TUESDAY, 20 JULY 1999

Mr SPEAKER (Hon. R. K. Hollis, Redcliffe) read prayers and took the chair at 9.30 a.m.

ASSENT TO BILLS

Mr SPEAKER: Order! Honourable members, I have to report that I have received from His Excellency the Governor letters in respect of assent to certain Bills, the contents of which will be incorporated in the records of Parliament.

GOVERNMENT HOUSE
QUEENSLAND

16 June 1999

The Honourable R. K. Hollis, MLA
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 16 June 1999:

"A Bill for an Act to amend the Superannuation (State Public Sector) Act 1990

A Bill for an Act to amend certain local government legislation, and for other purposes

A Bill for an Act to make provision for the reform of the financial sector, to repeal certain Acts and to amend the Family Security Friendly Society (Distribution of Moneys) Act 1991, Financial Intermediaries Act 1996 and certain other Acts, and for other purposes

A Bill for an Act to provide for the administration and operation of State taxing laws that are applied as Commonwealth laws in relation to Commonwealth places, and for other purposes

A Bill for an Act to regulate gaming conducted to raise funds for charitable and non-profit purposes, and for related purposes

A Bill for an Act to encourage the voluntary disclosure and exchange of information about year 2000 computer problems and remediation efforts, and for other purposes

A Bill for an Act to amend the Appropriation Act 1998 and the Financial Administration and Audit Act 1977, to make consequential amendments to other Acts and for other purposes

A Bill for an Act to amend the State Development and Public Works Organization Act 1971."

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

Yours sincerely

(sgd) Peter Arnison

Governor

GOVERNMENT HOUSE
QUEENSLAND

18 June 1999

The Honourable R. K. Hollis, MLA
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bill, having been passed by the Legislative Assembly and having been presented for the Royal Assent, was assented to in the name of Her Majesty The Queen on 18 June 1999:

"A Bill for an Act relating to industrial relations in Queensland, and for other purposes."

The Bill is hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

(sgd) Peter Arnison

Governor

PRIVILEGE

Dissent from Speaker's Ruling

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (9.31 a.m.): Mr Speaker, I rise on a matter of privilege. In rising, I refer to your letter of 25 June to me in which you declined to refer matters that I raised with you to the Members' Ethics and Parliamentary Privileges Committee. Accordingly, I give notice that under Standing Orders 119 and 120 I will move dissent from the Speaker's ruling of 25 June not to refer to the Members' Ethics and Parliamentary Privileges Committee the 12 Ministers who stated that the person hours of employment generated from the Government's capital works expenditure were impossible to calculate.

REFERRAL OF MATTERS TO MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Mr SPEAKER: Honourable members, on Friday, 11 June, the honourable member for Nicklin rose on a matter of privilege regarding a question asked the previous day by the honourable member for Caloundra to the Honourable Minister for Education involving the wife of the honourable member for Nicklin. I have allowed the member for Nicklin to speak on the matter of privilege with respect to his wife to enable me to determine whether it was a valid matter of privilege. While I am Speaker, I will extend the same courtesy to all other members if a similar situation ever arises again.

However, I will not be referring the matter of privilege raised by the member to the Members' Ethics and Parliamentary Privileges Committee. Any person who claims that their reputation has been adversely affected by a reference made in the Legislative Assembly may write to the Speaker requesting that an appropriate response be incorporated in Hansard.

ABSENCE OF LEADER OF THE HOUSE

Hon. P. J. BRADDY (Kedron—ALP) (Acting Leader of the House) (9.34 a.m.): I wish to inform the House that for the duration of the absence of the Honourable Terry Mackenroth, I will be acting as Leader of the House.

PETITIONS

The Clerk announced the receipt of the following petitions—

Fisheries Regulations

From **Mr Goss** (141 petitioners) requesting the House to remove all sections of the Fisheries Amendment Regulation No. 3, Subordinate Legislation 1999 No. 58, relating to the legalisation of trawlers to take and sell finfish, winter whiting and blue swimmer crabs from the legislation.

Similar petitions were received from **Mr Hamill** (150 petitioners), **Mr Lucas** (254 petitioners), **Mr Nuttall** (153 petitioners), **Mr Reynolds** (58 petitioners) and **Mr Santoro** (104 petitioners).

Sale of Liquor by Major Retail Outlets

From **Mr Hamill** (82 petitioners), requesting the House not to increase the availability of liquor in the community by extending the sale of takeaway liquor to supermarkets and other retail outlets.

Sale of Liquor by Major Retail Outlets

From **Mr Lingard** (92 petitioners), requesting the House to oppose takeaway liquor sales in supermarkets and support the removal of Section 87 and changes to Section 85(1)(v) of the Liquor Act to protect the interests of the general community and allow for better services in Queensland Clubs.

Similar petitions were received from **Mr Littleproud** (11 petitioners), **Mr Lucas** (23 petitioners), **Mr Mackenroth** (18 petitioners) and **Mr Schwarten** (21 (petitioners).

Megan's Law

From **Mr Lingard** (294 petitioners), requesting the House to bring "Megan's Law" into Australia.

Heavy Transport, Currajong

From **Mr Reynolds** (24 petitioners), requesting the House to have all heavy transport banned from using Bayswater Road and Reardon Street Currajong, as a thoroughfare by having adequate signage on Bayswater Road and policing.

Petitions received.

PAPERS

The Clerk informed the House of the tabling of the following documents—

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

15 June 1999—

Auditor-General's Report No. 7 1998-99—Corporate Governance Beyond Compliance, A Review of Certain Government Departments

25 June 1999—

Queensland Generation Corporation (AUSTA Electric)—Report for the period ended 31 March 1999

29 June 1999—

Auditor-General's Report No. 8 1998-99—Aboriginal Councils, Island Councils, Universities and Grammar Schools

Members' Ethics and Parliamentary Privileges Committee Report No. 32—Report on a citizen's right of reply No. 9

30 June 1999—

Freedom of Information—Annual Report 1997-98

Legal, Constitutional and Administrative Review Committee—submissions received by the committee in relation to its review of the Transplantation and Anatomy Amendment Bill

5 July 1999—

Sunshine Coast University College—Annual Report 1998

Late tabling statement by the Minister for Education (Mr Wells) relating to the Sunshine Coast University College Annual Report 1998

13 July 1999—

Legal, Constitutional and Administrative Review Committee—submissions No. 44 to 51 received by the committee in relation to its review of the Transplantation and Anatomy Amendment Bill

15 July 1999—

Legal, Constitutional and Administrative Review Committee Report No. 14—Review of the Report of the Strategic Review of the Queensland Ombudsman

Legal, Constitutional and Administrative Review Committee—non confidential submissions received in relation to its Strategic Review of the Queensland Ombudsman Inquiry

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

Adoption of Children Act 1964—

Adoption of Children Regulation 1999, No. 161

Appeal Costs Fund Act 1973—

Appeal Costs Fund Regulation 1999, No. 134

Associations Incorporation Act 1981—

Associations Incorporation Regulation 1999, No. 143

Auctioneers and Agents Act 1971—

Auctioneers and Agents Amendment Regulation (No. 1) 1999, No. 164

Brisbane Forest Park Act 1977—

Brisbane Forest Park By-law 1999, No. 147

Casino Control Act 1982—

Casino Control Regulation 1999, No. 127

Casino Gaming Rule 1999, No. 150

Charitable and Non-Profit Gaming Act 1999—

Proclamation—certain provisions of the Act commence 1 July 1999, No. 121

Court Funds Act 1973—

Court Funds Regulation 1999, No. 135

Criminal Code Act 1899—

Criminal Code (Animal Valuers) Regulation 1999, No. 136

Crown Proceedings Act 1980—

Crown Proceedings Regulation 1999, No. 137

District Court Act 1967—

District Court Amendment Regulation (No. 1) 1999, No. 138

Electricity Act 1994—

Electricity Amendment Regulation (No. 4) 1999, No. 141

Environmental Protection Act 1994—

Environmental Protection (Interim Waste) Amendment Regulation (No. 1) 1999, No. 145

Equal Opportunity in Public Employment Act 1992—

Equal Opportunity in Public Employment (Repeal) Regulation 1999, No. 165

Explosives Act 1999—

Proclamation—the remaining provisions of the Act commence 11 June 1999, No. 108

Financial Administration and Audit Act 1977—

Financial Administration and Audit Amendment Regulation (No. 1) 1999, No. 162

Financial Administration Legislation Amendment Act 1999—

Proclamation—the provisions of the Act that are not in force commence in accordance with the Schedule, No. 122

Financial Intermediaries Act 1996—

Financial Intermediaries Amendment Regulation (No. 1) 1999, No. 128

Financial Sector Reform (Queensland) Act 1999

Proclamation commencing certain provisions, No. 123

Fisheries Act 1994—

Fisheries (Dugong Protection Area Emergency Closed Waters) Declaration No. 3 of 1999 and Explanatory Memorandum

Fisheries (Purse Seine Net Emergency Closed Waters) Declaration No. 4 of 1999 and Explanatory Memorandum

Fruit Marketing Organisation Act 1923—

Fruit Marketing Organisation Amendment Regulation (No. 1) 1999, No. 148

Gaming Machine Act 1991—

Gaming Machine Amendment Regulation (No. 1) 1999, No. 102

Gaming Machine and Other Legislation Amendment Act 1999—

Proclamation—certain provisions of the Act commence 1 July 1999, No. 124

Gas Act 1965, Petroleum Act 1923—

Gas and Petroleum Legislation Amendment Regulation (No. 1) 1999, No. 163

Government Owned Corporations Act 1993—

Government Owned Corporations (Ergon Corporatisation) Regulation 1999, No. 103

Government Owned Corporations (TAB Corporatisation) Regulation 1999, No. 129

Griffith University Act 1998—

Griffith University Statute (Establishment of a College of Griffith University) Amendment Statute (No. 1) 1999

Griffith University Statute (Establishment of a Student Representative Guild of a College of Griffith University at the Gold Coast) Amendment Statute (No. 2) 1999

Health Act 1937—

Health Amendment Regulation (No. 3) 1999, No. 154

Industrial Relations Act 1999—

Proclamation—certain provisions of the Act commence 1 July 1999, No. 159

Indy Car Grand Prix Act 1990—

Indy Car Grand Prix Amendment Regulation (No. 1) 1999, No. 166

Integrated Planning Act 1997—

Integrated Planning Amendment Regulation (No. 1) 1999, No. 117

Planning and Environment Court Rules 1999, No. 116

Litter Act 1971—

Litter Regulation 1999, No. 146

Local Government Act 1993—

Local Government Finance Amendment Standard (No. 1) 1999, No. 114

Local Government Finance Amendment Standard (No. 2) 1999, No. 149

Local Government Legislation Amendment Regulation (No. 1) 1999, No. 118

Lotteries Act 1997—

Lotteries Amendment Rule (No. 1) 1999, No. 157

Mineral Resources Act 1989—

Mineral Resources Amendment Regulation (No. 2) 1999, No. 160 and Explanatory Notes and Regulatory Impact Statement for No. 160

Nature Conservation Act 1992—

Nature Conservation (Dugong) Conservation Plan 1999, No. 155

Nature Conservation (Protected Areas) Amendment Regulation (No. 4) 1999, No. 109

Police Powers and Responsibilities Act 1997—

Police Powers and Responsibilities Amendment Regulation (No. 2) 1999, No. 107

Police Powers and Responsibilities and Other Acts (Registers) Amendment Act 1999—

Proclamation—the provisions of the Act that are not in force commence 11 June 1999, No. 106

Public Trustee Act 1978—

Public Trustee Amendment Regulation (No. 1) 1999, No. 105

Public Trustee (Fees and Charges Notice) (No. 2) 1999

Racing and Betting Act 1980—

Racing and Betting Amendment Regulation (No. 1) 1999, No. 120

Racing Legislation Amendment Act 1998—

Proclamation—the provisions of the Act that are not in force commence 1 July 1999, No. 119

Stamp Act 1894—

Stamp Duties Regulation 1999, No. 104

Statutory Instruments Act 1992—

Statutory Instruments Amendment Regulation (No. 1) 1999, No. 115

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 4) 1999, No. 130

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 5) 1999, No. 131

Superannuation (State Public Sector) Amendment Notice (No. 2) 1999, No. 158

Supreme Court of Queensland Act 1991—

Criminal Practice Rules 1999, No. 112

Uniform Civil Procedure (Fees) Regulation 1999, No. 139

Uniform Civil Procedure Rules 1999, No. 111

Tow Truck Act 1973—

Tow Truck Regulation 1999, No. 142

Trade Measurement Act 1990—

Trade Measurement Amendment Regulation (No. 1) 1999, No. 144

Transport Operations (Marine Safety) Act 1994, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995—

Transport Legislation Amendment Regulation (No. 1) 1999, No. 113

Trust Accounts Act 1973—

Trust Accounts Regulation 1999, No. 140

Vocational Education, Training and Employment Act 1991—

Vocational Education, Training and Employment Amendment Regulation (No. 1) 1999, No. 132

Wagering Act 1998—

Proclamation—the provisions of the Act that are not in force commence 1 July 1999, No. 125

Wagering Regulation 1999, No. 126

Water Resources Act 1989—

Mount Isa Water Board By-law 1999, No. 156

WorkCover Queensland Act 1996—

WorkCover Queensland Amendment Regulation (No. 1) 1999, No. 153

Workplace Health and Safety Act 1995—

Workplace Health and Safety (Industry Codes of Practice) Notice 1999, No. 151

Workplace Health and Safety Legislation Amendment Regulation (No. 1) 1999, No. 110 and Explanatory Notes to No. 110

Workplace Relations Act 1997—

Industrial Court Legislation Amendment Rule (No. 1) 1999, No. 152

Workplace Relations Amendment Regulation (No. 1) 1999, No. 133

MINISTERIAL RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

The following responses to parliamentary committee reports, received during the recess, were tabled by The Clerk—

response from the Premier (Mr Beattie) to a report of the Legal, Constitutional and Administrative Review Committee entitled Consolidation of the Queensland Constitution: Final Report, Report No. 13 and a report of the Members' Ethics and Parliamentary Privileges Committee entitled First report on the powers, rights and immunities of the Legislative Assembly, its committees and members, Report No. 26

MINISTERIAL RESPONSES TO PETITIONS

The following responses to petitions, received during the recess, were tabled by The Clerk—

Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Black from 741 petitioners, regarding air-conditioning for the Collinsville Hospital—

Thank you for your letter of 26 March 1999 concerning the Petition of electors of the Division of 4 in relation to airconditioning for the Collinsville Hospital.

I am pleased to advise that approval has been given for work at Collinsville to proceed which includes flyscreening, mechanical ventilation and an electrical upgrade costing $72,000.

The electrical upgrade component is a prerequisite to any future airconditioning plant installation, which will receive consideration in the context of the priority allocation of resources to my Department's extensive Capital Works Program.

Thank you for bringing this matter to my attention and I trust this information is of assistance.

Response from the Minister for Health (Mrs Edmond) to a petition presented by Ms Struthers from 833 petitioners, regarding funding for suicide prevention, intervention and treatment activities—

I refer to your letter of 27 May 1999 regarding the petition(s) received by the Queensland Legislative Assembly. In regard to the petition forwarded by Mr Bruce Dimmock, President, Survivors of Suicide Bereavement Support Association (SOSBSA) requesting the House to consider the redirection of funds currently provided for suicide research and prevention, to prevention, intervention and treatment activities such as that provided by SOSBSA, including training, bereavement support and counselling, I offer the following comments:

The numbers of people who complete suicide in Queensland each year, and the burden this places on families and the community is of serious concern to the Government. This concern is reflected in the Government's commitment to reduce suicide and its impacts through continued support for the Queensland Government Youth Suicide Prevention Strategy (QGYSPS) and a range of other programs and projects, including the Queensland Health, Young People at Risk Program.

The response of the Government to the problem of suicide and serious self harm is recognised at the State level as needing to be based on the best available evidence of best practice approaches. Financial support is provided by the Queensland Government for the Australian Institute of Suicide Research and Prevention (AISRAP) to develop and maintain an effective data surveillance system and to undertake research for the study of suicides and attempted suicides. Research undertaken by the Australian Institute of Suicide Research and Prevention and other sources, including those funded under the National Youth Suicide Prevention Strategy, provide a basis to inform current and future Queensland approaches.

A comprehensive response to suicide prevention includes counselling and other support services. Of fundamental importance in providing services to those who are at risk of suicide and those who are trying to cope with grief, is the need to ensure that counselling and support services are delivered by appropriately trained, qualified and competent workers. Workers must have appropriate training, a

demonstrated high level of skill and a professional network to support them in skill development or in dealing with individual cases.

The Government is currently undertaking a review of current responses in suicide prevention. This review will inform the development of a framework to effectively respond to serious self harm and suicide, and will aim to reduce the intolerable burden suicide places on individuals, their families and the community.

Thank you for bringing this issue to my attention.

Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Slack 4,008 petitioners, regarding the outpatient facility at the Bundaberg Base Hospital—

I refer to your letter of 10 June 1999 concerning a petition received by the Legislative Assembly about the Outpatient facility at the Bundaberg Base Hospital. I apologise for the delay in responding.

In accordance with Standing Order No 238A of the Queensland Legislative Assembly I provided comment on the petition in the House on Wednesday 9th June 1999.

However, I would also like to respond to the issues raised by the petitioner, Mr Brian Cunnington, through the Clerk of the Parliament.

Firstly may I clarify that there is no proposal to close the Outpatient facility at the Bundaberg Base Hospital.

The Outpatient facility at Bundaberg Hospital has been expanded enormously from five to fifteen consulting examination rooms. Outpatient services at Bundaberg Hospital are utilised by doctors providing outpatient clinics in paediatrics, radiology, dermatology, gynaecology, general surgery, orthopaedic surgery, anaesthetics, endocrinology, respiratory medicine, oncology, and genetics.

The Bundaberg District Health Service considers it important to focus on the role of providing high quality acute hospital care. The delivery of general practice and hospital services occur through two types of systems in Australia. The Medicare system provides access for the community to general practitioner services. The hospital system usually provides acute specialist services. The systems are complementary and each has an important role In the provision of health care.

The District Manager, Bundaberg District Health Service, has outlined the recent history of the General Practice clinic at the Bundaberg Hospital. He advises that in the early 1990s the clinic was open for 24 hours each week. It had reduced to 15 hours a week by 1997 at which time the previous Minister reduced it to nine hours per week as part of the phasing out arrangement.

The District Manager further advises that a decision to complete the phasing out was made in October 1998 by the local health service and this was supported by the District Health Council. This decision was made in the knowledge that a private practice clinic that bulk bills low income families has opened across the road from the hospital.

The District Health Service considers that the provision of general practice services through a General Practice Clinic is not consistent with the role of an acute hospital. Local General Practitioners are best placed to offer this service.

Unfortunately, some people have apparently taken these changes to mean that the Outpatients facility is to close.

Health care continues to be provided at the Accident and Emergency Department at the Bundaberg Base Hospital 24 hours a day 7 days each week. The urgency of an individual's condition is based on a clinical assessment made by a triage nurse and all patients being treated in order of clinical priority.

I urge all patients to utilise a regular General Practitioner to ensure continuity of care and avoid seeking treatment for minor ailments at the Emergency Department and the possibility of seeing a different doctor each visit.

In summary, the Bundaberg Base Hospital will continue to provide a variety of outpatient services to the local community. Patients will continue to be able to access medical care on a 24-hour basis.

Thank you for bringing this matter to my attention.

Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Rowell from 3 petitioners, regarding the regulation of dentistry and National Competition Policy—

Thank you for your letter of 11 June 1999 enclosing a copy of a petition received by the House regarding the regulation of dentistry.

Queensland Health is undertaking a review, under National Competition Policy, of the current statutory restrictions on the practice of dentistry. The review will examine practice restrictions including prohibitions on who may practise dentistry and restrictions on the use of dental auxiliaries, such as school dental therapists and dental hygienists. In doing so, the review will also consider important

issues including the need to ensure the provision of quality dental care, equitable access to dental care, risks to consumers of dental services and most importantly, the best way to protect consumers against those risks.

The purpose of the review is to make recommendations to the Government as to whether restrictions should be placed on the practice of dentistry, and if so, what the restrictions should be. The review will examine this issue by assessing the costs and benefits of various options for regulating the practice of dentistry. In doing so, the review will consider a number of regulatory options ranging from the removal of practice restrictions (least restrictive) to maintaining the status quo (most restrictive).

This is a significant review for both the dental profession and consumers of dental services. As the review is still in progress, I do not consider that it is appropriate to comment on the petition in the House at this time.

REPORTS AND PAPERS TABLED BY THE CLERK

The Clerk tabled the following reports and papers, received from the following Ministers during the recess—

Attorney-General and Minister for Justice and Minister for The Arts (Mr Foley)-

All relevant documents of the Queensland Electoral Redistribution Commission required to be tabled pursuant to section 54 of the Electoral Act 1992:-

Queensland Redistribution Commission—1998 Queensland Redistribution of Electoral Districts—Public suggestions, November 1998

Queensland Redistribution Commission—1998 Queensland Redistribution of Electoral Districts—Public comments on the suggestions received by the Commission, December 1998

Queensland Redistribution Commission—Proposed Queensland Electoral Districts—Reasons, Descriptions and Maps, April 1999

all things made available for public inspection under section 47(2) of the Electoral Act 1992

Queensland Redistribution Commission—Public objections to the proposed redistribution of Queensland's Legislative Assembly Electoral Districts Volume One—Objections 1 to 420, May 1999

Queensland Redistribution Commission—Public objections to the proposed redistribution of Queensland's Legislative Assembly Electoral Districts Volume Two—Objections 421 to 884, May 1999

Queensland Redistribution Commission—Public comments on objections to the proposed redistribution of Queensland's Legislative Assembly Electoral Districts, June 1999

Queensland Redistribution Commission—Notification under section 51(1) of the Electoral Act 1992—Determination of Queensland Legislative Assembly Electoral Districts, Queensland Government Gazette 7 July 1999, No. 72

Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady)-

Papers required to be tabled pursuant to section 9(4) and (5) of the Electricity—National Scheme (Queensland) Act 1997—

National Electricity (South Australia) (Miscellaneous) Amendment Act 1998

Regulations under the National Electricity (South Australia) Act 1996 as at 8 December 1998.

MINISTERIAL STATEMENT

Cypress Pine Industry

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.35 a.m.), by leave: I am proud to offer further evidence that my Government is a Government for all Queenslanders and that it is a Government that is determined not to let National Competition Policy ruin viable industries that provide hundreds of jobs in rural Queensland. Under the previous coalition State Government, the cypress pine industry operated on a year-by-year allocation basis. This industry generates more than $30m per annum and employs more than 2,000 Queenslanders directly and indirectly. Can members imagine an industry of that size having to operate on such an insecure, hand-to-mouth basis?

