years.
>
> ...
>
> We had hoped that the Minister was fixing the waiting list but he is spending millions for nothing instead of doubling the service ... Tell that to the forty or fifty people who wait outside the dental clinic at the hospital for it to open. Feel their pain and frustration.
>
> ...
>
> It seems that this Minister thinks this area belongs to the Coalition and the people will accept anything they dish out."

That situation is an absolute outrage. Let us have a look at some of the promises which have been made on starting dates. In answer to questions on notice that I asked back in April 1996, the Minister said—

> "It is anticipated that the ... Centre will open in April/May 1997."

In the same answer he said that the functional plan would be completed by mid May 1996, the call for tenders would be in October 1996 and construction would be completed by August 1997. The centre was supposed to be opened by August 1997, yet we see the first sod turned in October 1997.

Time expired.

Mr G. Jacobs; Nike

Ms WARWICK (Barron River) (12.11 a.m.): It gives me great pleasure to tell the House about another success story from Barron River. Members will recall that I spoke at length about the 1996 UCI World Mountain Bike Championships which put Cairns firmly on the sports world stage. A scenario that was acted out behind the scenes at the 1996 event is set to deliver Cairns continued recognition and kudos. It involves Mr Glen Jacobs, a constituent of Barron River, who designed the Cairns course and who has just returned from Europe where he has been designing mountain bike courses.

During Glen's overseas travels, he met up with two European officials from Nike who told him that the company's new flagship shoe would be a mountain bike shoe named "Cairns". Apparently three Nike representatives flew into Cairns the day before the downhill final at the championships last year with a prototype of the new shoe. It is reputed to be the most expensive shoe that the company has ever developed and has been built to withstand all the stresses of mountain biking. The shoes have now apparently been developed to a point where they are ready to go into full production. The reason for the decision to call them "Cairns" is two fold: firstly, because a Frenchman wore the prototype when he won the world championships in Cairns last year and, secondly, because Cairns is now known around the world as "the

destination for mountain bike riding these days".

Glen Jacobs is quoted in the Cairns Post of 30 September as saying—

> "It's an amazing honour for Cairns as well as the sport of mountain biking putting the city on the map. One of the world's biggest, most recognised companies is now going to help do that as well."

He went on to say—

> "It makes me feel very proud of what we've been able to achieve here in really putting Cairns on the map with this sport and it just goes to show that it's not just a sport, but a multi million dollar industry. The benefits are enormous and they're only just starting to reveal themselves in all different levels."

Glen Jacobs has just arrived back from his international experience of designing mountain bike courses. I would like to salute him for the wonderful work that he is doing in helping to put Cairns on the world stage in terms of mountain bike course design and the sport of mountain biking.

Sister Mary Lawrence

Mr LUCAS (Lytton) (12.13 a.m.): In the short time available to me this morning, I would like to pay tribute to a woman who has served the people of the bayside, the elderly and the sick, and the Catholic Church with distinction, compassion and commitment. Sister Mary Lawrence of the Sisters of Nazareth has now been transferred from Nazareth House at Wynnum, where she has been stationed for the past 15 years, to a new position at Nazareth House, Tamworth, New South Wales. During her time as director of care at St Mary's and St Joseph's at Nazareth House, Sister Lawrence not only treated the residents—all elderly and many infirm—with compassion and dignity, but also added a dynamic flare for the building and development of facilities that makes Nazareth House the envy of many other aged care facilities.

Last week I had the privilege of being present at a farewell for Sister Lawrence, which was an opportunity for those who are really important—the residents—to express their views. I was touched by their genuine outpouring of love and gratitude for someone who has given so much to the residents, to her order, to the church and to the local community. The work has not always been easy and, having suffered a heart attack last year, it was clearly at a cost to Sister Lawrence's health. It would be remarkable for any member of the lay community to do the sort of job that Sister Lawrence has done, but her efforts are even more praiseworthy when one considers that it has all been part of her religious vocation and for no earthly and financial rewards.

Sister Lawrence has also seen the importance of supporting local community groups, such as ARAD, and was recognised by Rotary International, being awarded the prestigious Paul Harris International Award. Sister Mary Lawrence, from the people of Wynnum, Manly and Lota, I say to you: "Thank you for the elderly you helped, for the lonely and the sick you gave comfort to, for the future which you provided for and for the rest of us you gave inspiration to."