We have sought to secure the future of this major industry. Mills obtaining sawlogs from the Government will be offered a 15 year supply agreement. If the industry had been made to comply with the National Competition Policy, the yearly allocation system would have been forced to go out to tender. This could have resulted in a major processor outbidding the small operators and gaining a monopoly that would have taken jobs out of the bush and into the cities.

Cypress community chairman Bob McKay from Roma said that the Government has saved more than 2,000 jobs in the west. He said—

> "For about the last five years our communities have faced great uncertainty."

He also said—

> "Western Queensland is grateful to the Beattie Government for sorting the matter out only seven months after the full facts had been brought to his attention."

Indeed, an article in the Brisbane Valley-Kilcoy Sun of Thursday, 15 July, which I refer all honourable members to, refers to another supportive quote from the Queensland Timber Board. The article states that the Queensland Timber Board—

> "... has applauded the recent announcement that the Government will offer a 15 year supply agreement to mills which harvest and process cypress pine from State forests.
>
> ...
>
> General Manager of the Queensland Timber Board, Rod McInnes, congratulated the Government for a positive response to the plight of rural communities in western Queensland which depended on the cypress industry for their continued existence."

The Government has delivered the certainty that industry needs to grow, particularly by targeting the key overseas markets of Japan and the United States. I applaud plans by the industry for an even more concerted export push following my Government's commitment of certainty to the south-west and western Queensland based industry. I also applaud the efforts of the Primary Industries Minister, Henry Palaszczuk, who has done a very good job in this area. I say to him, "Well done, Henry."

We are also seeking to secure jobs in regional Queensland through the regional forest agreement. I have asked for goodwill from all parties as my Government continues to work through this process and as my key Ministers are involved in negotiations. I have also asked the parties to seek common ground. We have extended forestry arrangements until September and talks are continuing with the stakeholders. I have called together the Queensland Timber Board, the Forest Protection Society, the AWU and representatives of the conservation movement. They met with my key Ministers and myself only recently to discuss this issue. That meeting went very well and we are now talking to individual parties. As well, a three-member backbench committee has been out among the timber communities discussing the issue with them. We are still working it through. Our focus is on protection of jobs and protection of our forests, the future of our country towns and the need for a vibrant timber industry.

What we are seeking is a balanced outcome. But what we need more than anything else is a commitment from the Federal Government to come up with the cash so we can achieve this win/win situation. In broad terms, this involves a move towards plantation timbers. It also involves adding more value to the raw product. Currently only 28% of timber in south-east Queensland has value added to it before leaving the area. What we need is that Federal Government support. We have asked for $50m so that value-adding and plantation moves can take place. So far, we have nice words from the Commonwealth, but what we need from them if this process is to work is simple: "Show me the money." We look forward to that level of commitment from the Commonwealth.

MINISTERIAL STATEMENT

Millmerran Power Project

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.40 a.m.), by leave: I want to outline to the House today a number of clear demonstrations of what this can-do Government is achieving. I am delighted to inform the House that my Government has delivered on a major power project for Queensland. Last week we gave the go-ahead for the $1.4 billion Millmerran power project on the Darling Downs. The Deputy Premier, Jim Elder, the Minister for Mines and Energy, Tony McGrady, and I presented a licence to generate to the project partners to build an 840 megawatt power station.

The project will involve construction of two 420 megawatt generating units and the development of a new coalmine to fuel supply. A mining lease has been granted for the new Millmerran coal mine. That project has been subjected to rigorous checks involving consultation with the Environmental Protection Agency, the Department of Mines and Energy and the Australian Greenhouse Office. This is a major project, not just for the Darling Downs but for the whole of Queensland. It will generate 1,300 jobs, drive economic activity on the Darling Downs and help meet the increasing Statewide demand for electricity.

Demand for electricity is increasing by 3% a year, a surge that reflects growth in economic activity and investment in Queensland. The generation licence for the Millmerran project authorises the Intergen operating company to connect the proposed

power station to the State's electricity grid. Intergen has advised that construction could be started as early as next month, and that means possible connection to the grid in June 2002.

We are not only delivering in the electricity industry; we also have a vision for this State's gas market. I believe Queensland has the potential to be the fastest-growing gas market over the next decade. Three years ago Queensland had the smallest market of any mainland State. But, as a direct result of a gas strategy developed by Labor, the gas market has increased by more than 50%. I believe that, if we continue to work with the private sector, we can expect that trend to see a 400% increase in the size of the current market by 2006. This increase would come from major gas-based industrial development and the increasing use of gas for power generation. I should mention that in relation to the Millmerran project they are also planning to plant two million trees as part of their commitment.

MINISTERIAL STATEMENT

Airport-City Rail Link

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.43 a.m.), by leave: The can-do activities of this Government just go on and on. Work has started on a $200m—

Opposition members interjected.

Mr BEATTIE: They do not like to see development, jobs and growth, do they?

I want to inform the House today that work has started on a $200m project to provide direct rail access to and from the Brisbane city centre and the domestic and international airport terminals. My Government got rid of the roadblocks. My Government delivered on this project. Only on Wednesday, 14 July, the Minister for Transport, Steve Bredhauer, and I were involved in a sod-turning exercise for the official start of this project.

This link will put Brisbane on a par with the great cities of the world where travellers can ride smoothly and with minimum fuss between city-centre hotels and the airport—and it is long overdue. Others talked about it; my Government delivered. The rail link will be built, owned and operated by a private consortium, Airtrain Citylink Ltd, and transferred to the State after 35 years.

The world-class rail link is due for completion by mid 2001. The 10.3 million passengers a year who use Brisbane Airport will then have access to four trains an hour, 16 hours a day, seven days a week. The need for this new link will be even more marked in 20 years, when it is expected that 33 million people a year will need to travel to and from the airport. Importantly, it also means jobs. Airtrain Citylink will create 300 construction jobs and 100 operational jobs.

This project sets new standards for cooperation between the public and private sectors in the delivery of infrastructure in Queensland, which is the engine room of economic development in Australia. Only recently, the Department of State Development held an infrastructure conference, which was addressed by the Deputy Premier and me, which highlighted that special relationship between the public and private sector and private sector funding in infrastructure like this project. The Treasurer also addressed that conference.

It also enhances the infrastructure at Australia TradeCoast, our exciting development project involving a partnership between the port of Brisbane, Brisbane Airport, the Brisbane City Council and the State Government. The proximity of the airport and seaport to the city centre and the availability of land will ensure Australia TradeCoast has the potential to become a global investment and trading location.

This is a unique collaboration between public and private businesses to drive the development of Australia TradeCoast so that it becomes the premier industrial and commercial precinct on Australia's east coast. Australia TradeCoast will bring together under one marketing organisation more than 1,000 hectares of prime development land around our port at a time when there is no land available around the Sydney port and very little around Melbourne.

MINISTERIAL STATEMENT

South Bank Parklands; Grand Arbour

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.46 a.m.), by leave: This can-do Government simply continues to deliver for Queensland. The South Bank Parklands are a stage closer to their full glory as a world-class open air leisure facility on a par with such icons as Copenhagen's Tivoli Gardens. Last week, on Thursday, 15 July, I officially opened the first stage of the bougainvillea-covered Grand Arbour, which will be a kilometre of colour that will attract attention from around the world when it is completed in September. This will put Brisbane on the world map.

The Grand Arbour will be a great attraction that we believe is unique. It will provide a natural access route from one end of South Bank to the other and stand up to nine metres tall and up to 14 metres wide. It will be covered in one variety of bougainvillea grown specifically for the project and is part of a $12m improvement of the gardens that will showcase Queensland natives, flowers and shrubs to the world. In its growing stage, four staff members will be employed on the Grand Arbour to remove litter daily, dethorn the bougainvillea and remove leaf and flower drops weekly.

My Government is delighted with Brisbane's response to the changing face of South Bank. Already more than five million visitors come to South Bank each year, but this number will grow as other stages of the redevelopment gradually open over the next year. Grey Street is being lined with trees and opened up to two-way traffic to provide better access to the parklands from the Cultural Centre, apartments and shops. A new street called Little Stanley Street will link Grey Street and the parklands, featuring offices, shops, hotels, theatres and cinemas, cafes and apartments. A pedestrian and cycle bridge will span the river from Queensland University of Technology to the Maritime Museum end of South Bank. The Queensland College of Art will move to the cultural precinct this year, bringing with it a continuing community program. This Government is delivering for Queensland. This is a can-do Government.

MINISTERIAL STATEMENT

Greyhound Pioneer Coach-making Facility

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.48 a.m.), by leave: In continuing with our can-do delivery of jobs, the Beattie Government's drive to create new jobs runs in tandem with its efforts to retain existing jobs where the opportunities present themselves. Recently I officially opened Greyhound Pioneer Australia's new coach-making facility at Eagle Farm. The opening of Greyhound's Queensland coach company facilities is important for a number of reasons. Firstly, it is an example of the Government working in partnership with private enterprise to ensure that an operation which faced the distinct possibility of being lost to the State was retained.

Secondly, the new facility is employing over 70 workers. While the number of employees is notable, another key issue here is that these Greyhound workers were formally displaced when Austral Pacific financially collapsed late last year. Greyhound Pioneer approached the State Government to gauge whether there was an industry grant available to support its goal of re-establishing a coach-building operation. While the specific details remain a matter of commercial confidentiality, the Government has provided support to Greyhound based on projections of the company's future activities.

The Government is pleased that the company has been able to employ so many former Austral Pacific employees and ensure that intellectual property and future contracts remain in Queensland. The partnership the State Government has struck with Greyhound is the type of relationship that this Government is aiming to reach with business—one that provides long-term benefits to both parties. I wish to draw the attention of the House to the special efforts of Greyhound Managing Director Stephen Jones and his team and their work in turning the national coach carrier around from losses to profits.

The Greyhound announcement came hot on the heels of New Zealand based specialty vehicles group Mills-Tui's decision to establish its first Australian specialist facility in Brisbane. The attraction of Mills-Tui to Brisbane follows work and assistance provided by the Queensland Government. Once again, nearly 70 jobs will be created, and many of those workers are from Austral Pacific. The capture of Mills-Tui is an important coup for Queensland, as the company's markets extend beyond New Zealand and Australia to the south-west Pacific. Brisbane will become Mills-Tui's manufacturing hub for all Australian State fire services, Australian air services, defence and mining contractors as well as export contracts. These are just two examples of where the State Government is working with private enterprise to build and maintain the State's industrial base. I will keep this House informed of any future developments as they arise.

MINISTERIAL STATEMENT

Convicted Child Sex Offenders; Notification Orders

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (9.50 a.m.), by leave: Current legislation enables courts to order certain persons convicted of sexual offences against children upon their release from custody to report their address to police under section 19 of the Criminal Law Amendment

Act 1945. Section 20 of that Act then provides that the Attorney-General has power to provide certain limited information about the offender to any person with a legitimate and sufficient interest in obtaining that information, namely, that the offender is subject to a reporting order under section 19 and details of any sexual offences of which the offender has been convicted.

This legislation has a number of defects, in particular the undesirability of involving in the administration of criminal justice in a particular case an exercise of discretion by a serving politician, albeit the Attorney-General, instead of an independent body at arm's length from the political process, such as the Queensland Community Corrections Board, the body charged with risk assessment management in the case of offenders released from custody back into the community.

Secondly, the nature of the information authorised to be disclosed does not extend, contrary to some Opposition claims, to the address of the offender, nor does it authorise the disclosure of any other relevant information, such as the modus operandi of the offender. Those defects should be rectified and, accordingly, the Queensland Cabinet has given the Minister for Police and Corrective Services, the Honourable Tom Barton, and me authority to prepare legislation amending the Criminal Law Amendment Act and the Corrective Services Act.

In essence, the changes to the Criminal Law Amendment Act will mean the Queensland Community Corrections Board, instead of the Attorney-General, will have the relevant statutory power to disclose information about offences of a sexual nature committed by a person released from custody who has been ordered, under section 19, to report his or her address to police. This change will ensure the administration of criminal justice in Queensland occurs at arm's length from the political process. Under the proposed changes, the courts not only will be able to order a child sex offender to report his or her address and change of address but also will be able to order that person to report any change of name.

The changes also will clarify the fact that, once a convicted child sex offender is ordered to report, all sex offences committed by that person, irrespective of when they were committed, become relevant for the purpose of deciding what information, if any, should be released. The proposed changes will mean the Community Corrections Board will have the power to disclose other relevant information, such as the address of an offender, any change of name of the offender and his or her modus operandi. The person given the information must have a legitimate and sufficient interest, as required under the current legislation. The proposed changes will provide a fair, reasoned and balanced way of releasing such information, without letting people take the law into their own hands and without whipping up the hysteria we have seen in other places.

It is significant to note also a number of other actions relevant to improving the way the law deals with sexual offences against children. The Queensland Law Reform Commission is examining the laws of evidence relating to child witnesses and we await with interest the findings of the Queensland Crime Commission's report on paedophilia. Moreover, the whole of the Criminal Code, including the area of sexual offences, is being examined by the Women's Task Force, which will come forward with recommendations later this year. The proposed changes to the Criminal Law Amendment Act 1945 will remedy defects in the existing laws to provide for the release of relevant information by an independent body in those cases where the offender has been made subject to an order by the convicting court.

MINISTERIAL STATEMENT

Convicted Child Sex Offenders; Notification Orders

Hon. T. A. BARTON (Waterford—ALP) (Minister for Police and Corrective Services) (9.54 a.m.), by leave: As my colleague the Attorney-General and Minister for Justice, Matt Foley, has pointed out, these proposed amendments mean the decision-making process on this emotive subject is taken out of the political arena. The amendments outlined by the Attorney-General are a balanced approach to the treatment of a difficult issue. It also means decisions to release information can be made in a careful, considered manner by community representatives who make similar decisions week after week with a great deal of success.

The Queensland Community Corrections Board members, headed by Frank Lippett, are very capable people whose job is to accurately reflect community attitudes on all matters related to graduated release and parole of prisoners. It is a very difficult job but one I think the board has done well since I amended its guidelines last year. The board has extensive experience in determining risk profiles and this extra task is an extension of that responsibility.

Under the proposed changes, we will be going far beyond what the coalition put forward in sections 19 and 20 of the Criminal Law Amendment Act 1988. The current legislation allows information to be released only on the sex offence the offender was originally sentenced on and does not allow the release of the offender's address or anything else.

Under our proposals, the QCCB will have the power to disclose not only the name and details of the original child sex offence but also any other offences. The board can also release the address of the offender to relevant people. The board will have the power to notify people of any change of name, because sex offenders often change their name.

To toughen up the current legislation, the board can also release the modus operandi of the offender, as it is a crucial piece of information for people to determine the whereabouts and habits of offenders. As I said, it goes beyond sections 19 and 20 of the Criminal Law Amendment Act, but it has safeguards in place to ensure that the information supplied is not misused. The QCCB can act to release the information only on application and only if the persons given the information have a legitimate and sufficient interest in requiring the information, as required under the current legislation.

The coalition has tried to portray the little-known and little-used sections 19 and 20 as some type of pseudo Megan's law. The coalition, which introduced the original legislation in 1988, did not even put in place the procedures to monitor those offenders sentenced under sections 19 and 20. That is how seriously the coalition took this issue, and the Beattie Labor Government has had to fix all of that by putting in place procedures for police and corrective services. Poorly drafted legislation has to be corrected and we have acted quickly to do exactly that.

The coalition has attempted to whip up hysteria on the treatment of child sex offenders by pretending to be strong advocates of Megan's law-style legislation. The Victims of Crime Association, to its credit, saw through this facade and has taken a very level-headed approach to this issue. When the issue was raised in May this year, Victims of Crime Association spokesman John King said Megan's law was not the answer. He said sex victims and their close family should certainly know if their attacker was released, but telling everyone was risky. Mr King went on to say—

> "The ideal is to release someone back into the community who will not reoffend. I don't think telling everyone will achieve that aim.
>
> We would move into a situation where people can take revenge and that is just as much offending behaviour as the initial offence."

These amendments deliver exactly that—a capacity for victims to find out information about an offender but with safeguards in place to prevent the information being misused.

As the Attorney-General has said, these changes will require an amendment of the Corrective Services Act 1988 and the issue of a new guideline for the QCCB. A regulation will also have to be drawn up with regard to section 161 of the Corrective Services Act 1988 which provides for or with respect to "the custody and safe keeping of the records of corrections boards and access to those records."

I also refer to the powers of the Police Commissioner to be able to release information relating to addresses and criminal histories of offenders. Section 10.2 of the Police Service Administration Act 1990 was originally designed to allow the commissioner power to release relevant information to Government agencies and statutory bodies. A regulation under that Act is currently being developed to clarify the commissioner's power to release information, especially to enable the QCCB to gain any information that it requires.

The extra powers and responsibilities given to the QCCB by these changes will necessarily mean an increase in workload for the board members. In order to offset this extra workload, Cabinet has agreed to increase the board's recurrent budget by almost $145,000 per year in order to employ extra staff and resources.

These changes will enable members of the community who need to know the whereabouts of child sex offenders to gain the necessary information in a controlled, ordered manner outside the political realm. It goes beyond sections 19 and 20 of the Criminal Law Amendment Act, which the coalition has promoted as its answer to this complex problem. However, our proposed amendments remove the inherent flaws in the coalition's sections 19 and 20.

The Beattie Labor Government has taken a responsible, balanced view on the treatment and supervision of child sex offenders and these amendments will enhance that approach.

MINISTERIAL STATEMENT

Liberal Party Attacks on Q-Build

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (10.01 a.m.), by leave: Recently we have seen yet another deliberate campaign of misinformation by members of the Liberal Party about Q-Build. Their latest effort was a very personal attack on the quality of the work performed by Q-Build and, by extension, the quality and competence of its staff and its contractors.

I want to examine briefly some of the specific claims made by the shadow Minister for Education and how he got it wrong. For example, he claimed that Q-Build charged Nanango State School $616 to replace a light diffuser. That is simply not true. The facts are that the job was undertaken by a private contractor who installed 10 diffusers, with material costs alone of $457, and undertook further work on some heaters. One must assume the member for Merrimac is accusing this contractor of ripping off the system.

The shadow Minister claimed that the same school was charged $854 to repair a rusted water pipe. That is not true. A contractor completed this work. The actual work, detailed on the contractor's invoice, indicates that four drinking bubblers were replaced as well as the pipe being fixed. The costs of materials alone amounted to $709.

The shadow Minister claimed that Q-Build charged Mossman State High School $47,000 to paint the outside of a toilet block which a local tradesman offered to complete for $9,000. Again, this is not true. Again, a private contractor completed the job. I am told the work did not involve a toilet block at all; it involved the painting of a two-storey home economics block. Apparently the shadow Minister for Education does not know the difference.

He claimed that Woree Primary School was billed $1,422 for the internal painting of the tuckshop after local tradesmen quoted $735 and $860. In this particular case, Q-Build obtained one quote for this work—$1,200—from yet again a private painting contractor in Cairns who was awarded the work. The final cost totalled $1,422. Q-Build officers are not aware of the other quotes mentioned. The shadow Minister also claimed that Bardon State School in Brisbane was charged $92,808 for an undercover games area for which a local builder had quoted $58,874. In fact, this work was neither completed nor billed by Q-Build.

The Liberal Party has embarked on a deliberate campaign to label Q-Build workers as "bludgers" and "no-hopers" and has cast a slur on the character of every contractor who works for Q-Build. The shadow Education Minister has directly attacked them and the quality of their work. He has cast a slur on every one of the 2,500 people working for Q-Build, including 350 apprentices. This brutal tactic is all part of the Liberal Party's privatisation push. If the Liberal Party did not want to denigrate the standard of Q-Build work and its staff, why highlight a case such as the Coombabah State High School, where a gutter installed by Q-Build collapsed after rain? Let me tell honourable members the truth behind that story.

The replacement of the guttering was undertaken by Q-Build apprentices. The contractor who originally built the school—not Q-Build—had fastened the gutter brackets onto a fibro fascia board with pop rivets. Imagine doing that! Anybody who knows anything about building knows not to do that. The apprentices in good faith reinstalled the brackets using masonry screws, which were not sufficient to hold the guttering once it filled with rain. The guttering did collapse—no wonder! But Q-Build responded the same day and the work was rectified at no cost to the client. Rectification included the provision of timber framing behind the fascia, which should have been done in the first place, to hold the gutter brackets—something the private contractor who built it should have done.

The shadow Minister for Education has mounted a brutal attack on Q-Build standards and the skills of its staff. The fact he has been proved wrong shows he has not done his homework. But there is a much wider issue at stake in all of this besides one shadow Minister's incompetence. It is clear that the economic rationalists in the Liberal Party are firmly in charge of the coalition's economic policy. I would be interested to hear from members of the National Party whether they support plans to withdraw Q-Build staff from more than 40 centres throughout the State.

I am sure the member for Warrego has a view about the Q-Build jobs in Charleville. So too would the member for Western Downs when it comes to Roma. National Party members on the Gold Coast, including the Opposition Leader himself, would no doubt have a position on the future of 120 Q-Build jobs in that region.

Q-Build makes a significant contribution to regional communities—

more than $75m in wages a year, with $40m of it going into rural and regional centres;

more than 1,000 of its 2,500 staff are located in rural and regional centres; and

annual expenditure on goods and services worth almost $245m across the State, with more than $140m spent in rural and regional areas.

Perhaps it is time we heard from National Party members about whether they support the economic rationalists in the Liberal Party and their privatisation plans. I now table a list of some 65 letters of support for Q-Build which have come from its clients.

MINISTERIAL STATEMENT

Disability Access Week

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (10.06 a.m.), by leave: Last week was Disability Access Week. Disability Access Week is an important event for the whole community. Each year, this week highlights the experiences, achievements and issues faced by people with a disability throughout Queensland. This year, more than 50 events were held throughout the State from Atherton to the Gold Coast and Mount Isa to Gladstone.

Each year Queenslanders are recognised during this week for their contribution to making our community more accessible to people with a disability. This year, 10 individuals and organisations from across the State were presented with awards for making a difference. I congratulate the winners of these awards and all those individuals and organisations who do so much to make this important week a success and make such a difference in the other 51 weeks of the year.

Along with the awards, a significant announcement marked the beginning of this year's access week. That announcement was the Beattie Government's decision to establish a separate Department of Disability Services in Queensland. This is the latest of a long list of achievements by our Government in the area of disability and the delivery of yet another key election promise. I would like to take this opportunity to briefly outline some of the significant achievements we have already made in reforming the disability sector in our first 12 months of office. On coming to Government we were faced with many issues and problems—

firstly and most importantly, a crisis in unmet need for basic services for people with a disability;

potential homelessness for the remaining residents of the Challinor Centre;

a viability crisis for many service providers throughout the State;

no funds for those seeking to leave the Basil Stafford Centre;

ongoing conflict between the Cootharinga Society of North Queensland and families of former residents; and

an absence of any reliable information on need or accountable processes to allocate scarce resources.

Within 12 months we are well on the way to solving all of these outstanding issues. One centre is already under construction at Loganlea and a second site has been found in Brisbane's northern suburbs to build new homes for the former residents of Challinor. We have implemented award supplementation and other non-recurrent grants to help struggling service providers remain viable. A reconciliation process is under way for all those affected by the Cootharinga report.

As well as cleaning up the mess left by the previous Government, our Government has done what the previous Government never even tried to achieve. We have successfully laid the foundation for much needed change in disability services. The largest amount of funding by a Queensland State Government ever has been injected into disability services by this Labor Government: $30m to address unmet need and $11.6m to relocate those people who wish to leave the Basil Stafford Centre.

We have established a register of unmet need. For the first time the Government knows the extent of unmet need in Queensland and the nature of each individual circumstance and the type of help they require. People with unmet need are now no longer statistics. Queensland has our first list of real people with real needs. It is a huge step forward and affects the constituents of every member of this House. We have changed our thinking. We have moved to more individualised funding support packages. What we have started to do is to fit services to people, instead of people to services. We have invented a fair and open funding process from the ground up, and just last week we announced as our contribution to Disability Access Week, Cabinet approval to establish a new agency, Disability Services Queensland,

which will drive continued reform in this important sector.

I am proud of the Beattie Labor Government's commitment to improve the lives of Queenslanders with disabilities and their families. Our achievements in disability are one of the hallmarks of this Government. Twelve months ago none of this existed. Though there is still much more to be done, our Government has come a very long way.

MINISTERIAL STATEMENT

Land Protection

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (10.10 a.m.), by leave: I wish to report today on further initiatives our Government is taking to protect regional and rural communities. A much underrated threat to agricultural productivity and the environment in Queensland is the invasion of valuable pastoral land by weeds. Last week I visited western Queensland with the chairman of the Rural Lands Protection Board, Mr David Cory, to see first-hand the damage being caused by environmental weeds such as prickly acacia, mesquite, parkinsonia and rubber vine. This Government is making every effort to reclaim our valuable grazing lands, and in Hughenden I launched an initiative to help return this land to its productive potential.

The prickly acacia national containment line has been developed in conjunction with local government and Landcare groups to prevent the spread of this weed which has now been declared a weed of national significance. Prickly acacia is now threatening more than 50 million hectares of Australia's native grasslands. This containment line accelerates our efforts to safeguard extensive areas of the Lake Eyre basin and the gulf region in Queensland, in addition to large tracts of land in other States and Territories.

Prickly acacia has now infested six million hectares of western Queensland. It has the potential to spread over much of northern Australia, unless aggressive preventive measures are implemented. In particular, it threatens the sustainability of one of Australia's greatest natural grassland ecosystems—the Mitchell grass downs.

Stretching from Barcaldine north to Hughenden and west to Winton and Julia Creek, this "line in the dirt" is being established as an opportunity to safeguard valuable grazing land and significant ecosystems for future generations. Establishing this containment line is the product of 12 months' consultation by my Department of Natural Resources with land-holders, Landcare groups and local governments.

Prickly acacia growing outside the line will be eradicated in cooperative programs between land-holders and the Strategic Weed Eradication Program of the Department of Natural Resources. An education program will be used to help prevent the spread of this plant. The movement of stock is a major method of spread, and actions taken will be through a cooperative approach with land-holders and local government. Land-holders on properties within the line will be provided with skills training in a range of control techniques available for prickly acacia.

During my visit to western Queensland I was also able to inspect stock routes in Tambo, Barcaldine and Winton. These stock routes are re-emerging as a vital part of rural growth into the 21st century. They are significant in the drought-proofing they can provide and in the potential tourism benefits they bring to large tracts of land west of the Great Dividing Range. The movement of stock is just one of over 30 uses that have been identified for these modern stock routes, which cover an estimated 70,000 kilometres, or 1.5 million hectares.

The Beattie Government, with funding of $4.2m over four years, has made upgrading of Queensland's stock route network a priority with the Stock Routes Towards 2000 Program. This current stage of the program involves drought-proofing and the establishment of new signs to let road users and drovers know the locations of the stock routes, highway crossings and watering points. Steps are being taken to commence audits of stock routes for wildlife corridors and cultural and heritage sites in collaboration with the Environmental Protection Agency and local community groups. This Government's initiatives in regard to both environmental weeds and our stock route network reaffirm our commitment to the prosperity of regional and rural Queenslanders.

MINISTERIAL STATEMENT

Dairy Industry Deregulation

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries) (10.14 a.m.), by leave: Last week the Victorian coalition Government announced its plans to fully deregulate its dairy industry from 1 July next

year. This decision has been foreshadowed for some time. In fact, industry leaders have been working on a national restructure package of $1.25 billion to manage the removal of market milk regulations across all States and Territories. The Federal coalition Government is considering the package.

Under this package, all regulations will be removed from 1 July next year. The proposal is for a $1.25 billion up-front payment to be shared by Australian dairy farmers. This will be paid via a Commonwealth levy imposed as a retail levy on milk, with a 10c per litre levy to be applied for eight years. I have told industry that I have reserved my judgment on the proposed package until it emerges out of the Federal Cabinet room in Canberra. I am yet to be convinced that dairy industry deregulation in Queensland, with or without the package, is in the best interests of our State.

This Government legislated late last year to retain a regulated farm gate price for market milk for five years and extend supply management arrangements. All members of this House supported that legislation. Our legislation recognised that to expose dairy farmers, their families and their communities to full-blown deregulation on 1 January this year would have caused enormous social and economic upheaval.

It is important to remember that the dairy industry is one of Australia's largest rural industries, employing some 60,000 people. The national restructure package does not prescribe any measures of support for the workers and communities dependent on the survival of the Queensland dairy industry. Also, there are a number of outstanding issues in this package, such as the tax treatment of the payout and the collection of the levy.

This Government recognises that full deregulation of the Victorian dairy industry will apply significant pressure here in Queensland. We need to see the outcomes of the ongoing Senate inquiry into the dairy industry. We need to examine all options and we must consider what is in the best interests of Queensland. We have to get it right. I intend to work closely with the new Federal Agriculture Minister, Warren Truss—a Queenslander—to achieve the best results for Queensland.

This Government is supporting the dairy industry. We believe in continuing to deliver what is best for the Queensland dairy industry and what is best for the rural and regional communities dependent on it. We expect all members to share that commitment.

REFERRAL OF MATTER TO MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Mr SPEAKER: Order! Honourable members, I refer to the notice of motion of dissent given earlier by the honourable member for Moggill. The correct procedure to be followed in a case where the Speaker does not refer a matter to the Members' Ethics and Parliamentary Privileges Committee is that the member concerned has a right to move in the House to have the matter referred to the committee.

SCRUTINY OF LEGISLATION COMMITTEE

Reports

Mrs LAVARCH (Kurwongbah—ALP) (10.17 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 8 of 1999 with an erratum notice, and a report in relation to the Fisheries Amendment Regulation (No. 3), subordinate legislation number 58 of 1999. I move that both reports be printed.

Ordered to be printed.

Mrs LAVARCH: In addition, I lay upon the table of the House a copy of a letter from Mr Bill Feldman, MLA, member for Caboolture, in response to the committee's report in Alert Digest No. 3 of 1999 on the Community-Based Referendum Bill 1999. This letter is relevant to Alert Digest No. 8 of 1999.

Finally, in relation to the Commissions of Inquiry (Queensland Constitutional Review Commission) Regulation 1999 I make the following statement. On Thursday, 10 June 1999 Mr Springborg, member for Warwick, Deputy Leader of the Opposition, shadow Attorney-General and shadow Minister for Justice, gave notice of a motion that the Commissions of Inquiry (Queensland Constitutional Review Commission) Regulation 1999, subordinate legislation number 85 of 1999, be disallowed. This regulation provides that a quorum of the commission may be constituted only by its chairperson sitting with two or more of its other commissioners. It deals with no other matters. The Scrutiny of Legislation Committee was not involved in the notice to move disallowance and is not aware of the basis upon which the notice was given.

The committee has adopted the practice of its predecessor committee of reporting to the Legislative Assembly on subordinate legislation the subject of any disallowance motion. The committee generally prepares reports containing an analysis of matters raised by the subordinate legislation which fall

within the committee's area of responsibility. The objective of these reports is to facilitate debate of the disallowance motion in the Legislative Assembly.

Section 22(1) of the Parliamentary Committees Act 1995 provides that the committee's area of responsibility is to consider the lawfulness of particular subordinate legislation and the application of fundamental legislative principles contained in the Legislative Standards Act 1992 to particular subordinate legislation. In addition, section 22(2) provides that the committee's area of responsibility includes monitoring generally the operation of Part 5 of the Statutory Instruments Act 1992, which contains guidelines for regulatory impact statements, and Part 4 of the Legislative Standards Act 1992, which deals with Explanatory Notes.

The current committee supports the practice of reporting on regulations subject to a disallowance motion. However, the committee has considered the Commissions of Inquiry (Queensland Constitutional Review Commission) Regulation 1999 and determined that the regulation does not raise any issues which are appropriate for comment by the committee. There are no apparent issues relating to fundamental legislative principles or the lawfulness of the regulation. Nor does the regulation fall within the provisions of the Statutory Instruments Act 1992 relating to the preparation of regulatory impact statements. In these circumstances, the committee has determined not to report on this regulation.

LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE

Report

Mr FENLON (Greenslopes—ALP) (10.21 a.m.): I lay upon the table of the House a report by the Legal, Constitutional and Administrative Review Committee on its study tour of New Zealand regarding freedom of information and other matters.

On behalf of the committee, I take this opportunity to thank those persons who were kind enough to meet with us to share their insights into the range of matters that we were investigating during the visit. I move that the report be printed.

Ordered to be printed.

NOTICE OF MOTION

South East Queensland Regional Forest Agreement

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (10.21 a.m.): I give notice that I will move—

"That this Parliament supports a South East Queensland Regional Forest Agreement which promotes the successful development of a viable and sustainable native hardwood industry through—

(a) jobs growth in forest industries;

(b) resource security through 20 year guaranteed access to crown native forests;

(c) improved management of native forests through enhanced silviculture;

(d) State and Federal Government support for plantation development and value adding initiatives; and

(e) a scientifically justifiable comprehensive, adequate and representative forest reserve system."

MINERAL RESOURCES AMENDMENT BILL

Mrs LIZ CUNNINGHAM (Gladstone—IND) (10.22 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Mineral Resources Act 1989."

Motion agreed to.

First Reading

Bill presented and Bill, on motion of Mrs Liz Cunningham, read a first time.

Second Reading

Mrs LIZ CUNNINGHAM (Gladstone—IND) (10.23 a.m.): I move—

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

I table this Bill for consideration by this House to fulfil my undertaking made during debate on the Native Title (Queensland) State Provisions Amendment Bill (No. 2) 1998. That Bill, now an Act of this Parliament, conferred the right to negotiate to native title claimants when mining leases were being considered. At the time, I expressed concern that we were proposing an inequitable endowment of power to a specific group of people (Aboriginal Queenslanders) while excluding a complementary group of people (other Queensland leaseholders).

During the debate, I conveyed to the House comments by one of many writers to my office on this subject. He said—

"No one seriously denies that Aborigines were dispossessed of Australia; that massacre and brutalities occurred and there are legitimate aspirations to be recognised and implemented.

But, I firmly believe that giving rights above those of other Queenslanders and other Australians ... is a mistake.

...

The divisions seem to be getting worse, not better and I am concerned that giving Aborigines further rights not available to other Australians will further worsen the situation. I support land rights but I do not believe that this should include mineral rights unless all Australians are given the same rights."

During debate on that Bill, it was made clear by the Premier that the right to negotiate would only apply to leasehold land. The Bill I present to the House today is intended to reflect the same right to negotiate to a complementary group of people and whose experience shows a strong connection with their land. Presently, these people have the right to compensation with regard the granting of mining leases over their property without the same rights to negotiate. This Bill balances the access to the right to negotiate for comparable people.

Some may be concerned (as I was) that the Bill does not clearly define "owner" to be "leaseholder". I was advised that—

"Under the Mineral Resources Act 1989, section 5, 'owner' of land includes a person who holds land from the State under an Act (other than an Act about mining or petroleum) under certain kinds of leases or occupancies (other than occupation rights under a permit under the Land Act 1994). This definition covers pastoral leases and thus, it is unnecessary in the draft to define what is meant by 'owner'."

Additionally, in recognition that landowners already have certain rights of notification, consultation and objection under the Mineral Resources Act 1989, this Bill will apply to the extent an owner is not already entitled to be a party to consultations, mediation or negotiations. Again, this Bill is intended to confer no lesser nor greater rights than the Native Title Bill conferred, that is, the right to negotiate to people who have a "strong connection" with the land. This is defined, I believe, as clearly as "connection" was defined in the Native Title Bill. It does not cover absentee landlords but those who have remained on their properties, either as individual owners, joint owners or in another corporate structure provided "a majority of the shareholders in the corporation live and work on the land".

I am not attempting to gain greater rights to negotiate for non-Aboriginal landowners who have worked long and hard to improve their quality of life than given last year to Aboriginal people with a demonstrated interest in land subject to mining lease applications. I am, however, asking this Parliament to ensure equitable rights are given to comparable groups of Queenslanders—equity, fairness and justice. I seek the support of this Parliament to ensure Queenslanders can be confident that our dealings with each other will be fair. I commend the Bill to the House.

Debate, on motion of Mr Beattie, adjourned.

PRIVATE MEMBER'S STATEMENT

Regional Forest Agreements

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.27 a.m.): It has been reported that, later today, some 20 mayors representing 44 communities in south-east Queensland will gather outside Parliament as an expression of concern about the Government's handling of the RFA process.

The simple fact is that, contrary to so many of the arguments put forward by the radical environmentalists, the management of our forest resources in this State has been up with the best in the world. I am aware that, as recently as the 1980s and through the nineties, the expertise of forest management in this State has been utilised by United Nations agencies in terms of foreign aid to developing countries on how to properly manage a resource. But the fact is that some of us—apparently in this place and outside—are intent on closing down an industry so that we can continue to increase imported timber from other countries that clear-fell, which is absolutely ludicrous in the extreme.

The fact is that the jobs of some 1,200 workers and the future of some 44 communities are at risk, and the reality is that if we want to, in this Parliament, we can protect those jobs and we can save those communities. That is the reality. And I would hope that the Labor Government will not feel obligated to Dr Keto in respect of the deals that were done to obtain Green preferences

prior to the last election. Because the reality is that, in the whole RFA process, the balance changed when there was a change of Government and the Greens started to call in their political favours.

Time expired.

Mr SPEAKER: Order! The time for private members' statements has expired.

QUESTIONS WITHOUT NOTICE

Logging in Native Forests

Hon. R. E. BORBIDGE (10.30 a.m.): I direct a question to the Premier. I refer to his Government's repeated refusal to rule out a total ban on logging in native forests and the two occasions in this Parliament on which his Government has voted down the coalition's attempts to ensure no job losses through the South East Queensland Regional Forest Agreement, and I ask: will the Premier now rule out a ban on logging in native forests and will he guarantee to the Parliament that not one timber industry job will be lost—yes or no?

Mr BEATTIE: My Government is about jobs, jobs, jobs and I make no apology for that. That is why, as I indicated this morning in my ministerial statement to this Parliament, I called together the various parties involved. I was joined by the various Ministers involved—

Mr Hobbs interjected.

Mr SPEAKER: Order! The member for Warrego!

Mr BEATTIE: I hear some distant static, but I do not hear any positive contributions. The Deputy Premier, Rod Welford, the Minister for Natural Resources, and Henry Palaszczuk attended the meeting and we sat down and talked this issue through with the various parties involved.

I asked for two things. I asked for some goodwill and I asked for some common ground. I have to say that the parties who sat around the table demonstrated goodwill. I am encouraged by the attitude of the parties. Since that time, the Government has been working on its position in relation to the RFA and there will be ongoing discussions with the various stakeholders. We will work this issue through because what we want is not a political football but a real solution that will last and will pass the test of time.

This Government is about jobs. As I indicated to the Parliament this morning, it is very clear what this Government has done in relation to the cypress pine industry. We have received accolades from the industry and from the Queensland Timber Board and its general manager. Mr McInnes made certain comments to which I referred this morning. The Government fixed the problem within seven months of its being drawn to our attention and guaranteed the 2,000 or so jobs that I understand were involved in the industry. This Government is involved in making decisions of that nature. I will continue, together with my key Ministers, to work this through with the various parties.

I have issued a public invitation to receive a delegation of mayors and members of the concerned communities. I welcome their determination to express the views of their communities. I welcome their decision to come to Parliament House and the Botanical Gardens today. I have already extended an invitation—and I extend it again—to representatives of the communities to come and talk to the Government as they have done in the past.

Twenty-one mayors from the affected areas have approached the Government about a range of issues involving jobs, roads, infrastructure and water. I am happy to further discuss this issue. I want a solution, not a political gain.

Hardwood Timber Industry

Mr BORBIDGE: I ask the Premier: will he now detail to the House his 1998 pre-election deal with environmental groups to close down the hardwood timber industry in exchange for Green preferences in marginal seats? What was the extent of his involvement in this deal which now threatens the futures of 44 rural communities and the livelihoods of thousands of Queenslanders?

Mr BEATTIE: There is only one leader in this House who knows about secret deals, and that is the Leader of the National Party. Etched in the history of this State will be the MOU. Etched in the history of this State will be the secret deals to which the Leader of the Opposition was a party.

I am not a party to secret deals. What this Government does is a matter of policy which is released publicly for all the world to see. I will sit down with any interest group, whether it is environmentalist, the Timber Board or the mining industry—regardless of who it is—prior to, during and after elections and spell out our policy. I will listen to what people have to say, as I did with the mining industry prior to the last election and as I did with the environmentalists. I heard what they had to say. The then Opposition heard what they had to say. What did we do? We put it out in terms

of platforms for the people to give us a mandate. There was nothing secret about it. There is only one leader who knows about secret deals, and that is the man who asked the question.

The Government's position on these matters was a matter of public record and we have a mandate. The position is this: I will sit down with my key Ministers and with the key stakeholders and resolve these issues in a constructive, inclusive way, which is very much the style of this Government. What we have seen today from the Leader of the Opposition is a continuation of the political stunt. It is a continuation of the divisive politics of the past and Queenslanders and Australians are sick and tired of political stunts. The Leader of the Opposition has not offered the possibility of a solution to these problems. All he seeks to do is create division, pain and uncertainty.

Yes, this is a very difficult issue which confronts the Government and I will not hide from that, but this Government will work it out with the various communities involved. Unlike the Leader of the Opposition, I do not want to create division. Unlike the Leader of the Opposition, I do not want to contribute to the pain and the hurt of these communities.

This Government wants a solution that will work. We are committed to jobs, and that commitment will remain. This Government is also committed to protecting the environment. There is an answer here. It is an answer that will be achieved through goodwill and through negotiation. It is an answer that will be achieved by seeking common ground. I have asked the parties for goodwill and common ground. They are giving it. I will work with those parties for a solution that is in the best interests of Queensland.

Mr Borbidge: You sold policy for preferences.

Mr SPEAKER: Order! The Leader of the Opposition!

Mr BEATTIE: I hear the rude static of the Leader of the Opposition. This Government is about looking after Queensland, not about political stunts.

Boulia Desert Sands 2000 Camel Races

Mr SULLIVAN: My question is directed to the Premier. I understand that the Premier went camel riding at Boulia on Sunday. I ask: what do camels have to offer the Queensland tourism industry?

Mr BEATTIE: I welcome this question because this is about tourism in the bush. This is about jobs. The Boulia Desert Sands 2000 camel races are a big winner for outback tourism in this State. The races attract more than 3,000 visitors every year to a town which normally has only some 200 or 300 residents. That is a huge shot in the arm for the local economy and for outback tourism. When we build the Heritage Trails we will give jobs to the bush. This Government will be the first Government in more than a generation which has looked after the bush.

It is true that I, along with the Minister for Mines and Energy and member for Mount Isa, Tony McGrady, had a ride on a camel during the carnival. I have to say that it was a spectacular experience. When the delegation of which I was a party went over to meet the camel, the camel greeted us with enthusiasm, as one would normally expect.

Mr Veivers: You know what a camel is, don't you—a horse designed by a committee.

Mr BEATTIE: There he is. As we were greeted by the camel I was—

Mr Veivers interjected.

Mr SPEAKER: Order! The member for Southport!

Mr BEATTIE: I take the interjection because when Tony McGrady and I were greeted by the camel it opened its mouth and gave a huge smile. It had dreadfully bad breath. Do honourable members know what that camel did? It spat on one of the people standing nearby. It reminded me of question time.

This camel racing carnival draws visitors from interstate and overseas. One of the great things about it is that it will provide an opportunity for European tourists, who are tired of cities in the United States and Europe, to come and get an outback experience. Those people who are looking for something a bit different certainly find it at the races. Boulia has the biggest camel racing carnival in Australia. It has grown from a 14-race program to a 20-race event with the richest purse in the country for camel racing of $30,000. That shows that camel racing is here to stay and the big winner is outback tourism.

My Government wants to promote our outback. Already, we have approached the Commonwealth Government to declare 2002 the year of the outback. Camel racing in the Middle East is a major industry rivalling Australia's horseracing industry. Successful camels are worth millions of dollars and breeders are constantly trying to improve bloodlines. The Boulia races show off our camel racing stock to the world and at the

same time show off to tourists our fabulous outback scenery.

I know that the member for Mount Isa joins with me and says thank you to the Boulia community for not only hosting us on the weekend but also for showcasing the outback to the world.

Regional Forest Agreement

Mr LESTER: I refer the Deputy Premier to his insistence in the Courier-Mail on 15 July that the only way to protect the environment was a major boost in hardwood plantation forestry. Given the support for the establishment of hardwood plantations but accepting that the Bureau of Resource Sciences and ABARE in January 1999 found that less than 5,355 hectares are economically attractive to plantation development, I ask: will the Deputy Premier guarantee that logging in the existing 600,000-plus hectares of Crown hardwood reserves will only ever be phased out as and when alternative plantation supplies become available to ensure that absolutely no timber industry jobs are lost? Yes or no?

Mr ELDER: I thank the member for the question. It is not surprising that the Opposition has played politics on this from day one. The fact of the matter is—

Mr Lester: Oh, come on!