Construction Training Centre

Mr CARROLL (Mansfield) (12.14 a.m.): On 15 October 1997, two other members of this House and I attended the Construction Training Expo which was held at the Construction Training Centre at Salisbury.

That really is a magnificent training facility and the expo impressed me. The long-term aim of that Construction Training Centre is to provide a one-stop training shop for the building industry by bringing south-east Queensland's construction and building training providers to one location to provide structured and accredited training in a range of skill areas where currently no such training exists. Training providers have access to the latest equipment and machinery to train apprentices and trainees. Because of the size of the site, another important benefit for both students and trainers will be the opportunity for them to work on full-scale, simulated construction projects.

The centre is located on 12.5 hectares of land previously owned by Evans Deakin. The site was purchased in 1994 by the Construction and Training Centre and TAFE Queensland and already houses the Building Industry Group Apprentice Training Centre and the Construction Skills Training Centre. The construction industry's training advisory board, Construction Training Queensland, plans to move to the site next year. This centre is a magnificent example of Government and industry working together for the good of all. The State Government's contribution to the centre was $6.25m.

I was pleased to attend the construction expo with the Honourable Minister Santo Santoro and Opposition member for Bulimba, Pat Purcell. Having witnessed the progress and obvious potential of the training centre, I have no doubt that industry and Government have reshaped the training system in Queensland. Together we created a training system which is more flexible, easier to access and more responsive to the training needs of industry. This should be a great benefit for all Queenslanders.

The centre will assist our building and construction industry to meet future demands and provide industry with a constant stream of trained, multiskilled workers to meet those demands. I congratulate all involved, especially Hugh Hamilton, who was of particular assistance back in June 1995 to the Mount Gravatt Showgrounds Trust.

Time expired.

Police Station, Sunnybank

Mr ROBERTSON (Sunnybank) (12.16 a.m.): The Minister for Police talks about how many extra police have been employed since the Liberal and National Parties came to power. He regularly rattles off electorate after electorate, quoting figures indicating alleged increases in local police numbers, yet the one electorate that the Minister for Police never mentions is Sunnybank—and for good reason: this Liberal/National Party coalition Government has ignored Sunnybank over the past 18 months.

Let us look at the abysmal performance of this Government when it comes to police resources in Sunnybank. At the 1992 and 1995 State elections, the Liberals promised that a 24-hour police station would be built in Sunnybank in their first term of office. Not only has this Government failed to deliver on this promise despite constant requests by myself, but the work started by the former Labor Government to identify suitable sites for a police station in Sunnybank has been scrapped.

The Minister for Police claims that the police numbers have increased—but not in Sunnybank. When I visited the Acacia Ridge Police Station only two weeks ago, I found only one police officer on duty who did not even have access to a vehicle. Officers who were supposed to be on duty had been taken away to perform prisoner transport duty and the station's police vehicle had gone with them. Effectively, this recently refurbished police station—incidentally, another initiative of the former Labor Government—had been taken off-line in responding to calls from the public in patrolling that part of my electorate covered by that station.

The Minister for Police claims that under the Liberal/National Party Government, the quality of service offered by the Police Service has improved, yet again the facts reveal otherwise. Last Monday night, a constituent's car was broken into and the contents stolen. On discovery of this break-in, my constituent phoned the Mount Gravatt police, only to be told that the police could not come out to the scene of the crime because they were short of staff. They asked him if he could drive his car to the Acacia Ridge station so that it could be inspected and fingerprinted.

Although disgusted at this lack of service, my constituent drove to Acacia Ridge to report the crime. He was told by the only police officer on duty that night that his car could not be fingerprinted because the officers trained in this procedure were not available. He was then asked to come back the next day. When the car was finally fingerprinted the next day, predictably, nothing was found.

Time expired.

Mr T. Kelly

Mr MALONE (Mirani) (12.18 a.m.): When this Government was elected, we undertook to provide a level of support and assistance for the areas of regional Queensland which for too long had been ignored by Labor. There is a strong recognition by this Government that regional areas have their own particular problems, many of which are highlighted by isolation and lack of access to facilities which people in urban areas take for granted.