Mr ELDER: No, the Opposition has played politics on this issue and it has done so since day one. The best example of a member of this House playing politics on an RFA is that displayed by the member for Callide. In this House, the member for Callide was informed that the statements that he had made, particularly about the impact of the RFA in the Monto area, were wrong.

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide!

Mr ELDER: He did not read the document.

Mr Seeney interjected.

Mr SPEAKER: The member for Callide will cease interjecting.

Mr ELDER: The member sat at a public meeting knowing full well that there was minimal impact in Eidsvold and Monto, as was said in the RFA. Even with the options—and we are working through those options—the member knew that it was wrong after I had informed him in this House. On 30 June, with Pauline Hanson beside him he sat at the meeting mute when they were discussing the RFA. As the member representing the people of that area and knowing the truth, how did he feel deceiving the people of Monto and Eidsvold? Even if the member cannot read the text—

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide will cease interjecting. That is my final warning.

Mr ELDER: Even if the member cannot read the text in relation to the impact of this RFA—and we are still working through the balance of it—he could have looked at the map and seen that Eidsvold and Monto are outside the bulk of the resource area. However, he did not.

That is an example of the politics that have been played by the Opposition from day one. This could have been resolved and resolved easily when the Opposition was in Government, yet it squibbed it. Each one of those members opposite squibbed it. They had an agreement with Howard to deliver an RFA by mid 1998. However, when the temporary Leader of the Opposition saw how tough it was, when he realised that he had to take on One Nation in the bush, he squibbed it. He walked away from it. He squibbed it.

Mr HOBBS: I rise to a point of order. The Deputy Premier is misleading the House. We were working right through that program. The members opposite were the ones who went out there and made a political document out of it instead of a scientific one. The members opposite are the political crooks.

Mr SPEAKER: Order! The member will resume his seat. That is my final warning.

Mr ELDER: I simply say this to the Parliament: the members opposite signed an agreement to deliver an RFA by mid 1998. They did not deliver the RFA. Unlike the members of the Opposition, as a Government we will work through to achieve a balanced solution to this issue that looks after jobs, that looks after the regional communities and that looks after the forests.

Mr Seeney interjected.

Mr SPEAKER: The member for Callide, I have warned you for the final time. I am now going to warn you under Standing Order 123A. You are warned.

Reef Management Authority

Mr PURCELL: I ask the Premier: can he inform the House about what the State Government aims to achieve through the

review of the role of the Reef Management Authority?

Mr BEATTIE: I thank the member for Bulimba for his question and, yes, I can. I strongly believe that this Government needs to have more control in the management of the Great Barrier Reef Marine Park. Even though we are involved in the day-to-day running of the reef, in relation to major issues such as policy direction and research, the Commonwealth has full control.

The Great Barrier Reef is not just one of the great wonders of the world, it is also the backbone of Queensland tourism. The current management arrangements came into effect in 1975 and have not been reviewed for 24 years. It is well and truly time that we had another look at it. We will be reviewing our role—whether it is adequate, what funding arrangements need to be looked at, and what level of involvement we need to have in research and policy formulation and direction. Why? Because the Great Barrier Reef is one of the great wonders of the world and as a State Government we have a duty and a responsibility to protect and maintain it for the enjoyment of future generations. That is a responsibility that we take very seriously.

As I said, the reef is also the basis of our tourism industry in a number of centres. For that reason, we have to ensure that we are carrying out our responsibility, and we will. This Government is also concerned about reef issues such as global warming and greenhouse gas emissions. That is why we have initiated a $1m climate change research program under our greenhouse special initiative. The whole-of-Government greenhouse task force and the Queensland Centre for Climate Applications are implementing four major research programs. They will convert scientific understanding of atmospheric climate change into projects that will help us deal with the impacts of global warming and greenhouse gas. The research projects are into coral bleaching on the Great Barrier Reef, droughts and floods, coastal vulnerability and high resolution regional climate simulations. On coral bleaching, there is a three-year project costing $360,000 to investigate and map the future patterns of coral bleaching. This project involves the Queensland greenhouse task force, the Department of Natural Resources, the Australian Institute of Marine Science and the CSIRO Division of Atmospheric Research.

On greenhouse gases, industries are aware that they will need to factor in whether the Federal Government is insisting on reaching its emissions target agreed in Kyoto. They must also consider whether certain payments will have to be made or taxes paid if the target is not reached. This Government is committed to protecting our Great Barrier Reef. We will do everything that we can to make sure that that happens.

This morning, I noticed that the Courier-Mail wrote an editorial in relation to our decision to carry out this review. Without any attempt to try to determine the facts of this matter, it wrote a quite incorrect editorial. I hope they take the opportunity to establish the facts.

Regional Forest Agreement

Mr COOPER: I refer the Minister for Primary Industries to the recent granting of 15-year allocation agreements to the western Queensland cypress industry which, while not the 20-year term that the coalition would have preferred, was welcome. I also refer the Minister to his claims in the Courier-Mail on 9 July that the Beattie Government was "committed to supporting rural communities even if it meant challenging the principles of National Competition Policy". Given this apparent commitment to supporting rural communities and given that the Government has almost complete influence over the final South East Queensland Regional Forest Agreement, I ask: will the Minister support at the very least the same guarantee to the south-east Queensland native hardwood industry that has just been given to the western cypress industry? Yes, or no?

Mr PALASZCZUK: The Beattie Government is committed to jobs and to rural and regional Queensland. That commitment was reflected by our decision in relation to the cypress pine industry. I have announced that the Government will be offering a 15 year supply agreement for mills obtaining sawlogs from the Government.

Mr Cooper interjected.

Mr PALASZCZUK: The member asked the question and I will answer it the way I want to. That decision has been widely welcomed. I detect a hint of sarcasm coming from honourable members opposite because we as a Government have secured the long-term future of the cypress pine industry in western Queensland, and that is what they are concerned about. They worked on a year-to-year leasing arrangement and we have given the industry security. We have given the industry 15 year agreements. We are creating a climate of confidence in which the cypress

pine industry can do what it does best. I am excited about the flow-on benefits that will come from this decision in terms of increased sales, not only exports to our overseas markets but also sales to our southern markets.

The honourable member also asked about the hardwood industry. I believe that plantations are the answer to many of our problems. I can tell the House that for the softwood industry the Department of Primary Industries forestry timber institute has produced a hybrid—

An Opposition member: Take a bit longer to grow, though.

Mr PALASZCZUK: I am coming to that. The institute has produced a hybrid pine timber that will be of good quality but with an eight year reduction in its maturation time. This type of world-leading research will be transferred posthaste to the hardwood industry. We expect to be able to produce hardwood timber with an eight year reduction in the maturation process.

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest will cease interjecting. This is my final warning.

Mr PALASZCZUK: In relation to the comments of the honourable member, the Government is working on that process now.

Exports

Mr MUSGROVE: I ask the Minister for State Development and Minister for Trade to outline the current state of Queensland's exports and any initiatives that the Government is undertaking to increase those exports?

Mr ELDER: During the month of May, which is the most recent month that we have figures for, the country as a whole suffered a poor export performance. Nationally exports dropped by 12.2% and in Queensland they dropped by 12.1%. The main reason for that drop was the drop in commodity prices and, as a State with a high proportion of commodity exports, that has had a hard impact on Queensland. I spoke to the Minister and Deputy Premier of Western Australia at a recent trade conference and he, too, is concerned about the impact on Western Australia. During May, in Western Australia commodity exports dropped by 18%. The drop in commodity exports has hit doubly hard because of the significant lack of demand from our major trading partners, which is still a flow-on effect of the Asian economic crisis.

We are doing two things to expand our opportunities and improve our export performance. We are looking at broadening the number of countries that we deal with and the product that we export. During the last sitting of the Parliament, I referred to my recent visit to Abu Dhabi in the Middle East. I acknowledge the work of my predecessor, the member for Burnett, who was involved early in expanding that market. We see opportunities for Queensland there. There are long-term opportunities to broaden our export performance and investment potential in the Middle East.

We are also looking at markets in India and South Africa. In India we have picked up seven broad areas of business opportunity, including tourism, agribusiness and agribusiness technology, food producing and technologies involving that industry. We have established links in India and we are now looking at four or five States that we believe we can work with to the best advantage of Queensland. We are looking particularly at those States that give us the best opportunities to grow export potential.

In a couple of weeks I will be travelling to South Africa to look at increasing exports there as we have significant potential for investment there. Interest has grown significantly both in South Africa and in Queensland. My main aim is to see that the South African companies use Australia as a base for the expansion of their operations into Asia and we can expand business investment into the South African market.

I am also re-engineering the trade division so that we actually look at the types of products that we can develop and work with individual companies overseas to capitalise on export opportunities, particularly for manufactured exports. We have re-established the food council. We are looking at how to drive manufactured food product harder and faster in Queensland. Given that it is a significant commodity and that commodity prices are down, we need to value-add in that area. We see potential particularly in those two markets. I will keep the House informed as we look at new market opportunities. We have upgraded the work in the 15 State Development Centres throughout the State so that they have the potential to deliver that service in regional Queensland where the positive impact should be most felt.

Regional Forest Agreement

Mr SEENEY: I refer the Deputy Premier and Minister for State Development and Minister for Trade to his insistence in the Courier-Mail on 15 July that "the only way to protect the environment was a major boost in hardwood plantation forestry", and I ask: does the Deputy Premier base this position on his 1998 pre-election deal with the extreme environmental groups to close down the hardwood timber industry in exchange for Green preferences in marginal electorates? Given that he has been invited to inspect the forestry industry in south-east Queensland on numerous occasions—he has been invited to visit Monto and Eidsvold three times, and representatives from those places are here to see him today—and has not bothered to inspect the forestry industry in detail himself, does he base this position on the advice of those same extreme environmental groups with whom he did the sleazy pre-election deal?

Mr ELDER: I repeat the words of the Premier: if anyone can be guilty of any sleazy pre-election deal, it is those opposite with the MOU in Mundingburra. That was tested in an inquiry and found to be fact. There has been no deal. In fact—

Mr BORBIDGE: I rise to a point of order. No-one on this side of the House has ever sold policies for preferences.

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

Mr ELDER: In relation to that comment from the temporary Leader of the Opposition, I let the record speak for itself. I have never signed a deal, but I know someone who has. The member opposite signed a deal. It was a sleazy deal and I will let the record stand for itself.

One thing that I have not done—and I have kept my comments for inside this House—is play politics. I have worked with all the communities and all the interest groups to work this issue through.

Mr Seeney interjected.

Mr ELDER: The fact of the matter is that it was a difficult issue and we need to move to plantation development. We need to look at how to grow jobs in and around regional centres. That has been my primary interest. We have delayed agreement with the Commonwealth because we are working through each and every one of the issues that those communities are concerned about. Far be it for the member opposite to criticise. I have put in place a backbench committee that has been to all of those centres on numerous occasions, reporting back to Government and to me in particular.

Mr SEENEY: I rise to a point of order. The Deputy Premier is misleading the House. The backbench committee, the Minister for Natural Resources and the Deputy Premier have not visited the communities of Monto and Eidsvold—

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

Mr SEENEY:—despite being invited on numerous occasions. They were invited to three public meetings and not one representative was seen.

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

Mr ELDER: One thing that this Government, its backbench members and its Ministers have not done is misrepresent the situation to the people of Monto, but the member opposite has. I will deal with this issue in a responsible and balanced way to achieve the best outcomes in terms of plantation development and jobs growth.

Mr Seeney interjected.

Mr ELDER: The member opposite can be as loud as he likes. What I am looking for from him and his temporary Leader of the Opposition is a commitment to fight with us for the $50m that we will need to grow those job opportunities in regional Queensland. If the member is fair dinkum in terms of his concern, he will be right behind me in representing that position to the Commonwealth, so that at the end of the day we will get a commitment to value adding in the timber plantation industry and a commitment to saving jobs. He just wants to play politics.

Mr Seeney interjected.

Mr SPEAKER: I have warned the member for Callide. I give a final warning under Standing Order 123A. The House will come to order.

Gaming Machines

Mr HAYWARD: I draw the attention of the Treasurer to the recent report of the Productivity Commission on gaming in Australia, and I ask: what is the Queensland Government's view on the commission's findings and will the Queensland Government move to reduce the incidence of gaming machines in our communities?

Mr HAMILL: It was with considerable interest that I read the draft report of the Productivity Commission's inquiry into gambling generally in the community. The findings of that report came as no great surprise to me. Indeed, the issues focused upon by the Productivity Commission are the very same issues that I have canvassed in this House in relation to our own review of gaming.

The Productivity Commission highlighted the problems faced by a minority of the population, namely, those addicted to gambling, and the social distress and dislocation that flows from that. The Productivity Commission report also identified the fact that the expansion of gaming in the community generally has been beneficial in terms of employment generation and providing further community facilities and avenues for entertainment. However, it is absolutely necessary for an appropriate balance to be maintained.

The final report of the Government's review of gaming is due shortly. However, some of the issues raised in the Productivity Commission report reflect the sorts of issues raised in the community's submissions to our own review. In particular, there are concerns about automatic teller machines being placed in close proximity to gaming machines and also issues in relation to advertising. Another issue raised by the Productivity Commission in its report is the need for community input in relation to the proliferation of gaming machines. Recently, I canvassed a proposition publicly that we should look very closely at not only the distribution of gaming machines in the community but also the procedures by which venues obtain machines, either for the first time or when they are seeking additional machines. I believe there is a very good argument for allowing the community as a whole to have a say in that process. That is why under this Government in certain instances the gaming commission has required proponents of gaming machines to proffer an economic impact statement and a social impact statement as part of their application for additional machines. I think there is a very good argument for that standard to be applied across-the-board. No, it does not mean winding back the number of gaming machines in the community. What it involves is a very responsible policy to ensure that we do not have an undue proliferation of gaming machines in communities that can ill afford such a proliferation. I believe that is responsible, and that is the direction I believe this Government will take.

Coal Royalty Regime

Dr WATSON: I refer the Minister for Mines and Energy to his decision announced on 3 April this year to introduce a new royalty regime on Queensland coal. I refer also to a PricewaterhouseCoopers review of that decision, which states—

> "The Government claim that the coal royalty charges are essentially revenue neutral in present value terms is not correct. The present value of additional payments to be made by disadvantaged mines will substantially exceed the short-term royalty reductions."

I ask the Minister: given the Beattie Government's promise not to increase taxes and charges beyond the CPI, why has he effectively increased taxes on the export coal industry?

Mr McGRADY: I welcome this question, because the Labor Party is the only party in recent history that has attempted to bring some reality to the royalty and rail freight regimes.

Dr Watson interjected.

Mr McGRADY: The member asked the question; I will answer it.

It was the Goss Government that brought some sense into the rail freight issue. As most honourable members know, that is where the brown paper bag system, whereby mining companies did sweetheart deals, came into being. We brought some transparency into the rail freight issue. In this State, some mining companies are paying 4% royalties and others are paying between 18% and 20%. Surely nobody in this State could accept such a system. This Government has simply tried to put them all onto the same level playing field. Obviously, those people who have to pay a bit more will scream and those people who will benefit will be grinners. I do not apologise to anybody in this State for the decision we took. The mining industry is going through a very difficult time. Surely nobody could attempt to justify a situation in which one mining company is paying 4% and another mining company is paying 20%.

In relation to the report which was handed down, I suppose it depends on who is telling the story. However, the bottom line is that this State Government has brought some equity into the rail freight system and also the royalty system. I do not apologise to the Leader of the Liberal Party or to anybody else for that.

Bille Brown; Premier's Literary Awards

Mrs ATTWOOD: The State Government recently honoured actor Bille Brown with a State reception. I ask the Premier: can he tell the House about the fine Queensland actor's accomplishments?

Mr BEATTIE: I can, and I am only too delighted to do so. Yes, it is true that the State Government was very pleased to hold a State reception earlier this month for the boy from Biloela—one of the State's finest actors. It is only the second time ever that a Queensland actor has received such a reception. The first was for Deborah Mailman last December.

Mr McGrady: Hear, hear! A good Mount Isa girl.

Mr BEATTIE: As the Minister said, she is a Mount Isa girl.

Queensland is no longer in the backblocks as far as the arts are concerned. We are right up with the best in the world. That is the Government's objective. That is why my Government set up the Premier's Literary Awards, which are in addition to a number of awards offered by the Attorney-General and Minister for Justice and Minister for The Arts.

The Premier's Literary Awards, announced last month, were designed to give an extra boost to the State's writers. There are six categories, worth a total of $115,000: best fiction book, a $25,000 prize; best literary work advancing public debate, inclusive of print and electronic media, a $25,000 prize; best manuscript by an emerging Queensland author, a $25,000 prize; best history book, a $15,000 prize; best children's book, a $15,000 prize; and best drama, a $15,000 prize. This will give our literary profile a major lift, just as Bille Brown has lifted our theatrical standing.

During the State reception we conferred the title of Honorary Ambassador for Queensland on Bille, in recognition of a prolific career. He is the actor who imported the fine play the Judas Kiss into Queensland. At the same time, he is one of our best cultural exports. By the way, I point out that they are taking that play to Ireland. Bille's theatrical career began in the early days of the Queensland Theatre Company, with Oscar winner Geoffrey Rush. Then Diane Cilento helped him to get into the Royal Shakespeare Company. Since those days he has appeared in more than 70 operas and has played a wide range of roles on stage and film. He is also a distinguished playwright who has written 20 pieces for theatre and film.

Bille Brown is a great cultural ambassador for Queensland. Best of all, he is as proud as anyone else is to call themselves a Queenslander. We are proud that he is. As the Minister for The Arts knows, a distinguished gathering attended that night—people from the arts community who are pleased that this Government has finally put the arts on the map. That is something of which we as a Government are proud. We will encourage the arts. We are encouraging writers. For example, the Premier's Literary Awards are designed to encourage struggling writers. We have had some of the best in the world. These awards will encourage even more. That is what it is about—a cultural excellence of which all Queenslanders can be proud.

Mental Health Funding

Miss SIMPSON: I ask the Minister for Health: given that Queensland has the lowest per capita expenditure on mental health in Australia and given that funding in this area actually reduces the demand for hospitalisation by preventing attempted suicide, self-harm and worsening health conditions, why has she not issued a ministerial directive to her department for mental health funding to be quarantined within the districts?

Mrs EDMOND: Funding for mental health programs is quarantined. In fact, if it is not spent by the districts because they cannot fill positions that have been made available to them, then that funding, of course, goes back to corporate office. I am proud to say that we have had—

Mr Slack: What about Bundaberg?

Mrs EDMOND: If the Bundaberg Hospital cannot fill positions and there is unspent mental health money, that money has to go back to corporate office, Mr Speaker, as you would be well aware even if the members opposite are not. I do not think that has changed since the previous Government was there.

This year we have seen a huge boost in mental health funding right across the State and a very successful campaign to meet the shortages of staff across the State. We have had a huge boost of $29m in mental health funding, which meant that—

Mr Hamill: In our first Budget.

Mrs EDMOND:—in our first Budget, which meant that we created 220 additional mental health positions across the State, and that is a significant achievement. We always knew that it would be difficult to fill all of those positions. Anyone who knows anything about mental health would understand that there is a

shortage of skilled mental health workers not only in Queensland but also across Australia and probably the Western World.

But we have been very successful. More than 80% of those 220 additional positions have been filled. As you know, Mr Speaker, there has been a significant increase at Redcliffe. There have been seven extra staff at Bundaberg—and all over the State. There have been 179 extra positions filled. I have to say to the whingeing member for Burnett—

Mr Slack interjected.

Mrs EDMOND: I have to ask: has that man ever said anything positive about Bundaberg? Does he, on his occasional visits to Burnett, ever say anything positive, or does he just continue to wrap up Brisbane and say how much better they are? Has he ever considered that maybe his negative whingeing and whining does more to damage the image of Bundaberg than anything that anybody else anywhere could do? Has he ever considered that that might be why we have difficulty filling qualified positions in that city?

The good news continues. I point out for the benefit of the member opposite that advertisements were placed locally, nationally and in international medical journals from October 1998. Of those positions unfilled, the process to continue to look for placements, to look for suitable people, is continuing, and it will continue. The Bundaberg district, for instance, will receive extra funding in the coming Budget.

Atherton Hospital Downgrading

Ms BOYLE: I refer the Minister for Health to recent media reports about the downgrading of Atherton Hospital, and I ask: what services have been or are intended to be downgraded at Atherton?

Mrs EDMOND: The local member representing Atherton is so interested that he is not even here in question time—he has now turned up.

Mr Nelson interjected.

Mrs EDMOND: A little bit more collusion, a little bit more hysteria from the Opposition! Of course, there has been no downgrading of any services in Atherton. There is no intention to downgrade any services in Atherton, and the local member, the member for Tablelands, should stop the scaremongering that is damaging the hardworking staff of Atherton Hospital and the community.

We saw the lowest of the low in acts recently: a call for the district manager's resignation by the local member, Shaun Nelson. What a pathetic and cowardly attempt at cheap, politicking point scoring! It is just bovver boy tactics.

Mr NELSON: I rise to a point of order. I find those words highly offensive and incredibly untrue. The only coward in this House is the Minister—

Mr SPEAKER: Order!

Mr NELSON:—who will not even speak to me on the phone.

Mrs EDMOND: I table the ad, Mr Speaker.

Mr NELSON: She has tried to sack people who have tried to raise this issue.

Mr SPEAKER: Order!

Mr NELSON: There are problems in Atherton and I will do my job whether the Minister likes it or not.

Mr SPEAKER: Order! The member will resume his seat. The Minister will withdraw those words.

Mrs EDMOND: The member says it is untrue. I table for the information of the House the ad. This is bovver boy tactics to use public money to pay for an ad in the local paper calling for members of the public to support such an unscrupulous act.

Mr NELSON: I rise to a point of order. I am doing my job as the local member—

Mr SPEAKER: There is no point of order.

Mr NELSON:—and I reserve the right to do so.

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

Mr NELSON: There are problems at Atherton Hospital.

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

Mr NELSON: The Minister is refusing to address them.

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

Mr NELSON: Even the doctors from the hospital have now stood up and said there are problems.

Mr SPEAKER: Order! I now warn the member under Standing Order 124.

Mr NELSON: Something has to be done, and if she will not do it, I will.

Mr SPEAKER: Order! I warn the member under Standing Order 124. That is my final warning.

Mrs EDMOND: The member makes all these allegations. In fact, he has alleged that he has had 80 to 90 letters of complaint. I have not seen one. Not one has been forwarded to me.

Mr NELSON: I rise to a point of order. I have tried on numerous occasions to raise issues with the Minister.

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

Mr NELSON: There are delegations that are being refused.

Mr SPEAKER: Order!

Mr NELSON: Her Community Cabinet meetings are a farce. She is refusing people the right to come and speak to us.

NAMING OF MEMBER

Mr SPEAKER: I now name the member for Tablelands under Standing Order 124.

Mr NELSON: She is not doing her job.

Mr SPEAKER: Order!

Mr NELSON: I am doing mine.

Mr SPEAKER: Order! I have named the member under Standing Order 124.

Mr NELSON: You can name me all you like, Mr Speaker.

Mr SPEAKER: Order!

Mr NELSON: The simple fact is this issue will not go away. The Minister is refusing to do her job. I will do mine. The only reason the Atherton Hospital continues to work is because of the people and the dedicated staff, not because of the Minister's work.

SUSPENSION OF MEMBER

Hon. P. J. BRADDY (Kedron—ALP) (Acting Leader of the House) (11.16 a.m.): I move—

> "That the honourable member for Tablelands be suspended from the service of the House for three days."

PRIVILEGE

Suspension of Member for Tablelands

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the National Party) (11.16 a.m.): I rise on a matter of privilege suddenly arising. Mr Speaker, with respect, there are provisions for you to ask the honourable member to leave the Chamber. There is the "sin bin" proposal that the Government championed and insisted should be added to the Standing Orders of this place. With respect, I ask why those particular remedial efforts were not taken in this instance.

Mr SPEAKER: I will answer that. The member has no knowledge of the Standing Orders apparently. Standing Order 123A (1), (2) and (3) are for repeated interjecting, etc. When somebody defies the authority of the Chair—continues to disregard it—that is Standing Order 124, which is the Standing Order which controls the behaviour of the member for Tablelands.

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (11.17 a.m.): I move—

> "That the member be suspended for one day rather than three."

Mr SPEAKER: The member cannot do that. I have called the Leader of the House. He has moved the motion.

Question—That the motion of the Acting Leader of the House be agreed to—put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 40—Beanland, Black, Borbidge, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Pairs: Mackenroth, Connor; Nelson-Carr, Goss

Resolved in the **affirmative**.

Whereupon the honourable member for Tablelands withdrew from the Chamber.

QUESTIONS WITHOUT NOTICE

Timber Industry

Mr FELDMAN: I refuse to let what has just happened distract from the real issue of the day, which is timber. My question without notice is directed to the Premier. In the park outside are some very concerned workers and millers from the Woodford and Caboolture areas, as well as other south-east Queensland towns and communities, who are about to march on Parliament to save their jobs and their industries from the Government's proposals regarding the RFA. I ask: what can the Premier promise here and now to say to

them when they arrive here that will allay their real fears for their families, their futures and their lives, because that is what is at stake, especially in the areas I mentioned.

Mr BEATTIE: I thank the honourable member for Caboolture for his question. There are real fears and real concerns and my Government understands that. My Government is endeavouring to work through the issues with the various stakeholders, including representatives of those communities. I do appreciate the extent of the anguish and uncertainty. That is why my Government is moving to resolve this issue.

It is a great shame that the previous Government betrayed the people in these areas by not resolving this RFA issue when it promised to do so, that is, by mid 1998. But we will. We need some bipartisanship and some goodwill. I have not seen that from the formal Opposition, nor have I seen any commitment today from the Leader of the Opposition that he will seek to do what I and the Deputy Premier asked in our ministerial statements, that is, pursue the Commonwealth for $50m to ensure the jobs programs and the things we need to do to make these plantations grow—

Mr Seeney: Will you put in 50? How much are you going to put in?

Mr BEATTIE: The member for Callide is so rude. He would have to be the rudest member in this Parliament. Every time we come into this Parliament to try to answer questions, he bellows from the backbench. At least he should have been taught some manners—

Mr Seeney: How much money are you going to put in?

Mr BEATTIE: There he goes again. Was he never taught manners? He has absolutely no decency. It is about time the Opposition at least had some courtesy and respect for this Parliament. I hope that the message of the departure of the member of Tablelands will lift the standards of the Opposition.

Mr FELDMAN: Mr Speaker, I rise to a point of order. Could I please have my question answered?

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

Mr BEATTIE: I take the point of the member for Caboolture and I thank him. I am endeavouring to answer his question. If the member for Callide had not been so rude, we would not have been diverted. Let us overcome the shallowness and rudeness of the member for Callide and get back to the question. I tell the member for Caboolture: we will work this through with the people concerned—

Mr Seeney interjected.

Mr BEATTIE: There goes the member for Callide again. I cannot continue to answer the question if the member for Callide keeps bellowing.

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide!

Mr BEATTIE: We will resolve these issues. Where the previous Government and Mr Borbidge failed, we will deliver. We have brought the parties together in the spirit of consensus that is necessary. I urge the Opposition to get its colleagues in Canberra to support the $50m package that we need to drive jobs; to make certain that there are jobs in plantations.

Solar Hot Water Rebate Scheme

Mrs NITA CUNNINGHAM: Can the Minister for Mines and Energy please provide the House with current details on the Government's solar hot water rebate scheme?

Mr McGRADY: I thank the member for Bundaberg for the question. The big news today is that the solar hot water rebate scheme recently passed the $1m milestone. In fact, as I speak the till has just rolled over and it is now $1.1m.

Mr Hamill: I am distressed.

Mr McGRADY: Well, I am not, because budgets do not worry me. This was one of the great initiatives of the Goss Labor Government. When the coalition came into office it scrapped the scheme. True to our election commitment, we brought it back. We give $500 cash to any person who moves across from an electric hot water system to a solar one.

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

MATTERS OF PUBLIC INTEREST

Forestry Industry

Hon. T. R. COOPER (Crows Nest—NPA) (11.30 a.m.): I wish to draw to the attention of the House the massive uncertainty created in the bush by the Beattie Labor Government. I refer in the main to the timber industry but, of course, to many other issues as well. I want people to remember Ravenshoe, the logging industry around the Burnett and the Fraser

Island area—an area that had been logged for 100 years—all of which were closed down with great promises of compensation. Any time the Government mentions compensation in relation to an RFA, people should know that they should take not the slightest notice, because no compensation of any value ever reached those particular areas.

Now, in spite of the rhetoric that we have been hearing, hardworking Queenslanders have been forced to defend their jobs. Those people who have come down from many areas of south-east Queensland today should never have had to do so. The regional forest agreement, the RFA, was one of those arrangements that was supposed to take politics out of forest debates. Instead, this Government has abused those regional forestry agreements in order to close down an industry and also to reiterate and support its own policy.

Its own policy was pointed out by Mr Charles Hamilton who, on Thursday, 25 March 1999, sent an email in the body of which he urged people to write to the Premier and urge the Government to reject the industry position, that is, the Queensland Timber Board/industry position. His main point was that he wanted the Government to support an industry transition out of native forests into plantations as required by Labor's biodiversity policy, a critical element in the conservation movement's support for Labor at the last election. That is the nub of the issue—lock, stock and barrel. That is why we have the delay in the regional forest agreement. It has nothing to do with extra funding from the Federal Government. This Government has the full responsibility to ensure that it enters into a regional forest agreement with the native forest timber industry. That is what they are supposed to do. That is what the arrangements are supposed to be all about. What the Government is hell-bent on doing, of course, is closing down a great deal of our native forest area.

No option in the Government's directions report will ensure that there will be no jobs lost. Every single option in that report means that some jobs would go. Worse still was the Beattie Government's insistence that the two most extreme options be included in that directions report: one option was to shut down 500,000 hectares of native forest; another option was to shut down 620,000 hectares. And this was supposed to be a jobs, jobs, jobs Government! We have seen the deal that was done with the green movement prior to the last election in exchange for preferences as outlined by Charles Hamilton and in line with a secret Labor Government policy.

Last week we saw the Beattie Government make a half-baked attempt to hose down today's rally. The Deputy Premier thought he could pacify the people with his vague commitment to boosting plantations. In the Courier-Mail of 15 July, he said—

> "... the only way to protect the environment was a major boost in hardwood plantation forestry."

No-one disagrees with plantations. It is just that it takes 30 or 40 years for these things to produce suitable product. What on earth does the timber industry do in the meantime? What happens to all those jobs, those industries, the productivity and the whole gamut of communities in the south-east of this State? That is the point that was missed in the deal for a few lousy preferences at the 1998 election.

Also, we have seen the Deputy Premier giving instructions to some of the minor elements of his backbench to go into the forestry areas to gather information. Instead of fronting up himself, he relies on those people who have been sent out as cannon fodder. He knew very well the reception that they would receive and he now knows of the reception that they did receive. No-one will be happy unless we have a regional forest agreement that will ensure that the native forests of this State can be utilised, not all closed down. It is a very well run industry. The forestry agreements, the forestry arrangements and all of the management processes that have been used for 150 years are still appropriate today and still allow for centuries of use, because those in the timber industry are the last people who would want to see their own industry closed down through lack of timber. They are nurturing the timber; they nurture the native forests. There is no-one better to do that than they; yet the inexperienced members opposite with their half-baked ideas have sold them down the drain for a few lousy preferences.

In the context of the regional forestry agreement, which the Government is imposing on the timber industry in south-east Queensland and on the soon-to-be former jobs of timber workers, it is very interesting to read an article by former leading Labor politician Peter Walsh, which was published in the May edition of Quadrant magazine. In the course of that article titled "Labor and the Greens", Mr Walsh has this to say about the Greens and the timber industry—

"Although the timber industry is less important than mining to the national economy, it is the most persistently targeted for attack. Sawmills are more likely to be found in a benign climate than mines, and forests are better subjects for television and video. Radical and secular damage"—

that is, secular in the context of the article in the sense of fellow travellers on the fringes of the environmental movement for whom God has been replaced by all of his creatures and species and by Gaia, as Peter Walsh engagingly put it—

"to mining via exploration bans is long-term rather than immediate. Very few operating mines have been shut down. The timber industry has been less fortunate."

Mr Walsh points out also that an earlier Labor Party, the Labor Party that was still in genuine communion with its worker roots, would have been expected to resist sawmill closures and gratuitous destruction of blue-collar jobs in regions of higher than average unemployment. Yet he also points out that Labor Governments, Federal and State—with the exception of South Australia, which has only plantations, and the partial exception of Tasmania—have implemented most of the Green agenda. The Beattie Labor Government is heading down exactly the same dusty track. If it is not stopped, it will have the same dead-end effect on many Queenslanders.

I quote again from the Quadrant article at some length, because it is important that this Government be shown the folly of its ways. I know this is a history lesson, but it is one that apparently still needs to be learned. In terms of the late 1980s, the article goes on—

"Labor governments naively believed deals could be made which would deliver generous Green electoral support, but allow most of the industry to survive. Federal Labor took this up with more enthusiasm than any State—with the possible exception of New South Wales—using (abusing?) its foreign affairs and export control powers to overrule or threaten to overrule the State forestry management. In Tasmania, Victoria, New South Wales and Queensland, the federal government decreed major extensions of logging bans. Invariably these were rejected by radicals and seculars. The government responded by extending boundaries again. Labor failed to realise that every deal, agreement or compromise is regarded not as a settlement but as a launching pad for the next ambit claim."

Mr Walsh, who represents the sensible—one might say "rational"—faction within the Labor Party, territory he now shares with Third Way thinkers such as Mark Latham and Lyndsay Tanner, makes some sensible remarks about a flexible definition of "old-growth forests". Perhaps he had Fraser Island in mind where forest logged for 100 years was accorded World Heritage status. These points are all relevant to the South East Queensland Regional Forest Agreement.

It is abundantly clear that the Beattie Government has taken a particular view on environmental matters. It seems that in any contest whatsoever, especially between a frog and an economic option, the frog will win every time. In other words, it is very doubtful that the Beattie Labor Government, for all its public relations efforts, is in the end any different from Labor administrations elsewhere or the late Goss Labor Government when it comes to doing damage to Queensland's two chief endangered species: the family and the worker. Once upon a time, members opposite were supposed to stand up for those elements: the blue-collar workers, the timber workers, the people in the country towns, the battlers—the people who have made this State great. Labor is hell-bent on destroying it and bringing them down. This issue will hang around Labor's neck like an albatross, because the people currently demonstrating outside this building know what has happened. They would not have spent their time coming down today to make a statement—something they should never have had to do—if it were not for the fear of the actions of members opposite.

This is not a difficult decision to make. It is very easy to decide to ensure that we maintain and utilise our native forests to the best effect for the people of this State instead of closing them down. That is the worst thing that Labor could possibly do. We know that, even if compensation is offered, the fact is that that compensation never gets through. We are not interested in it. Our emphasis is on maintaining those jobs and keeping those communities alive.

Time expired.

Multiculturalism

Mr NUTTALL (Sandgate—ALP) (11.40 a.m.): Clearly, multiculturalism in this State is alive and well if the response to

Community Cabinet meetings and my deputations at these meetings are any indication. For example, at the recent Community Cabinet in the western suburbs of Brisbane, most of the deputations that were received came from a wide range of ethnic communities throughout Brisbane. These communities raised issues from English comprehension in State schools for students from non-English-speaking backgrounds to employment issues, to issues regarding access to interpreters, support for refugees and asylum seekers, issues regarding health, and issues regarding accommodation and land.

So as to gauge how Queensland Government departments are travelling against the Multicultural Queensland Policy, the Director-General of the Department of the Premier and Cabinet wrote to all directors-general on 15 June of this year asking them to contribute to the inaugural report to the Premier on multicultural affairs. The report will document the significant achievements of Queensland Government departments in implementing the Multicultural Queensland Policy. Information about the Government's expenditure on programs and services from a multicultural and ethnic perspective is also required. Departmental responses were due to be forwarded and handed in by 16 July 1999. The Director-General of the Premier's Department, who chairs the interdepartmental committee, has also established a number of working groups under the policy to look at such things as community relations, funding priorities and reporting, immigration and Australian South Sea Islander issues.

I now turn to the current round of grants that are available under the policy. Funding under this Government's $580,000 Multicultural Assistance Program, aimed at building stronger community links, has opened for applications. Advertisements appeared in the Courier-Mail and regional newspapers on Saturday, 3 July 1999. Information has also been sent to the many hundreds of ethnic community organisations registered on the database maintained by the Office of Multicultural Affairs Queensland in the Department of the Premier and Cabinet.

The Multicultural Assistance Program funding is part of a $2.1m Cultural Diversity Support Program for the 1999-2000 financial year, which is a key component of the Government's Multicultural Queensland Policy. The current Multicultural Assistance Program round will target projects focusing on the community development, community relations and a continuation of the International Year of Older Persons initiatives. The aim of the Multicultural Assistance Program is to assist community organisations to undertake projects that promote understanding and acceptance of multiculturalism in this great State. Activities likely to be funded are those that address community issues and needs in a way which is culturally appropriate, innovative and promotes cooperation across community groups.

As we know, Queensland has a diverse population comprising more than 120 different ethnic backgrounds. This cultural background is part of our everyday lives and contributes to Queensland's unique character. The policy aims to build understanding among different cultural groups and broaden our understanding of our cultural heritage. In summary, the funds will go to the following: to community development, $130,000; to community relations, $300,000; to the International Year of Older Persons, $150,000; to community workers, $200,000; to the Local Area Multicultural Partnership Program with regional councils, $920,000; ethnic schools grants, $150,000; research, $100,000; and special projects, $200,000.

In relation to the special projects, these are Government priorities which have been identified as demonstrated needs during the community consultation process which has been undertaken by the Office of Multicultural Affairs Queensland over the last few months throughout this State. These include: the Australian South Sea Islanders; employment; access by communities to funding programs; and the National Conference on Multiculturalism to be held in Brisbane, which will be co-sponsored by the Premier and the Lord Mayor of Brisbane.

All incorporated bodies and organisations sponsored by incorporated bodies can apply for Multicultural Assistance Program grants, which close on 31 August of this year. Guidelines and applications for the programs are now available. I am pleased to announce that the Office of Multicultural Affairs Queensland is organising workshops throughout the State from 19 July to 10 August to assist ethnic communities to prepare their grant applications. This is a first, and these workshops will be held in various locations, as I said, throughout the State. Essentially, the workshops will inform organisations about the various types of grants available from State Government agencies, including those under the Multicultural Queensland Policy. They will enhance the ability to prepare an application for Government funds, including supporting materials which must be enclosed with an

application and foster an improved ability to plan, develop and evaluate a project which could be funded under the Multicultural Assistance Program. I encourage honourable members to talk to the ethnic communities in their electorates.

Mr Mickel: I do all the time. Gee, they're grateful for the position you gave them in Logan City, too. They sang your praises.

Mr NUTTALL: I thank the honourable member for that. As I said, we have written to all the ethnic community groups throughout the State about the grants. It is very important that they avail themselves of the opportunity to attend the workshops to help them prepare their applications.

As a Government, we are in touch with the community. Our ongoing Community Cabinet meetings, our ministerial regional community forums and the very nature of the Labor Party as a grassroots entity keep us in touch with ordinary people. We as a Government are in the business of listening to those who have alternative views. When we have to, we challenge the conventional wisdom on issues, and sometimes this approach is unpopular. We as a Government believe that we do show leadership on the tough issues.

We have come a long way in the past 12 months in relation to multiculturalism and in relation to the broader ethnic communities throughout this great State. Multiculturalism in this State exists within the structures and the principles of our Australian society. It exists within the rule of law. It exists within the parliamentary democracy. It exists within the freedom of speech and religion, within English as the national language, and equality of the sexes. It is in this framework that we, as a Government, promote universal ideas of human-based mutual respect, cooperation and a fair go for all for those in our multicultural communities.

As we have travelled throughout the State and listened to the needs of our ethnic communities, we have endeavoured as much as possible to proceed with their views, and where we have been able to we have endeavoured in every way to assist them with their needs. Our ethnic communities in this great State continue to grow. We encourage that. We believe that for us as Queenslanders multiculturalism is the way forward.

City/Valley Bypass

Mr SANTORO (Clayfield—LP) (11.50 a.m.): Today, I wish to address the issue of the City/Valley bypass, an issue which has a certain political smell about it that is not at all appealing not only to my constituents who are affected by the issue but to all decent, thinking Queenslanders who support transparent decision-making processes by their State Government.

There are several issues relating to the City/Valley bypass which are of great concern. The first is the issue of consultation—or lack of consultation—and the effect of this lack of consultation on the residential amenity of thousands of Queenslanders who will have to live with the aftermath and the side effects of the City/Valley bypass. Secondly, there is the issue of the devastating effect which the construction of the City/Valley bypass will have on certain key sections of the business community within my electorate. Thirdly, there is the all-important issue of the deceitful and flawed process leading up to the approval and the funding by the Brisbane City Council and the State Government of the City/Valley bypass project.

At the outset, I wish to restate what I have said previously in this place—that the majority of my constituents are of the belief that the traffic problems associated with the passage of heavy traffic throughout the city and the Valley need to be resolved. A sensible solution clearly needs to be found. Unless this happens, the potential for major and nasty traffic accidents in the city and the Valley will remain high.

However, what north side residents—particularly those living within the suburbs of Ascot, Hamilton, Clayfield and Albion—do not appreciate is the fact that consideration of the impact which the construction of the City/Valley bypass will have on their residential amenity has been totally ignored. It is a fact that the Brisbane City Council and the consultants for the Brisbane City Council have not consulted the vast majority of residents and businesses who will be affected by the additional traffic which will be spewed onto Kingsford Smith Drive at the end of the City/Valley bypass proper.

The concerns are quite simple, namely, that the extra traffic which will be generated by the construction of the City/Valley bypass and which will be directed onto Kingsford Smith Drive is estimated as a minimum at 19% and by many expert traffic engineers at as high as 50%. In fact, Kingsford Smith Drive is very much the forgotten aspect of the whole City/Valley bypass project and no provision has been made within the planning or the budgeting for the City/Valley bypass project for the upgrade and/or the improvement of

Kingsford Smith Drive. Clearly an upgrade and an improvement are necessary if this already very congested road is going to cope with the extra traffic that will be generated by the City/Valley bypass once it is completed.

As a result of this, both residents and traffic experts expect a dramatic increase in rat-running from Kingsford Smith Drive into the residential suburbs which abut Kingsford Smith Drive. Honourable members can come to their own conclusions as to what impact this massive increase in rat-running will have on the residential amenity of my constituents.

Additionally, the construction of the City/Valley bypass and its effects will have a very detrimental impact on the value of properties within the affected suburbs. Again there has been no consideration within the planning of the City/Valley bypass project of this undeniable consequence, let alone the provision of compensation for those people who will be directly affected by falling property values.

It would seem to me that, because we are dealing with suburbs which on the surface are not, in the majority, Labor voting suburbs, both the Beattie Labor Government and the Soorley Labor City Council have ignored and continue to ignore the legitimate concerns of people who deserve much better from their legislators. There is a clear need for the whole City/Valley bypass project to be put on hold until the hitherto neglected issues of the obvious increase in traffic and its consequences on the already congested traffic flows on Kingsford Smith Drive are seriously addressed. In particular, there is a very real need to involve in a more formal and meaningful way those residents who will be most drastically affected by a State Government and Brisbane City Council decision which does not consider in any meaningful way the impact of the project on their lifestyle and residential investment.

In a letter to an affected resident, Councillor Maureen Hayes, the Chairperson of the Transport and Major Projects Department of the Brisbane City Council, stated—

> "You have raised a number of issues concerning the inner city bypass and I am disappointed that the intense consultation program undertaken as part of this project has not answered your concerns. We are also aware of the independent expert advice and their suggestions."

That particular point is made time and again by Councillor Hayes. I again go on the record as stating on behalf of concerned and affected residents that there was nothing like the "intense consultation program" which is claimed by Councillor Maureen Hayes. The first that the vast majority of affected people knew about the inner city bypass was when they read it in the local and major newspapers of this city or when they were circulated with the information directly in their letterboxes by me as their local State representative.

We have a Brisbane City Council, and Labor councillors within it, that constantly mouths the mantra of consultation but in reality does everything but consult residents about Brisbane City Council decisions which affect them in a very direct and dramatic manner. This lamentable experience is common to residents not just in Hamilton, Clayfield, Albion and Hendra, but right across Brisbane, be it in Paddington, Milton, Ashgrove, The Gap, the south side of Brisbane or, indeed, any of the many other suburbs which have been affected by insensitive and non-consultative decisions by Mr Soorley and his sycophants within Brisbane City Hall.

Mr Beanland: That includes Indooroopilly and Toowong, and this will make it worse, of course.

Mr SANTORO: I take the interjection from the honourable member for Indooroopilly. I know that he shares many of the concerns regarding the lack of consultation and the detrimental effects on the residential amenities of his constituents.

Mr Beanland: An arrogant administration.