I am delighted that my colleague the Minister for Tourism, Small Business and Industry continues to ensure that the department provides a growing reservoir of services for people in our regional centres. One of the latest of such appointments has been of particular relevance to me as member for Mirani. I refer to the appointment of Mr Tony Kelly as regional business adviser to the Whitsunday area under the auspices of Minister Davidson's Regional Business Development Scheme. There is no doubt in my mind that Mr Kelly, who has a strong business background with private enterprise in such areas as electrical engineering, retailing and tourism operation and marketing, will be able to provide invaluable support to the wide

range of new and existing small-business operators.

I also believe it is appropriate to convey my congratulations to the Whitsunday Regional Development Organisation which has sponsored the appointment of the adviser to cover the shires of Bowen, Burdekin, Charters Towers and Whitsunday. Mr Kelly faces a considerable challenge, as the Whitsunday and Burdekin areas are expanding rapidly. I am aware of a number of companies which have already contacted Mr Kelly to utilise his expertise in the marketing of new technologies.

The size of the task faced by Mr Kelly is highlighted by the fact that the area he will service is larger than the entire State of Tasmania and has a population of 62,000 people. In Bowen, he is already providing advice to local business in regard to improving their profitability and management skills to assist them in being less dependent on the future of the Bowen coke works. Through programs such as the regional business development scheme——

Time expired.

Nursing Home Fees

Mr ARDILL (Archerfield) (12.21 a.m.): The sheer heartlessness of the Howard Liberal Government should now be clear to every thinking person. Not only is the Government continuing with reducing the workers of Australia into a mass of unemployed in the name of efficiency and economic rationalism, but it has now decided that the most vulnerable section of the community—the frail aged—must take over the Government's duty to provide capital for nursing homes. Those who thought that "There is no difference" between Labor and Liberal should now realise their mistake.

Perhaps the top-money people and the jetsetters do not have any love and attachment for the family home, but the average family does, whether they be farmers or city dwellers. It is the place which encapsulates all their joys, their happy times, their sad times, and their triumphs. It is a haven to which they can always return. To be told that they must sell the family home and burn their bridges would be the most devastating aspect of entry into a nursing home.

When they are treated like trash, as they are in some nursing homes, or even when they are subject to some measure of control, which is anathema to many elderly people, they then have no haven to which they may return. In the case of two elderly siblings, when one has to sell to raise the iniquitous entry fee, the other has nowhere to live—and I have personal knowledge of this situation.

In many cases, two elderly people live together, solely within the bonds of friendship and mutual convenience. They receive no consideration from the uncaring machine men and women of the Liberal Party. The family home is usually excluded from considerations when a means test of any sort is applied, and this should not be overruled by the whim of a Government which will not face up to its responsibilities.

If elderly people desire more luxurious surroundings, and they can afford it, they should have the choice of purchasing services above the average. If they want and need reasonable and standard services, they should not be asked to sacrifice their only asset to provide capital—

Time expired.

Australian Tourism Exchange

Mr HARPER (Mount Ommaney) (12.23 a.m.): Two weeks ago the Minister for Tourism, Small Business and Industry announced yet another coup for Queensland. In the face of concerted bidding from both Melbourne and Sydney, Brisbane will, for the first time, host the Australian Tourism Exchange in 2001 and 2002. I do not want members opposite to underestimate the importance of this announcement for Queensland tourism.

The Australian Tourism Exchange is the largest travel fair in the southern hemisphere. It is the annual means by which Australian tourism operators sell their product to overseas buyers. To hold this event in Queensland, in two such important years as 2001 and 2002, is a major coup for our State. 2001 and 2002 are the two years identified as having the greatest potential for tourism as a result of the Sydney Olympic Games. Thanks to a worldwide media audience throughout the Games, the world tourism market focus will be on Australia for a number of years.

For Queensland to play host to the cream of tourism buyers from around the world in these key years can only reap enormous benefits for our industry. Through the ATE, and through pre-touring and post-touring around the State, buyers will see firsthand just how good is our tourism product. Never before have Queensland tourism operators had a

better chance to push their products in overseas markets.