Mr SANTORO: It is a very arrogant administration. I now wish to turn to the other issue which is of growing concern. I refer to the secret and cynical manner in which the State Government has gone about assisting the Brisbane City Council with the funding of the City/Valley bypass project. The Minister has come into this place and constantly stated that the City/Valley bypass project is a Brisbane City Council project and that it is wholly funded by the Brisbane City Council. This claim is at best misleading and at worst the uttering of a deliberate untruth within this Parliament. My respect for Parliament and the parliamentary rules prevents me from using a more direct three-letter word to describe the statements made by the Minister.

The fact is that a very substantial level of hidden funding has been provided by the State Government to the Brisbane City Council via a $470m financial transport package which was announced by the Transport Minister in Parliament last year. It is important to put on the record again what Mr Bredhauer told

Parliament on 17 November last year when he provided the $470m worth of funding.

There were three components of the State Government package, which involved: the inner northern busway at $135m, comprising $120m State Government funding and $15m in a Brisbane City Council contribution; the Brisbane light rail project at $235m; and a contribution of $100m, including $60m in direct funding and $40m worth of land, to the Brisbane City Council transport plan. One of the key measures of that plan is the construction of the City/Valley bypass.

What Mr Bredhauer did not tell Parliament was that a large part of the $100m financial package is earmarked for the construction of the City/Valley bypass. I made this assertion as early as February this year. The Minister has been denying it ever since, and most particularly during the past few days when this issue has been picked up in a very forceful manner by the Courier-Mail. However, the Minister's denials are undermined—indeed destroyed—by documents which have been obtained by me and the Opposition Liberal team within the Brisbane City Council. The documents clearly outline what the thinking of the Beattie Labor Government, the Treasurer and the Minister for Transport has been since very early in their term.

In fact, a memorandum to John Gralton, the Divisional Manager, City Governance, from Bill Upton, the Manager, Transport and Traffic within the Brisbane City Council, dated 13 July makes very interesting reading and I quote very directly from it—

> "John Gralton, Queensland Transport mentioned to me this morning that the Treasurer, David Hamill, has reservations about shadow tolling inter alia because of the additional cost involved.
>
> Gralton confirmed a package along the following lines would be acceptable to treasury.
>
> Council contributes $30m over the next two years
>
> State contributes $10m in kind (land)
>
> Council borrows the balance (i.e. $126m)
>
> State, through Main Roads, contributes $7.1m to Council each year, representing 80% of debt repayment.
>
> Council funds the balance of debt (1.8mpa)
>
> The internal issue for the State Government will be the debate between Treasury and Main Roads on whether the payment to council would be new funding or funding from existing programs.
>
> The opinion is worth pursuing in parallel with further work on a shadow toll to ensure the best deal for council."

I table a copy of this memorandum which clearly shows that a deal has been made. I believe that the deal involves the Premier, wanting to help his Brisbane City Council mates, providing funding through stealth because he does not want to put his fingers on the sticky paper. He is expecting a return favour from the Lord Mayor in the form of an agreement to locate the super stadium at Lang Park, which is the favoured location of senior Ministers within the Labor Government. At the same time, the Premier runs away from his own electors. We can see that 4.5 kilometres of the bypass goes through the Premier's electorate. He has betrayed the trust, the living standards and the residential amenity of people in his electorate. In doing so, he has portrayed himself as a Premier leading a Government which is going down the same way as the previous Goss Government.

Time expired.

Joint Standing Committee on Treaties

Mrs LAVARCH (Kurwongbah—ALP) (12 p.m.): On 24 and 25 June, the Joint Standing Committee on Treaties, known as JSCOT, of the Commonwealth Parliament in conjunction with the Australasian Study of Parliament Group hosted a seminar titled The Role of Parliaments in Treaty Making. I was invited to attend that seminar in my capacity as chair of the Queensland Parliament's Scrutiny of Legislation Committee, even though that committee does not have within its charter the jurisdiction to scrutinise treaties.

By way of background information and for the information of members, I point out that the Australian Constitution assigns power for external affairs to the Commonwealth Parliament. That is done pursuant to section 51(xxxi) of the Australian Constitution. The exercise of a treaty-making power is a function of the Executive of the Commonwealth Government pursuant to section 61 of the Constitution. In exercising the powers subscribed to it, the Commonwealth purports to act for all State and Territory Parliaments, because as a matter of international law and foreign relations the Australian nation speaks with one voice.

Over recent years, the scope of the external affairs power has been a matter of

political and legal controversy. In short, that controversy has several dimensions, namely, the extent to which the Commonwealth has used the external affairs power as a source for laws which may otherwise have been argued to be beyond the power of the Commonwealth; secondly, the way in which the Commonwealth Executive negotiates and decides to enter into international obligations such as treaties and the proper role for the Commonwealth Parliament in that process; and, thirdly, the fact that the acceptance of an international obligation or standard by the Commonwealth places obligations on the States. That raises the question of to what extent the States are or should be involved in the treaty-making process. It also raises the question of the extent to which international law, particularly in the form of ratified treaties, might be incorporated into Australian law through judicial interpretation even though the Australian Parliaments have not enacted the treaty's terms into domestic law.

In response to these issues, the Commonwealth has implemented a number of measures to achieve a degree of community, industry and State involvement in the treaty-making process. These have included the establishment of a treaty secretariat at the COAG level, known as the treaty council—and I must say that it was recognised at the seminar that the treaty council has not met for some time—having treaties and their applications to States and Territories made a permanent agenda item for the Standing Committee of Attorneys-General; and business, community and State representatives are invited from time to time to be members of the Commonwealth delegation negotiating a particular treaty. For example, it was reported in the International Treaty Making and the Role of the States report of the Federal/State Relations Committee of the Victorian Parliament that in 1996 Queensland represented the States at international treaty negotiations on several occasions, including the European Union mutual recognition agreement negotiations. It was also reported there that Queensland hopes to continue playing this role as long as the Commonwealth and the other State Governments agree to it doing so in cases where it has the appropriate expertise. To ensure that the rest of Australia's Governments agree to its presence at international treaty negotiations, Queensland has a standing requirement that any line agency wishing to attend an international treaty negotiation work through the Department of the Premier and Cabinet. The measures also required that the details of treaties entered into and under investigation be made available publicly through the Department of Foreign Affairs, especially through its Internet web site.

In 1996, the Commonwealth Parliament established a Joint Standing Committee on Treaties. The committee's aim is to bridge the gap between Executive action in considering and negotiating a treaty and the Parliament in judging weather a treaty should become law. It also acts as an avenue for the dissemination of information to the public about treaties and can foster debate on any particular treaty.

The seminar was designed to examine the parliamentary aspects involved in treaty making and included sessions on the role of Australian Parliaments in treaty making, which included a panel discussion on State Parliaments; a session on the international perspective; and a session on future directions in parliamentary consideration of treaties. The speakers were drawn from a wide field of academic, Public Service and political spheres.

The seminar advanced two motions, which were not formally put to a vote but were referred back to the States for consideration and debate. Those motions were, firstly, a motion proposed by the members of the Commonwealth Joint Standing Committee on Treaties, which sought support for the formation of an interparliamentary working group on treaties. It was advanced that this interparliamentary working group on treaties should comprise members from all of the parliamentary committees represented at the seminar and any other committees that may over time become interested in treaty matters; that it should act as a forum for promoting public awareness of proposed treaty action and encouraging wider parliamentary scrutiny of treaty making; that it should meet every six months to review upcoming treaty actions in much the same way as Commonwealth and State officials meet as part of the Standing Committee on Treaties process; that it be supported by the secretariats of the representative committees on a rotational basis; and that the secretariat should be responsible for preparing and distributing agenda papers, including lists of upcoming treaty action, national interest analysis and for preparing outcome reports for each participating committee. The rationale for that motion was that it would improve public awareness of treaties, inject a State perspective into the deliberations of JSCOT and inject a Commonwealth perspective into any deliberations in which State Parliaments might become involved.

The second motion was proposed by the members of the Western Australian delegation and sought that each State establish as a matter of urgency a discrete parliamentary committee to review matters concerning treaties and have those committees make representations to the JSCOT deliberations. The rationale for that motion was that it is believed essential that the views of the various State and Territory Parliaments on the contents of treaties are taken into account by the Commonwealth Government.

From several aspects the seminar was worth while. It enabled participants to be fully briefed and updated on the current state of the law and practice surrounding treaty making at the Commonwealth level. It also allowed each State to explain the extent, if any, to which the State Parliament considered treaty obligations in their law-making processes. Finally, it proposed a course of action for the formalisation of State parliamentary involvement in treaty making, at least at the ratification stage.

From my personal perspective, it seems that the States must accept that the Constitution assigns the conduct of international affairs to the Commonwealth. Consequently, the States have a limited role in deciding or even influencing the treaty-making process. However, the States have a critical role in the implementation of international obligations accepted by the Commonwealth. The external affairs power enables the Commonwealth Parliament to garner legislative authority in areas that it otherwise would not be able to. Personally, I believe this to be a necessary incidence of Australia's engagement with the world and should not be feared. However, in many cases the Commonwealth can best achieve the international standard which has been adopted through the use of the State legislative action and not the assumption of power. It is in this area that the Executive to Executive contact between the Commonwealth and State Governments could be extended to a parliamentary process between the Commonwealth and the States.

Accordingly, I believe that there is merit in the motion proposed by the Joint Standing Committee on Treaties calling for an interparliamentary working group on treaties comprising representatives of all the State and Territory Parliaments along with the Commonwealth Parliament. The working group might usefully review treaties and determine the best legislative implementation method if implementation requires legislative change. It will also allow State and Territory parliamentarians direct access to information on forthcoming treaties.

I am less convinced that a discrete treaties committee is required in each State and Territory Parliament, as was proposed by the motion from the Western Australian delegation. Such a committee might be useful in some circumstances given that the Commonwealth's role is paramount. However, I believe a State committee would be window-dressing at best. Not all treaties proposed, signed or ratified affect the States and Territories. Very few treaties have terms that are controversial. Those that do often become part of the public debate through means other than Parliament. For example, the proposed multilateral agreement on investment became a hot topic of public debate through the Internet and then the media, not through parliamentary debate. What the panel on the State Parliaments revealed—

Time expired.

Mental Health

Miss SIMPSON (Maroochydore—NPA) (12.10 p.m.): This State is facing another looming health crisis. This time, the looming calamity is in the mental health arena where precious dollars allocated to mental health services continue to be used as a quick fix for other budgetary problems within the State health system. There is a desperate need to check this funding haemorrhage that is draining vital adolescent and adult mental health care programs of much-needed funding. It is immoral to utilise these vitally needed funds to prop up administrative shortfalls or to cover up mismanagement in the district health services.

In the last few days this funding pillage was highlighted once again by the revelations that a special mental health package of $1.1m, which was funded by the coalition Government to employ 11 additional mental health workers in the areas of youth, child and adult services in the 1998-99 year in the Bundaberg district, has not been spent as originally intended. As discovered by my colleague the member for Burnett, Doug Slack, the funding year in question is over but only eight of the 11 additional workers have had their appointments finalised and there have been unnecessary delays in advertising for a key psychiatrist. Where has the money gone?

This morning Health Minister Wendy Edmond clearly misled the Parliament when she claimed that mental health funds were

quarantined in the districts. I refer the Parliament to yesterday's Bundaberg News-Mail, which outlines how approximately $200,000 that was earmarked to prevent youth suicide and employ extra mental health workers was diverted to prop up a $1m shortfall at the Bundaberg Base Hospital. The article states—

> "A spokeswoman for Ms Edmond confirmed $200,000 was transferred from mental health services and Queensland Health contributed the difference as part of a million-dollar rescue package for the hospital.
>
> The one-off government funding 'won't have to be paid back', while the $200,000 was diverted from mental health because only seven of the 11 new positions were filled before the end of the 1998-99 financial year."

The mental health money was diverted to fill the Bundaberg Hospital's black hole earlier this year, well before the end of the financial year and well before some of these unfilled mental health positions were even advertised. The Minister has misled the House. Clearly a sleight of hand was used to take money out of mental health and divert it to prop up hospital shortfalls.

We have to ask the question: where else in the State is this happening? We must ask that question because if we have evidence that it has happened in Bundaberg, despite the fact that the Minister is denying it—her spokesperson seems to know about it, so either she does not know about it or she is not admitting to it—where else in the State is it happening? Where else is the Beattie Labor Government issuing grand press releases about funding for mental health services while real funding is being quietly nicked to bail out other services and cover up high-level mismanagement?

I call on the Beattie Government, as it works up its next Budget, to ensure that mental health funding is significantly increased and the delivery of mental health services is given top priority. Mental health was a priority area of the coalition Government. However, the coalition Government inherited the lowest per capita mental health expenditure in Australia at $45, which was 18% less than the national average of $55. Under the Goss Labor Government, funds were withdrawn from the mental health program at regional and service levels with no mechanism to ensure replacement funding.

To provide an example, between 1992 and 1993 $1.8m of new funding was provided through the mental health branch, but mental health expenditure increased by only $500,000. With Queensland's population growth, that actually resulted in a fall in per capita expenditure from $46 to $45. That gross mismanagement by the Goss Labor Government meant that Queensland was at risk of contravening the Medicare agreement. That so concerned then Federal Health Minister Carmen Lawrence that in June 1995 she wrote to her Queensland State Health counterpart, Jim Elder, expressing her concerns in this regard.

Once again, what do we witness? The Beattie Labor Government has returned to the bad old days of the health mismanagement of the Goss Government and is withdrawing vital funding from a seriously depleted health sector. This is scandalous mismanagement and it is obscene. Some of the most vulnerable people in the State are not being given the urgent attention that they need because this Government is shovelling money into district budget black holes.

The coalition Government was committed to improving mental health through better facilities and funding. As well as boosting funding for mental health services, in its last Budget brought down on 14 May 1998, the coalition boosted mental health funding by a $27m increase in recurrent funding which was to provide staff, new acute mental health units and increased mental health services. Additionally, the coalition Budget provided $20m for capital improvements to mental health facilities across the State. It was a record level of funding that highlighted the coalition's commitment to improving mental health services throughout Queensland. Most importantly, under the coalition Government a ministerial directive was given that the mental health budget be identified and quarantined in the service agreements between corporate office and district health services.

It is imperative that the State mental health program be given top priority once again and that mental health funding is not threatened in order to meet other sector or administrative shortfalls. Withdrawing mental health dollars to prop up other sector shortfalls or to cover up mismanagement is tantamount to stealing. It simply must not be allowed to occur again.

Funding debacles as witnessed in Bundaberg must also not be allowed to occur again. The residents of Bundaberg are missing out on much-needed funding and services. Providing support for youth and adults in crisis helps to prevent or reduce the number of

attempted suicides, incidents of self-harm and substance abuse, and the worsening physical conditions of affected people. Preventive measures have previously led to reductions in medical admissions, which is tantamount to providing the ambulance at the top of the cliff rather than at the bottom.

Under the coalition Government, the 12-bed Adolescent Health Unit at the Royal Brisbane Hospital—which was, incidentally, widely announced by the former Goss Government although no funding was provided for it, so it could not be operational—was allocated $1.45m and became operational in July 1997. The Adolescent Health Unit was an important step forward in providing specialised care to young Queenslanders aged between 12 and 18 years. To provide the House with an indication of the demand and need for the unit, I point out that in the first five months of its operation more than 60 children were admitted and treated for eating disorders, self-harming behaviour and suicide, conduct disorders, schizophrenia and psychotic episodes and drug-induced psychoses. As well, the unit provided a truly Statewide service through the use of telephone and telemedicine facilities. Adolescence is a very difficult time and it is important that we as a humane society provide services that meet the needs of young people aged between 12 and 18 years.

Other areas that need to be targeted include training for health staff to meet the needs of young people, better coordination between services and encouraging more young people to access health services. However, none of those vitally important services and actions can be undertaken or implemented if funding is constantly withdrawn. In the area of mental health, there is still much work to be done. Even with the massive injection of funding provided by the coalition Government, mental health services in Queensland remain the most poorly funded in Australia. It is imperative that this Labor Government displays a commitment to the most vulnerable people in our society and promises to deliver boosted and quarantined—really quarantined—mental health funding in its next Budget.

In order to meet our obligations to national benchmarking under the 10-year national mental health strategy, as well as our ethical obligation to the people in most need, it is crucial to further our commitment to mental health. It is not the time to let the gains made by the coalition Government leach away by allowing previously announced funding allocations to be siphoned off into administrative black holes, as we have seen in Bundaberg under the Labor Minister. Today I call on the Beattie Government to ensure that mental health funding is significantly increased and that the delivery of mental health services be given top priority. I also call on the Health Minister to immediately quarantine mental health funding to prove that her commitment to mental health is not just loose lip-service.

Banks; Media

Mr REEVES (Mansfield—ALP) (12.19 p.m.): The events of the past two weeks illustrate that the banks are a law unto themselves. Although they are trying to squirm their way out of the deal they did with John Laws, the truth of the matter is that they just wanted to con the people of Queensland and New South Wales. The Commonwealth Bank is now trying to claim that it had no part in the deal, in spite of the fact that it approved it. It has released a letter stating that it disagreed with it; however, it approved it. Where do the banks get off? One minute they are spending over $1m not only to silence a high-profile critic but also to get that person to become their No. 1 supporter, and the next minute they are closing down branches all over Australia and, at the same time, putting up bank fees as quickly as we can say "keeping the dream alive".

An honourable member interjected.

Mr REEVES: That is exactly right.

The only dream that the banks are keeping alive is the nightmare they are becoming for the average customer. Last year people in the electorate of Mansfield were given only three weeks' notice that the Commonwealth Bank branch was closing down after 30 years' custom. That move not only was heartless but also showed no regard for the community of which the bank was trying to portray itself as a part. By its ruthless action, overnight the bank virtually wrecked an important strip of shops in the community of Mansfield. It was quick to take money off the people while the community was being built. However, once the community became settled the bank moved away.

Mr Musgrove: That's disgraceful.

Mr REEVES: As the member for Springwood said, that is disgraceful.

Mr Knuth: The same thing is happening in the country, too.

Mr REEVES: That is exactly right; it is happening all over Australia. In every rural town in Australia the banks are pulling out. At

Mansfield the bank did not even have the heart to leave the automatic teller machine in place. Instead of being able to walk to the shopping strip to do their banking, the elderly now have to catch a bus.

Mr Knuth: They haven't got a heart.

Mr REEVES: That is a good point; the banks do not have a heart.

When will the banks wake up to the fact that, if they really want to be part of the community and get community support, they have to act as part of the community? They should forget about doing a grubby million-dollar deal with a popular radio announcer and instead act as good corporate citizens by working with local communities and not against them.

Mr Knuth: Put people before profits.

Mr REEVES: They should be putting people before profits. At a protest rally one Thursday lunchtime outside the Commonwealth Bank in Queen Street one of our signs read "Put people before profits".

Mr Roberts: You can't bank on the banks anymore.

Mr REEVES: That is exactly right. I think Ben Chifley might have been right.

The latest PR disaster should illustrate once and for all to the Federal Government that the banks cannot regulate themselves. I believe the time has come for the Federal Government to regulate for community obligations in respect of the banks. To hold a licence to conduct a bank is to hold a unique and privileged position in our society. It is up to the Federal Government to put these responsibilities back on the banks, similarly to the way in which it champions Telstra's community service obligations. The Federal Government is always saying, "We're putting social and community obligations on Telstra." It is now time to put similar obligations on the banks.

Mr Musgrove: Howard is probably squibbing like he did with the code of conduct.

Mr REEVES: That is probably right.

If we allow these banks to continue to be a law unto themselves, they will no doubt sink even lower than they are at present. They must be called to account and forced to meet certain community obligations. It is appalling that the banks are giving communities such as mine and those in many rural towns throughout the country only two to three weeks' notice that their one and only bank is leaving the area. What type of planning can take place in towns and communities to counteract such moves?

Government members interjected.

Mr REEVES: Those are all good ideas.

However, I have news for some of the banks. Some of these towns are fighting back. More importantly, I know of other communities which, even though they have banks in their area, are examining community banking options. If the banks do not pick up their service level and image in the community, it will not be long before the community gives the banks the heave-ho, not the other way around.

We now hear that the National Bank is tape-recording credit applications over the phone.

Mr Mickel: That's outrageous.

Mr REEVES: It is outrageous.

Mr Mickel: Phone tapping.

Mr REEVES: This is phone tapping at the corporate level. This is yet another move that will sink the image of the banks further into the mire. Their argument is that they are trying to cover themselves against customers giving incorrect information. What a joke! We all know that, even if a credit card is applied for over the phone, applicants have to fill out and sign forms as proof of the information given.

An honourable member: You should ring John Laws and tell him that.

Mr REEVES: The problem about the John Laws of the world is that they no longer accept calls from people bagging the banks—that is, unless you can pay them more than $1m. All this is about is putting more undue pressure on the average consumer. I will bet the banks do not record credit applications by customers from the big end of town. When people such as John Laws or Allan Jones ring their mates in the banks to apply for credit, the banks will not ask whether the call can be recorded.

A Government member: When do they need credit?

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! If the honourable member for Mansfield needs help, he will ask for it. Honourable members will let him get on with his speech.

Mr REEVES: The Federal Government must call the banks to account. They must be forced to meet a number of community service obligations similar to those imposed on Telstra. The banks would do themselves a lot more—

Mr Mickel interjected.

Mr REEVES: That is a very good point. We need safer ATMs. I have heard the honourable member for Logan speaking in this place about ATMs, in particular about safety issues and access for people in wheelchairs. That is an excellent point. Those are the types of community obligations that the Federal Government must force on the banks. They need to become good corporate citizens. The banks would do themselves a lot of good in the eyes of the community if they developed these obligations with the Federal Government, instead of doing grubby deals with the John Laws of the world. If they really want to keep the dream alive, they should get into bed with local communities, not the media.

For years, especially over the past year and a half, the media have attacked Federal and State parliamentarians over conflicts of interest in their business dealings. The simple fact is that every member of this Parliament has to declare his or her interests. Similarly to what some other politicians have said over the past week, I suggest that it is about time the media followed suit. I know that certain people associated with my local newspaper have different business interests. However, they do not have to declare those interests. It is very important that all people in the media declare their interests. During our speeches, honourable members from both sides of the House declare their interests. It is about time the media did so as well, especially in respect of their editorial comment.

Mr Mickel: And the business columns.

Mr REEVES: And the business columns.

Mr Knuth interjected.

Mr REEVES: I am in the same position; I am just a battler. I do not have too much to declare, apart from membership of local clubs.

Mr Mickel: But they're richer because you're there.

Mr REEVES: That is exactly right.

It is about time the members of the media grew up. They are quick to condemn and attack parliamentarians. If they have evidence to prove their claims, they should put it forward. However, at the same time they must declare their interest.

Mr Hayward: Are you putting out a press release?

Mr REEVES: Even if I put out a press release, it will not be reported. It is about time that not only the banks but also the media became good corporate citizens.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! The time for matters of public interest has expired.

FEDERAL COURTS (STATE JURISDICTION) BILL

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (12.29 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act relating to the ineffective conferral of jurisdiction on the Federal Court of Australia and the Family Court of Australia about certain matters."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (12.29 p.m.): I move—

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

This Bill is a response to the recent High Court decision that State Parliaments cannot confer jurisdiction on Federal courts and that the Commonwealth Parliament cannot consent to the conferral of State jurisdiction on Federal courts.

The decision was handed down on 17 June 1999 in the matters of re Wakim; ex parte McNally, re Wakim; ex parte Darvall and re Brown; ex parte Amman which considered the validity of the cross-vesting provisions of the Commonwealth Corporations Act 1989 and the Commonwealth Jurisdiction of Courts (Cross-vesting) Act 1987. The majority of the High Court held that Chapter III of the Commonwealth Constitution operates to limit the jurisdiction that can validly be conferred on Federal courts.

The decision does not affect decisions made by State and Territory Supreme Courts exercising jurisdiction which has been conferred by Commonwealth laws or the laws of other States and Territories. The Commonwealth and all the States and Territories had unsuccessfully intervened on the hearing of these matters to support the cross-vesting schemes. The High Court decision means that past decisions of the Federal Court and Family Court of Australia,

which were made purely in reliance on cross-vested jurisdiction, are liable to be set aside as invalid. It will prevent the further exercise of such jurisdiction by these courts.

The decision has implications not only for the general and corporations law cross-vesting schemes, but for certain other State laws which purport to apply Federal law as State law and confer jurisdiction on the Federal Court. These mainly involve Commonwealth/State cooperative schemes such as the agriculture and veterinary chemical scheme, the gas pipeline scheme and the National Crime Authority scheme. The objects of the Bill are to—

(a) provide that ineffective judgments of a Federal Court in relation to State matters are taken to be judgments of the Supreme Court;

(b) provide for the transfer to the Supreme Court of current proceedings in Federal courts in relation to State matters; and

(c) enable State courts to deal with matters that arise under applied law schemes that would otherwise have been dealt with by a Federal Court.

The Bill achieves this by declaring that the rights and liabilities under an ineffective judgment of the Federal Court or Family Court, including judgments of the full Federal Court or full court of the Family Court, which were made in the purported exercise of jurisdiction conferred by State Acts are the same as if the judgment had been validly given by the Supreme Court. This will allow such judgments to be enforced in the same way as judgments of the Supreme Court. The Supreme Court is also given power to vary or otherwise deal with any such rights and liabilities. The Bill also provides a mechanism for the transfer to the Supreme Court of current proceedings in Federal courts which are affected by the High Court decision.

When a Federal court determines that it has no jurisdiction to hear the State matters, a person who is a party to such proceedings may apply to the Supreme Court for an order that the proceeding be treated as a proceeding in the Supreme Court. If such an order is made, the proceeding becomes a proceeding in the Supreme Court and treated as if the proceeding had been commenced in that court.

This Bill is based on model legislation that was developed by the Standing Committee of Attorneys-General in collaboration with the Special Committee of Solicitors-General and the Parliamentary Counsel's Committee. It was intended that the model legislation would be followed in all States. With the exception of Victoria, other States have now either passed or introduced similar legislation.

The Bill makes a consequential amendment to the Competition Policy Reform (Queensland) Act 1996 by repealing section 22. This will remove the prohibition on State courts exercising jurisdiction with respect to matters arising under the Competition Code and will allow State courts to deal with matters that would otherwise have been dealt with by the Federal Court.

I commend the Bill to the House.

Debate, on motion of Mr Springborg, adjourned.

NATIVE TITLE (QUEENSLAND) STATE PROVISIONS AMENDMENT BILL

Second Reading

Resumed from 26 May (see p. 1946).

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the National Party) (12.34 p.m.): This is one of the most extraordinary pieces of legislation to come before this Parliament. It is a total rewrite of the cornerstone of the State-based native title regime that this House thought it dealt with—did deal with—in November 1998. Eight months later we confront a total rerun in what I believe is a most dishonest format.

We have now received an explanatory memorandum in the context of the amendments to the Native Title Bill, but they are only the amendments which have occurred since the Bill was presented to Parliament. Here they are—another 80-odd pages. I am sorry, I do the Premier a disservice—95 pages. It remains the case that we do not have a list, let alone an explanatory memorandum, of the 200 or more amendments of the 1998 version of the Bill. So what we have is 200 amendments before the House and 95 pages of explanatory memorandum in regard to amendments that are going to be moved before the Committee. I would suggest that this is close to unprecedented in the way the Parliament is being treated.

This Bill represents, among many other things, a travesty of the Parliamentary process. It is an attempt at a sleight of hand by the Premier. There is no accountability. There is no transparency. What we are confronted with is literally hundreds of amendments to a Bill passed as recently as November 1998. However, apart from a handful, they are simply

not identified. The Premier has presented this Bill as if it were not an amending Bill. It is a disgracefully—and I suspect very deliberately—sloppy way in which to present legislation to this Parliament.

The Scrutiny of Legislation Committee has seen right through it. It has torn it to shreds. This Bill, in the way that it has been presented to the Parliament by the member for Brisbane Central, is an insult to the Parliament and it is a massive admission of incompetence by the Premier, who has continued to make the patently false, patently dishonest claim that he has "fixed" native title. The proof of the absurdity of that ridiculous claim is before us.

This Bill is indisputable proof that in 12 months this Premier has fixed absolutely nothing in relation to native title. None of the previous Bills that have been passed by this Parliament has meaning without the establishment of a workable State-based regime to order it and to administer it. That is what the Bill in November last year sought to establish. It is what this Bill now seeks to establish after the comprehensive miscarriage of that effort last November. Twelve months into this Government—this do-nothing Government—we do not have mechanisms in place for dealing with native title. Twelve months on we are still months away, at best, from the establishment of that regime.

The Premier's second-reading speech on this legislation was totally inadequate for such a comprehensive and significant Bill. It told us virtually nothing. In fact, it was tailored to serve as an excuse for a serial buck-passer to try to duck responsibility for what is without doubt the largest number of amendments to a Bill so recently before the Parliament in the history of the Parliament. The bulk of his speech was an effort to blame somebody else. It is always someone else's fault.

The Premier wants to blame the Commonwealth for his own incompetence. He claims the reason that almost his entire native title package—certainly the core of it—is back before the Parliament is because of the Commonwealth and that, I submit, is an untruth. This Premier has established himself inside a year as probably the most blatantly dishonest person to have held the office since Statehood. His bid to blame the Commonwealth is a transparent cover-up.

The truth is that it has always been the responsibility of the Premier to ensure that any State native title legislation brought to this House adequately and appropriately complemented the Commonwealth legislation, and that is nothing new. That was the requirement on the State in relation to its response to the original Native Title Act. It is the case with the Native Title Act as amended to take into account the Wik-based changes.

The fact is that the Commonwealth has the right under the Constitution to make laws concerning race. It has an ability to enforce "special measures" in relation to Aborigines. But the Commonwealth does not and never has had responsibility in relation to land management, other than in the context of Commonwealth land.

Land management is and always has been the responsibility of the States and it is land management issues that are at the heart of dealing with native title. Thus it was the responsibility of the States to ensure that their land management systems were viable in the context of the native title issues put forward by the Commonwealth. That is not buck-passing by the Commonwealth. It is a simple and direct requirement if States are not going to abrogate their responsibility in relation to land management.

The Premier cannot duck comprehensive responsibility for what is perhaps the most comprehensive legislative stuff-up in the history of the State. It is all his own work. He has failed to meet the minimum requirements of the Commonwealth legislation. The Commonwealth has had to point that out to him by the hundreds of instances, and another 85 amendments are to be moved in the Committee stage today. The end result is extraordinary delay. The end result is a continuation of uncertainty for all players. All other avenues by which the serial buck-passer seeks to attack the Commonwealth on the failure of Queensland to now have in place a workable native title regime are just as invalid.

The Premier claims globally that it is the Prime Minister who is causing the delays in the resolution of native title, that it is the Prime Minister who has been dragging his feet, that it is somehow the Prime Minister's fault that two and a half years after the Wik decision was handed down we still do not have a workable regime in place in this State to reflect the impacts of that decision. Nothing could be further from the truth. Coming from a member of the Australian Labor Party, the proposition is absolutely breathtaking.

The fact is that the Commonwealth had a response to the Wik decision before the Commonwealth Parliament over 18 months ago—over a year and a half ago. The principal reason that legislation did not pass the Senate in a sensible form in December 1997, in March

1998 or in June 1998 is not down to the Prime Minister. It is not down even to the various loopy senators from the Democrats, the Greens or the Independent Tasmanians who haunt the Federal Upper House. It is down to the fact that the Labor Party in the Senate deliberately and repeatedly blocked sensible resolution of these issues. It is down to the fact that Kim Beazley abrogated his leadership on this issue and allowed the extreme Left of the Labor Party in Canberra—the likes of Nick Bolkus in the Senate and Daryl Melham in the House of Representatives—to run on this issue and to block the resolution of this issue.

The result was that Labor in the Senate fought to block or to comprehensively amend each and every element of the 10-point plan from the beginning to the end of the Federal parliamentary process. That is why it took John Howard until July last year to get a plan through the Commonwealth Parliament. Labor was blocking the potential for any valid, reasonable resolution.

One of the galling dishonesties of the member for Brisbane Central is that the previous coalition Government here in Queensland did not fix it. Of course, we could not respond until the legislation was through the Federal Parliament. Who was the member in this place who moved a procedural motion to ensure that the previous Queensland coalition Government could not pass the legislation ahead of the Federal legislation being proclaimed? It was the member for Brisbane Central, the current Premier! That is another act of blatant political dishonesty.

It took Paul Keating 18 months just to get the original Native Title Act before the Parliament. It took John Howard 12 months to get the replacement Act, after the earthquake of Wik, into the Parliament. Very clearly, his scheme could have been in place at the beginning of last year. By the middle of last year we could have had a viable State-based regime up and running in Queensland so that we could finally address the logjam in relation to land dealings in general and mining tenures in particular. But Labor sabotaged that process in the Federal Parliament for the best part of nine long months. Because of that sabotage, we did not have a Commonwealth template for the States until July last year.

Enter the member for Brisbane Central. He said that he was going to fix the problem. He says that he fixes everything. He was going to fix it all but instantly. He had a timetable, he told us. He had a strategy. He had a plan. Of course, it was all going to be over by September—1998, not 1999. Of course, all but the elements we left in pretty complete readiness have turned to mud. Despite an extraordinary lack of understanding of what he was doing, he did get validation dealt with. Despite an extraordinary lack of understanding of what he was dealing with, he did get confirmation dealt with. The proof of his incompetence in relation to the rest of the plan—the rest of the strategy, the rest of the timetable, the "I'll fix this in five minutes" boasts of the Premier—is around his ankles in this House today. He is an honest man, he says, but he claims that he has fixed native title. One of those boasts is wrong.

Twelve months after the Commonwealth set down the blueprint, with a full year to work with the Premier still has not been able to get it right. He missed the mark literally hundreds of times. As I understand it there are now scores more amendments—the best part of another 100—since the Bill was presented to this House just a few weeks ago. So with a full 12 months to work with, the man who behaved and postured as if he needed 12 minutes has delivered here probably the most comprehensive legislative mess this State has ever witnessed—a Bill which has so many amendments that he does not dare tell us how many.

The Premier does not even want to tell us what the amendments are. He tries to cover up the scale of his incompetence. He does not want to do that because it would appropriately be one of the most validly embarrassing spectacles in the history of this Parliament—vividly illustrating incompetence on an extraordinary scale. If the Premier were even passingly honest, he would have to stand there for hours on end detailing the amendments. If the Premier were accountable, he would have to stand to his microphone and eat humble pie hour after hour after hour after hour. He should do just that. This legislation is too important to be prostituted to protect the ego of the member for Brisbane Central. The House deserves to be treated with respect and not abused merely to lessen the bruising of the ego of the member for Brisbane Central.

Many of the amendments may well be technical—it is clear that many are—but some are not. We are dealing with the future of the mining industry in this State. We are dealing with the cutting edge of native title in relation to its impact on pastoral land. We are dealing with finally establishing for Aboriginal people just what are the parameters of the native title that the High Court said in Mabo and in Wik was theirs. Until this matter is resolved, the uncertainty that has dogged land dealings in

this State since June 1992 is going to drag on and on.

The only way for the Premier to conduct himself is to confront the realities. The House deserves to have these amendments dealt with respectfully and respectively. That would not be a waste of time. Indeed, it would probably be a short cut, because if the Premier gets it wrong again this time then the chances of a workable resolution of these issues, the chances of Queensland achieving a workable regime for the massive backlog of business that has been building steadily since 1992, go even further into the distant future than is the case now. That situation is bad enough and gives rise to another of the Premier's lame excuses—another of the ways in which he identifies himself as the most chronic serial buck-passer in Queensland political history, with just 12 months' tenure under his belt.

There is the crucial issue of mining tenures and the mining industry. Literally thousands of tenures have been held up in this State since the Wik decision. And there is a simple explanation for that. In the wake of the Wik decision, we had an Act which was comprehensively out of kilter with the common law and with commonsense. The sensible thing was to amend the Act to take into account the massive variations in the common law relating to land tenures in this country made by the High Court.

In the meantime, the difficulty of dealing with tenures was immense. It would have been a nonsense to have exposed mining companies, Aborigines and the Government to processes that were very likely to become redundant—if not indeed invalid—in the wake of a legislative response to Wik. That constraint should have been a temporary measure—a very short-term measure. But that, of course, did not take into account the ability of the Labor Party to obfuscate in the Senate and to delay a resolution. So the constraints on dealing in such titles were immense. And indeed, in this context we have another example of the real standards of honesty and sincerity of the Premier on one of the most real of all the impacts of native title uncertainty.

What the Premier said in his second-reading speech during his first go at this legislation last year was that he was "appalled" at the fact that the coalition Government—my Government—had stopped dealing in mining tenures. The logical expectation of the behaviour of this Government, one would have assumed from that comment, was that, at the time he was making that statement in the House last year, the constraints on the issue of mining tenures would have been long lifted; that the Premier would have found some magical way around the problems; and that between the election of the minority Labor Government last June and November, when the Premier gave that speech, there would have been a turnaround in that policy. There must have been a massive effort to clear the backlog of mining tenures to force mining ventures into Century-style right-to-negotiate processes on whatever tenure they were proposed; that we would have seen a rush to give small gold and tin miners their leases; and that we would have seen all high-impact exploration activity going through the right to negotiate. But we did not.

The man who said he was appalled at our approach adopted it, and then said he would not. This Government has made no impact on the backlog whatsoever. So the policy that appalled the Premier in November had been his policy for six months, and what appalled the Premier in November remains his policy to this day—although I understand that, in just the past few days, in order to reduce the magnitude of his embarrassment, he has let a few slip through. That is another indicator of the standard of honesty of the member for Brisbane Central.

I also note the fact that the Premier, in another baseless attack on the Prime Minister recently, said this particular issue—concerning his inability to issue mining leases—was all because the PM had not fixed native title. Wrong again! The fact that the Premier has not been issuing mining leases has nothing whatsoever to do with the Prime Minister. It has everything to do with the fact that the Premier has been unable to put before this Parliament, in anything like a timely manner—in the manner that was promised—legislation capable of establishing a viable regime for dealing with mining titles post-Wik. And that is another of the costs of the Premier's incompetence as displayed in this Bill.

Without this legislation in place, we cannot have a Land and Resources Tribunal. Without a Land and Resources Tribunal, and the associated processes, there is no decent format for validly dealing with mining titles. That will remain the case until the Premier gets his act together and for some months after. And when we do have a tribunal, and we do have the processes, they will not be the processes Queensland needs. The best that can be said is that they are processes. They represent a means of at least establishing some parameters for all stakeholders. To that

extent, they are slightly better than a continuation of the Premier's year-long vacuum and the vacuum in timely procedures for dealing with these issues that has existed, thanks to the Labor Party and the Labor Party alone, since July 1992.

Our problems with this second presentation of the bid to establish such a regime remain as they were first time around. They are fundamental. They still revolve around the right to negotiate. The right to negotiate, in essence, has nothing whatsoever to do with native title. Labor's historical preoccupation with giving Aborigines a massive say over mining developments is what explains the right to negotiate. Pre-Mabo, Labor policy on mining on Aboriginal land was, for a considerable period from the early 1970s, for an absolute veto right for Aborigines over mining. And that was one of the earliest aspects of the intellectual poverty, the dishonesty and the blinkered approach of Labor to these issues. And it is the principal reason the passage of this legislation will be a very mixed blessing for this State.

The whole approach was built on a way of ensuring that the people who paid for Labor's policy on native title were those who filled two criteria. They were perceived to have a capacity to pay, and they were well outside the city limits. Therefore, the problem was placed a long way from their own hip pockets. Those chosen by the Labor Party to pay for their guilt in relation to Aborigines were the miners and the pastoralists. And that is a nonsense. The Mabo judgment was simply an excuse for a policy excess that remains the central flaw in native title laws in this country and became a massive flaw in the wake of Wik. We will go through it once again.

The right for Aborigines to negotiate over mining was perceived in the 1993 Native Title Act as applying to land where no person other than the Crown had rights to the land. The presumption of the day was that the right would therefore apply only on vacant Crown land—nowadays called unallocated State land—because that was perceived to be the only tenure on which native title might have survived. The right engaged procedural rights that were way in excess of the rights that any other Queenslander has ever had in the context of mining on their land. And it begs the question: why should Aborigines achieve rights way in excess of those available, historically, to anybody else? And the answer is: because that was as far as Labor was prepared to go in 1993 towards the 1970s vintage policy of a full veto of mining for Aborigines. It was what Labor thought the metropolitan market might bear.

Talk about formal equality versus relative equality of rights is a smokescreen. It is Labor policy which is the genesis of the right to negotiate. It did not mean much in Queensland at the time of the passage of the original Act because, with only a very small proportion of our State as unallocated State land, the assumption was that the right to negotiate would rarely come into play in this State. What changed that was the Wik decision, because what the High Court said in Wik was, in the final analysis, in fact, more adventurous—more interventionist—than what was said in Mabo.

The presumption in Mabo was that native title had been extinguished over the great bulk of the Australian land mass by inconsistent dealings in the land by Government; that wherever there had been a grant of a title inconsistent with the continued existence of native title, native title was extinguished to the extent of the inconsistency. And in Mabo, dealings which totally extinguished native title were said to be any dealing which granted freehold rights over land and most leasehold rights over land. In fact, the earliest views of the Keating Government were that even mining leases extinguished native title.

In Wik, that view of exclusivity attaching to leasehold was reversed to the extent that the long-established principle that a lease was a grant of exclusive possession—which therefore necessarily extinguished all native title—was overturned. What the court held was that grants of pastoral leases were not grants of leases—as long understood by the common law and by anybody who has ever held a pastoral lease—but were "mere bundles of statutory rights". On that basis, the court said, all native title rights were not necessarily extinguished by the grant of a pastoral lease, and what remained might coexist with the rights of the pastoralists where those rights did not clash. Of course, one of the most significant impacts of that massive reinterpretation of the land law was that the potential reach of the right to negotiate in relation to mining expanded dramatically, particularly in Queensland.

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

Mr BORBIDGE: Instead of having a potential application to the 2% of the State that is unallocated State land, it now has application to the 75% or so that is leasehold. That meant that, whereas under the original Native Title Act virtually no mining project in

this State would confront the right to negotiate in Queensland, post-Wik we had a situation where almost every project would confront the right to negotiate. It also enlivened many claims over pastoral land.

In constructing the Wik amendments, the coalition, with the support of most of the States, took the view that this was absolutely ridiculous; that what was going to be the impact of Labor's insistence on a near veto for Aborigines over mining projects was that we would have a situation where pastoral leaseholders would have fewer rights in relation to mining on their land than Aborigines would have in relation to their co-existing rights on that same lease. The pastoral rights were the stronger before the law because they were statutory rights, but the co-existing native title rights would attract the greater procedural rights. That was, of course, discriminatory. It was inequitable. It was silly. It was fantastically damaging.

We saw massive resentment in the bush. We saw a collapse in mining exploration. We saw no benefits emerging for Aboriginal people. What the Commonwealth sought to do in the Wik amendments was to remedy that ridiculous state of affairs brought about by the policy excesses of Paul Keating and Wayne Goss. The Commonwealth sought to establish a regime whereby there would be equal rights before the law for native title holders and leaseholders. Ultimately—and thanks again to the Labor Party—the Commonwealth was only partly successful.

Labor resisted any change whatsoever to the right to negotiate processes in the Wik amendments—and so did the Democrats, the Greens, and Senator Harradine for much of the Wik debate in the Federal Parliament. Senator Harradine finally let through the Senate a set of procedural rights for Aborigines—where mining was proposed on pastoral leasehold—that were somewhat in advance of the rights available to leaseholders but at least fell well short of the right to negotiate.

Labor's resistance, however, was complete to the end. What the States had at the end of the process was an ability to put in place in their land management regimes a set of rights for Aborigines that were pretty close to those available to all other title holders. Alternatively, States could keep the full-blown right to negotiate if they so chose.

Of course, it is no surprise that what the Labor Party did, in both jurisdictions where it had the capacity to do so, was to retain the full-blown right to negotiate in line with long-held policy. Labor had learned absolutely nothing about the damage it was doing to industry and the damage it was doing to reconciliation. In New South Wales the outcome has been achieved via a decision to do nothing: to simply leave the Commonwealth Act in place and forsake the establishment of the State-based regime. In Queensland that has been clumsily attempted in both the previous Bill and this Bill by retaining the full-blown right to negotiate for mining on pastoral land.

In 1993 we objected to the right to negotiate on the basis that it was clearly discriminatory and constituted a gratuitous burden on the mining industry and underscored a massive discrimination against pastoral leaseholders. We continued to reject it in the negotiations with the Commonwealth throughout the latter half of 1996 and for most of 1997 for precisely the same reasons. With several other jurisdictions, we fought hard to strengthen the Commonwealth's resolve on the issue of equality of rights, and that was ultimately explicit in the 10-point plan. We again objected to the right to negotiate when the Premier made his first effort to pass legislation similar to this some months ago.