As well, ATE is attended by travel and tourism media from around the world, which should result in significant media coverage in the important international trade media. As a trade fair, ATE in 2001 and 2002 is a major win for Queensland. Eight hundred international travel buyers and 1,200 Australian travel sellers will converge on Brisbane for ATE and will travel around the State before and after the fair. As an opportunity to showcase our tourism product, the potential benefits for Queensland are immeasurable.

I commend to the House all those involved in putting this unbeatable bid together, including the Minister, the Queensland Tourist and Travel Corporation, Brisbane Tourism and the Brisbane Convention and Exhibition Centre.

State Government Advertising

Hon. K. W. HAYWARD (Kallangur) (12.25 a.m.): I rise to protest at the taxpayer-funded State Government advertisement which says that the law has changed to enable younger people to be imprisoned. This disgraceful advertisement is not about information to the viewer about the changes in the law; it leads the viewer to believe that a young person is not safe in prison and is at risk of harm—harm sanctioned by the Government. I think it is an absolute disgrace.

In this advertisement the Government is saying that changes in the law have been made to enable it to gaol people at a younger age, but the same Government cannot guarantee their safety once they are in gaol. Constituents have expressed disgust to me about this advertisement. Surely it should be mandatory for a Government and the responsible authorities to take all steps to ensure that a person is safe in our society, even if they are in prison.

But what do we have here? What we have here is a Government advertising campaign which acknowledges the lack of safety—the Government's inability to protect a person even in prison. By this advertisement this Government sanctions the lack of safety of people in Queensland's prisons. It advertises the dangers. We can only imagine what the dangers are. No doubt they include the danger of being killed, the danger of being assaulted, and the danger of being sodomised.

Young offenders serving time for their mistakes should be secure and able to serve their sentence. What we have with this advertising campaign is a clear waste of taxpayers' money. Everybody knows that Queenslanders do not need a taxpayer-funded advertising campaign to know that a person is not safe in prison because in the last month we have had to experience the horror of two inmates being murdered in the Woodford prison.

The pathetic response of the Government has been to simply sack the prison administrator; yet, with a nod and a wink, at the same time the television advertisement—

Time expired.

Hymenachne

Mr ROWELL (Hinchinbrook) (12.27 a.m.): Hymenachne is becoming a major pest, blocking waterways throughout the tropics. The water-based perennial grass was introduced from southern and central America for ponded pastures. The leafy, vigorous growing plant flowers prolifically during the wet months of the year from April to May. The seeds and other plant parts of the grass can be carried in streams, spreading the species to other locations. It has the capacity to inundate other vegetation and stagnates water, reducing the oxygen levels and affecting fish populations. Control by herbicides is being investigated, but difficulty arises in treating areas where the hymenachne is growing in water.

The upper reaches of the Ripple Creek drainage scheme in the Ingham district are becoming infested. The substantial rainfall during the usually drier months of the year has made it difficult to control hymenachne. Sugarcane growers in the area have suffered losses of ratoons and plant cane through these wet conditions. Extensive planning has been carried out and approvals given to resolving the excessive water levels on farm land. Growers have been waiting patiently for the green light to be given for Sugar Industry Infrastructure Package funding to be released to overcome drainage problems and allow the water levels to be reduced so that the hymenachne infested drains can be treated. Other projects involved in the package have yet to be finalised, resulting in the curtailment of activities across-the-board. It would be appropriate to consider initiatives that have the approval completed in isolation from others. That needs further planning to take place. It is

a matter that needs further investigation by the authorities.

Police Stations, Mount Coot-tha Electorate

Mrs EDMOND (Mount Coot-tha) (12.30 a.m.): Today is a sad, sad day for the residents of Mount Coot-tha. Today is the day when each and every police station was flogged off by this Government, removing every trace and every sign of police presence from Mount Coot-tha. It is a disgrace. The people of that electorate have been treated with contempt.

Before the last two elections, members of this Government went around whipping up law and order issues, trying to frighten elderly citizens into believing that crime was just around the corner. Now they have taken away every single police station in the area. They are saying to the people, "We whipped you up and frightened you, and now we are saying that we don't care." That is the message they have given to every elderly citizen.

Just because the Police Minister owes his political life to the member for Indooroopilly, the people of Paddington, Bardon, Red Hill, Ashgrove, Toowong, Milton and Auchenflower should not have to pay. They do not have a police station in any one of those suburbs just because the member for Indooroopilly set up a biased inquiry to save the Police Minister's life.

Over the past five years, the people of Mount Coot-tha have enjoyed good police protection with community policing. The police knew the area, they knew the citizens, they knew the miscreants and they knew where the problems arise. How can the police possibly do that when they now have to cover the area between the city and Bellbowrie? They do not know anyone. And when one rings up a police station, they say, "We haven't got a car to send anyone out in, anyway."

Mr Santoro interjected.

Mrs EDMOND: The Minister would not know, because he does not even turn up when he is expected.

The police presence has been removed completely from my electorate. The people of Mount Coot-tha are saying that they are disgusted, and I do not blame them. Today I tabled a petition which came in over the last couple of days. It has been circulating for less than a week, but it contains over 300 signatures, and there will be more coming. The people of my electorate will make their votes count in the next election, because they know the contempt with which this Government holds the people of Mount Coot-tha.

Time expired.

Hotel Development, Mooloolaba

Mr LAMING (Mooloolah) (12.32 a.m.): In the Sunshine Coast Daily of Wednesday of this week there was a report of a new development: a $100m hotel that is proposed for the area and which could be under way by as early as June next year. The Sunshine Coast building firm Forrester Parker has signed a contract to redevelop that area into a four-star hotel with strata title development featuring 380 rooms and retail facilities.

This development has been anticipated for a number of years. Not only locals but visitors to the Sunshine Coast would be aware that for about the past five years we have had some behaviour problems in what is known as the nightclub strip area of Mooloolaba. It has taken the combined efforts of police officers, licensing division officers, the local council, the local chamber of commerce and various bodies to try to rectify this problem. They have all been working very well.

One initiative that has been introduced enables police officers to use SETONS to book people for drinking alcohol in public. This has helped to create a better situation in that area. I am sure that the citizens of the Sunshine Coast and visitors to the area will be looking forward to this development contributing towards a new culture at Mooloolaba. It will be a very good development. It shows confidence in the Queensland economy and in the Sunshine Coast in particular. It will bring building jobs to the coast and jobs within the development. I wish all concerned with that project all the very best because it is something that Mooloolaba has needed for a long time.

Job Losses

Mr PEARCE (Fitzroy) (12.33 a.m.): Since coming to power, the Federal Government, under Prime Minister John Howard, has inflicted job losses and job uncertainty on Australian workers. The industrial relations reforms of John Howard allow big employers to run rampant, sacking workers, extending hours of work and using contractors. Both the State and Federal Governments are guilty of aiding and abetting multinationals in their abuse of the industrial relations process, which is weighted against the worker.

I recently wrote to the Prime Minister expressing my concerns about this issue. All members would know that I was a coalminer before being elected to Parliament, and I have been a hands-on worker all my life. Because of my humble background I remain close to ordinary Australians. I have experienced tough times. I know what it is like to go without a feed, and I know the personal satisfaction of having a job. I also know what it is like to have my workplace suddenly closed after being promised a lifetime of work. I know the pain that job losses and job insecurity bring to those affected by them. I see now, as the local member, the impact of this sort of event on the social infrastructure of towns and the family unit, and I know what the loss of pay packets does to small businesses. This is Australia. Our people expect, and have a right to have, certainty about bringing home a livable wage so as to provide food for the family, buy a car and pay the home mortgage.

Australia as a nation must have real jobs for its people. Conservative Governments in Queensland and in Canberra have failed. They offer no hope. The people have lost confidence. They are frustrated. Anger is growing, but the conservatives choose to ignore it. As I said in my letter to the Prime Minister—

> "Call the dogs off, because there is growing frustration and anger that will lead to confrontation in the streets. People will get hurt, and you as Prime Minister will have blood on your hands."

It is about time that the Prime Minister and conservative Governments at State and Federal levels woke up to themselves.

SPECIAL ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (12.34 a.m.): I move—

> "That the House, at its rising, do adjourn to a date and a time to be fixed by Mr Speaker in consultation with the Government of the State."

Motion agreed to.

The House adjourned at 12.35 a.m. (Friday).

J. R. SWAN, GOVERNMENT PRINTER, QUEENSLAND—1997