We reject it now. It is discriminatory. It is inequitable. It will stunt mining development in this State. It will deepen the growing divide between Aborigines and other Australians in the bush. It will deepen the divide between the city and the country. It will contribute mightily to bitterness. It will institutionalise a massive inequity. It will be poison to reconciliation where it most matters. It is therefore totally counterproductive. It is to the massive discredit of the Labor Party that it cannot see this. It is to the massive discredit of Labor Party members that holding their heads up among the chattering classes remains more important than establishing a genuine and sensible framework for reconciliation and for land administration.

The maintenance of the right to negotiate in this Bill will continue to expand its impact as a disaster area for the future of the mining industry in this State. Exploration expenditure in Queensland has already plummeted, and has been plummeting ever since native title reared its head. The number of projects in the pipeline is therefore reducing dramatically. Beyond the next few, which managed to slip through or scramble through, there is nothing happening. I am not aware of any major new projects—those that should now constitute the maturing next wave.

The decision to retain the right to negotiate, enshrined in this Bill, is therefore all the more ridiculous as a deliberate policy decision. The Premier knows what the impact has been. He has had very ample warning of the inevitable impact of what he seeks to maintain via this Bill. He has simply had to watch what has been happening to the industry over the past few years. He knows the massive barrier he is placing in the way of future mining development in this State.

Indeed, he knows it better now than he knew it some months ago. He has had the benefit of a fresh flow of advice on the point since the passage of this Bill's alter ego last time. Yet he has failed to take the opportunity that the false start provided. He wilfully retains the right to negotiate in this Bill. What is now apparent is that this Bill extends the right to negotiate to cover mining lease renewals. That is another massive blow to the mining industry.

Honourable members will recall the very great play the Premier made in claiming a major victory in relation to the right to negotiate by implying that he had achieved from his Federal colleagues a concession that they would drop their insistence on its application to mining lease renewals. That was a major point, as honourable members might imagine, with the industry. The Premier claimed that he had achieved that outcome. As is so often the case, he had not—another display of the honesty of the member for Brisbane Central.

Anyone who looks to the words of Senator Bolkus or the text of the amendments to the Commonwealth's position on this issue in November/December 1997, in March/April 1998 and again in June/July 1998 will see that Federal Labor's insistence on a right to negotiate on renewals was totally unbroken throughout the entire process. Federal Labor took no notice whatsoever of the Premier. He was ignored.

The situation that now prevails in this Bill is that the exemption from the right to negotiate will apply only to pre-1996 renewals, and then only where the renewal engages no longer term and no conditions that are additions to those applicable to the original grant. Renewals of leases granted after 1996 will be subject to another right to negotiate on renewal. I understand that the Premier claims this to be the fault of the Commonwealth: that its effort to establish a regime whereby States could ensure there would be no right to negotiate on the great bulk of renewals miscarried in the Commonwealth Act. I will be interested to hear the Premier's detailed explanation of that in Committee.

If he is right—and I certainly do not concede that ahead of hearing his complete explanation and putting it to the test—then he essentially underscores the folly of engaging the right to negotiate in his State-based regime in the first place. He did not have to enable a right to negotiate in this Bill. He could have opted for the 43A procedures—which are certainly less onerous for the mining industry and for the State than the right to negotiate—while, via the Harradine package, still giving Aborigines rights somewhat in advance of those available to any other stakeholder. If the Premier had taken that opportunity, then, even if he and his advisers are right on the basis of some need for reconsideration of native title issues on renewal because of flaws in the Commonwealth scheme, at least the reconsideration would be in terms of 43A and not in terms of the right to negotiate. The difference could be crucial.

Under the current terms of the Bill miners, who have previously understood that the right to negotiate would be on the basis of one right to negotiate per project under the State regime, now confront a situation where they have to consider a second right to negotiate on renewal. The fact that that renewal may be 20 or even 30 years down the track and therefore not worth worrying about is simply no comfort. Miners will take the long term into account before they even consider seeking an exploration permit. If they have the view that they will confront not one but two rights to negotiate, then some at least will simply go elsewhere. That will have long-term impacts on the economy of the State.

It will also underscore the inherent inequality flowing from the right to negotiate and Labor's original folly of using Mabo as an expedient excuse to put in place a policy in relation to Aboriginal authority in terms of mining that it has held dear since the early 1970s, because it will again emphasise the basic inequality inherent in the right to negotiate in relation to the rights of pastoralists. When leases are renewed, Aborigines will get a second bite at the cherry; pastoralists will not. The members opposite have dug a very deep hole for themselves, for this State and for reconciliation with their insistence on applying the right to negotiate to mining projects on non-exclusive tenures in Queensland.

Of course, the impact of the right to negotiate on mining is only one aspect of the way in which the normal business of this State will continue to be massively impeded. At the other end of this spectrum is a beekeeper who

cannot build a processing plant at Quilpie because native title might exist over the local industrial estate. The outcomes of this whole episode are absolutely ridiculous.

The coalition is at the end of its patience with the incompetence of the member for Brisbane Central on this issue. We have had this entire debate before. We had it as recently as last December. The most important thing for Queensland now is to get this Bill through the House as promptly as possible in the hope that the Premier has finally got it right so that there is at least some semblance of a system for going forward, as massively imperfect as it is. Labor's roadblock to land administration in this State has to come to an end. Therefore, the coalition will not unduly prolong the second-reading debate.

I will close my part in it with these remarks. Jointly, the Labor Party and the High Court have foisted upon this country one of the greatest and most divisive follies in our history. Labor used Mabo as an excuse to put in place a warm inner glow reflection of its long-held fairies at the bottom of the garden attitude to land rights. They simply did not care that the approach reached into every nook and cranny of land management in this country, adding layer upon layer upon layer upon layer upon layer of bureaucracy to even the simplest of land dealings. Governments are now irrevocably committed to land management regimes that are all but unworkable. We literally do not even have that form of land management system in this State currently, thanks to the serial incompetence of the Premier. Western Australia does not have it, because the Labor Party in the Upper House in that State is as ridiculous as the Labor Party was and is in the Senate. The Northern Territory does not have it, thanks to the Labor Party. In other words, in those massive areas of this country where native title is most cogent, there remains an extraordinary vacuum in land administration.

The prognosis is equally bleak. The original fairies at the bottom of the garden, the Australian Democrats, are now in control of the Senate and I would suspect that even the member for Brisbane Central's almost pure Labor version of native title, as reflected in this Bill, will be in all sorts of trouble getting past them. That is the achievement of the Labor Party and an interventionist High Court in relation to the workability of this society. That is their achievement for the Aboriginal people—a warm inner glow over a glass of chardonnay shared with the chattering classes and a total, absolute mess for everybody else, including the Aboriginal people of this country. The Premier should address his amendments one by one. As the Scrutiny of Legislation Committee makes very clear, the way in which the Premier has presented this legislation indicates that the only way he can adequately explain it is during the Committee stage.

Mr NUTTALL (Sandgate—ALP) (2.45 p.m.): I wish to take this opportunity to draw members' attention to a very important aspect of the Bill that is before us. That aspect relates to how compensation for the impact of a mining tenement on native title is to be dealt with under the alternative State provisions. The relevant provisions of the Bill are contained in what is to become Part 18 of the Mineral Resources Act. At its simplest, where the native title holder and the proponent cannot reach an agreement about compensation for the impact of a mining tenement on native title, the tribunal must deal with the issue of compensation. Of course, the tribunal to which I refer is the Land and Resources Tribunal.

In that regard, the tribunal can make two major types of compensation decisions. The first is a compensation trust decision, which is defined in what will become section 706 of the Mineral Resources Act. The definition of a compensation trust decision means that it is a decision of the tribunal about the payment of an amount of money to the tribunal, which will be held in trust for any entitlement to compensation for the doing of the relevant act. The second compensation decision that the tribunal can make is a straight-out compensation decision. This is also defined in section 706 of the Mineral Resources Act. A compensation decision means a decision of the tribunal other than a compensation trust decision which provides for the payment of a sum of money to be paid to a registered native title body corporate.

Section 707 sets out in legislation the entitlement that a person claiming native title has a legal right to be compensated for the effect on that person's native title rights and interests. Importantly, section 707 also notes that this entitlement to compensation is limited to a right to be compensated only once for the same effect of what is essentially the same act. It is clear from the scheme provided by Part 18 that it is the Government's policy to encourage proponents and the native title parties to settle issues of compensation by agreement just as it is the Government's policy that other issues regarding native title are best dealt with by negotiation and mediation resulting in agreement. This view is reinforced by the wording of section 709, which provides the procedural avenue whereby the proponent or the native title holder may apply to the

tribunal to determine compensation only after they have attempted to reach an agreement on compensation.

Many people who read this legislation for the first time may wonder why it is necessary to distinguish between a compensation trust decision and a compensation decision of the tribunal. To understand the need for the two types of decisions, it is necessary to appreciate how the Mineral Resources Act presently operates and the requirements of the Native Title Act. In that regard and in respect of the operation of the Mineral Resources Act, I draw honourable members' attention to the appendix to the Explanatory Notes. I thank the Premier for including these friendly summaries of how mining tenements are granted in Queensland.

As noted in the appendix to the Explanatory Notes, there are five different types of mining tenements in this State. They are prospecting permits, mining claims, exploration permits, mineral development licences and mining leases. Each has a different role to play through the rights and entitlement it provides to the holder of the tenement in the development of a mineral resource. The Mineral Resources Act provides that compensation, unless settled with the land-holder, is referred to the Wardens Court for determination and a decision of the warden may then be appealed to the Land Court. The amendments contained within the Land and Resources Tribunal Act, which were considered by this House earlier this year, when proclaimed will see these compensation matters referred to the Land and Resources Tribunal in the future.

Therefore, it is only appropriate that there be an extension of the existing practice that proponents be required to attempt to negotiate compensation with native title holders just as they must do with ordinary land-holders. The present requirement that attaches to mining claims and mining leases, namely, that compensation be settled with land-holders who will be affected before these tenements can be granted, will also apply to native title holders. That is, a proponent will be required, just as they presently are with non-native title land-holders, to enter into compensation agreements with native title land-holders. This requirement will extend to both the grant and the renewal of mining claims and mining leases. Where agreement cannot be reached, the issue of compensation will be dealt with by an application to the tribunal under section 709.

However, unlike ordinary or non-native title land-holders, native title holders fall within three major categories. It is because of these three categories of native title holders that it has been necessary for there to be two different types of decisions made by the tribunal, namely, the compensation trust decision and the compensation decision.

As members would be aware, there is no statutory definition of "native title" in this Act or, for that matter, any other Act. Instead, native title is defined and described by the common law. That is to say, native title holders hold their native title as recognised by the common law and not as the result of a statutory power or entitlement. What the Commonwealth Native Title Act did was to provide a process whereby the entitlements of common law native title holders could be integrated with statutory rights and statutory schemes. Therefore, the first category of native title holders, which is the over-arching and all-encompassing category, will be the holders of native title at common law. Existing within this category are the two other categories or subcategories. The first subcategory is registered native title claimants and the second subcategory is registered native title body corporates. Those two subcategories of common law native title holders, and the body corporates in particular, give special rights and procedural entitlements under this Bill with respect to compensation just as they are under the Commonwealth's right to negotiate procedures.

Whereas a native title holder at common law who is not a registered claimant or a registered native title body corporate or a native title holder who is a registered claimant may apply to the tribunal for compensation, the tribunal may only award a compensation trust decision. That is to say, until a native title holder at common law also has an approved determination by the Federal Court that native title exists, then that native title holder cannot receive any compensation from the tribunal. However, by making a compensation trust decision against the proponent, the tribunal ensures that a sum of money will be held in trust, which will then be made available through a compensation decision to the native title holder once they have an approved determination of native title.

In the event that the amount ordered to be held in trust by the tribunal under a compensation trust decision is not adequate to meet the amount that the tribunal finally awards to the registered native title body corporate under a compensation decision, section 721 makes it clear that the State

Government is responsible to pay any difference. Again, to reduce this to its simplest, the compensation provisions ensure that native title holders who are either registered claimants or are a registered native title body corporate in relation to the land are treated in the same way as ordinary land-holders. The proponent must seek to obtain the agreement of registered native title claimants or the body corporate about compensation for the impact of a proposed mining claim or mining lease on their interests in the land. I commend the Bill to the House.

Mr FELDMAN (Caboolture—ONP) (2.54 p.m.): The native title issue certainly has caused no end of confusion, uncertainty and outcry in Australia since it was first mooted, let alone since it was first mentioned. The native title concept is unfounded, confusing and ridiculous to the extreme, and it is certainly open to abuse. It is based on a court ruling by unrepresented, unelected judges and has been legislated by an inept and hijacked Commonwealth Government—a Commonwealth Government that is supposed to have limited control over State affairs yet increasingly manages to force States into adopting its solutions to issues and its legislation. This legislation is forced upon the States and we have no choice but to accept it, and that is not democracy.

Not only is the Commonwealth Government's control over this issue and the State Government's willingness to do its bidding disgraceful, so too is the way in which the legislation has been handled. Certainly one can understand the controls upon the legislation that have been set by the Commonwealth Native Title Act. However, the Premier's duty is to ensure that the legislation that comes before the House satisfies those Commonwealth requirements. In this instance, the Premier has clearly failed to do this.

The first Native Title (Queensland) State Provisions Amendment Bill, which we thought we had seen the last of back in November of last year, was obviously seriously flawed as it has been necessary to introduce the Bill that is before the House today. This Bill is similar in many ways, but it contains extra transitional provisions and additions to satisfy the Commonwealth Attorney-General. This Bill is just as ridiculous as the first in that it legislates for native title provisions in the Queensland mining industry. A rose by any other name would still smell the same, and smell this certainly does. Just when we thought we could not get any worse, legislation that was almost impossible to understand to begin with will be amended yet again. The Premier will be introducing another enormous pile of amendments to a Bill that amends a Bill that they could not get right in the first place, and that the Premier had already amended in Committee.

All sides of the Government have attempted to allay native title concerns since this debacle began. About the only comment that has been adhered to over the last few years has been that freehold land will not be touched. It will not be affected by native title claims and, therefore, suburban backyards are safe. However, the Government's recent State Development and Public Works Organisation Bill has shown us that they may not take one's backyard and hand it over to native title groups, but they can certainly take one's backyard and, for that matter, native title land from Aboriginals and hand it over to private enterprise companies that do not even have to be Australian. That is another prime example of hypocrisy.

It seems that there is a vast difference between what politicians would have the public believe and what is the case, and between what will happen and what actually happens. If a person discusses Aboriginal entry to a property at will and with no respect for the pastoralist, they will be told that that is nonsense and that it does not and will not happen. They will be told that they are spreading conspiracy theories to scare the community. Let me give the House an example of one case where just such an event occurred.

Mrs Nixon, who is a lessee at Shelburne Station in the Cook Shire, North Queensland was involved in an incident with an Aboriginal fellow in October last year. Mrs Nixon diarised the events beginning on 7 October 1998 when a Mr Pablo showed up claiming to be the traditional owner of land covered by her lease. He entered the property unannounced and, when located by Mrs Nixon, stated that he was waiting for a truck that was delivering parts of a prefabricated building that was to be constructed on the lease. After phoning the Department of Natural Resources, ATSIC, Family Services, the Cook Shire mayor, the national president of the Cattlemen's Union, the Native Title Tribunal, the Premier's Department, the Minister for Natural Resources and the Cape York Land Council's solicitor and chairman, the result was mixed.

The Department of Natural Resources and the family services department knew nothing about it. ATSIC had not funded it and the mayor said that no permits had been issued and that no permission had been

granted to construct any such building. The Cattlemen's Union gave some advice and offered some help. The National Native Title Tribunal stated that permission should have been sought before action was taken but suggested that they try to come to an agreement in spite of the fact that the legitimacy of the claim was yet to be established. The Premier's Department and the Minister for Natural Resources did not even have the decency to return any phone calls. The Cape York Land Council's solicitor was unavailable, in spite of six phone calls being made. The Cape York Land Council Chairman said that a development offshoot of the council had organised to build an out-station to take its people back to their land, and a contact name and number was given.

To cut a long story short, several days of repetitive phone calls and a lot of buck-passing produced no response from the Premier, the Minister or even the local member. Meanwhile, more prefabricated building parts were arriving each hour. In the end, after much frustration and argument, the building parts were removed. However, just when Mrs Nixon believed that it was all finally over, she was assaulted by an Aboriginal woman who told her to "show respect" for Aboriginal people because they owned this land. I will read the final part of Mrs Nixon's account, which states—

> "My family has held leases on Shelburne since 1960-61, Pablo and his group only became known to us in 1986. He was brought back to the sand dune area by other people"—

not Aborigines—

> "and told that the sand dunes are their sacred place in order to stop North Australian Silica from obtaining an export licence to mine the sand at Shelburne Bay."

Those sorts of incidents are not supposed to happen, but they do. Native title is a tool by which lawyers and greedy minority groups can manipulate genuine Aboriginal people for their own financial gain.

This Bill, conceived from the Commonwealth Native Title Act, will supposedly get industry moving again and provide certainty to the mining industry and native title interests. Yes, that is what it is supposed to do, but what will occur in reality? Will incidents such as Mrs Nixon's experience become commonplace or will we see worse incidents, just because there is money to be made? Will native title groups urged on by people with their own motives and agendas extort mining companies for whatever they can get and hold mining companies to ransom for huge compensation payouts? In regional Australia, many a story is told about the injustices that the native title legislation condones. One can only take a person's word for it, because no-one is game to say anything further to any formal authority for fear of retribution, such as that which Mrs Nixon received. Alternatively, they just shake their heads in defeat; it is not worth challenging, because we will never get anywhere, anyhow, anyway.

Occasionally, parts of these stories make it into the media. I remember reading an article about Aboriginal interests being paid an exorbitant amount of money to advise on and watch the construction of a fence to ensure that native title interests were not affected by its construction. I cannot remember the exact figures, but I clearly remember thinking how ridiculous it all seemed, how much money was being made and how much it was really costing.

These days, the Aboriginal industry is not a bad industry to be in. It has become a career option to gain acceptance by a tribe somewhere and settle down to make a huge profit from Government, mining groups, pastoralists and international interests—and anyone else who will give money for the privilege. Let us face it, those behind the push for a guilt-ridden nation—those who hide behind Aboriginal people to make their own fortune and pursue their own agenda—have been very successful at what they do and they will continue to be so now that it has been entrenched so strongly into our society.

We hear the outcry about the poor indigenous people who live in appalling conditions; that they are disadvantaged and poverty stricken. Where were those voices for Aboriginal health when $500m was invested in the guns buyback scheme? Could that money have been better spent? How many indigenous lives may have been saved if that money had gone into the health services of this country? Today I noticed in an article in the Courier-Mail, titled "Beattie to fight for outback health", that the Premier has called for an extra $64m in compensatory Federal health funding, saying that the lack of doctors in the State's isolated rural and Aboriginal communities means that they are served only by public hospitals and not by private doctors who bulk-bill under Medicare.

The $500m spent on the guns buyback could have provided the $64m that the Premier is calling for in this article. The guns

buyback money could have aided not only indigenous health but that of all Queenslanders, irrespective of who they are or what position they hold in society. It is obvious that the hospitals in this State are greatly in need of that funding. The public health system generally is inadequate, yet was the Premier fighting for outback health when his Labor Party mates in Canberra supported the Federal guns buyback scheme? I find it disgusting that Governments seem interested in Aboriginal welfare only when it is politically advantageous to do so.

Without having the ability to direct a media crew to at least one indigenous person in poverty, squalor and ill health, how can the gravy train of funding continue? It is in the best interests of the Aboriginal industry to keep its people in these conditions to maintain its level of funding and public sympathy. I know of many indigenous people who live this way, and that certainly needs to be addressed. They most certainly need to be helped. But let us not expect ATSIC to do it. Let us not expect one ounce of compensation money to do it. Let us not expect the public guilt industry voices to do it; they have not done so yet and they will not do so.

How much money has been poured into this industry to date? Billions of dollars! Why are there still Aboriginal people living in poverty? Why are they still disadvantaged? A prime example is the chairman of ATSIC, whom I am sure most people have seen depicted in a poverty-stricken Aboriginal community, next to a woman in a poor state of health under a lean-to made of corrugated iron or something similar. Mr Djerrkura pointed out the poor condition of his people and how they need help. He says, "See how terrible and disgusting it is that anyone should live this way in Australia in the 1990s." Guilt, guilt and more guilt! According to the 1997-98 ATSIC annual report, Mr Djerrkura is making no less than $180,000 per annum. In addition, he received a grant from the commission. Never once have I seen him take money out of his pocket to give to one of his own people. It is a joke. ATSIC is a joke and native title is a joke. Native title is just another tool for moneymaking in the Aboriginal industry, which is thriving in Australia today.

Just one example of a native title claim that covers my shire was that by the Jinibara people in September last year over an area of 8,138 square kilometres for the exclusive possession, occupation, use, enjoyment and future of the land, waters and resources, to the exclusion of all others. Another claim, this time by the Wakka Wakka people, is over another sizeable area, with similar requests to the ones mentioned above. However, this one goes even further. These people want exclusive rights—"land, waters and air"—and to "harvest and collect natural resources for customary and commercial purposes" and "an exclusive right to owning all knowledge associated with animals, plants, areas and places in Wakka Wakka country, and the right to pass on such ownership rights as only the Wakka Wakka people may determine". What sort of legal minefield does this open up? How much money can be made from this little affair now and long into the future?

I have said many times in this House before—and I will continue to say this whenever the opportunity arises—that native title is indeed ridiculous. The claims and guilt trips have gone far beyond the outrageous. Commonsense has been lost along the way. Aborigines never lived according to the principles of land ownership and everyone—every race—came from somewhere at some time and suffered displacement. It is the way of human civilisation. Again, Aborigines do not have a monopoly on displacement, invasion, loss of freedom or culture, or any other terrible thing in life. Aborigines do not have a monopoly on being disadvantaged, and to say so is to divide by race.

I understand that this Bill must exist, that Queensland's hands are tied. All Queenslanders require some certainty in regard to this matter. Before I finish, I would make a quick comment on the Premier's apparent change of priority of this legislation. In his second-reading speech, the Premier quite clearly placed the blame for the delay in this legislation upon the Commonwealth Government. In his letter to me dated 6 April 1999 the Premier states that he wrote to the Prime Minister and raised with him his concerns about the delay in the Commonwealth decision-making processes. The Premier stressed the importance of, and his desire for, the legislation being fully operational by mid year.

Is it not strange that the Government did not even bring this Bill forward for debate? Supposedly such an urgent piece of legislation had to wait until the Industrial Relations Bill was passed—just before the Labor Party conference. It is obvious then that the people of Queensland come second to the party's faithful and mates. As I was saying, Queensland needs certainty in relation to this issue. Make no mistake, however, neither One Nation nor myself support any form of racial division, including that put about by native title. This Bill should not be supported.

Mr HOBBS (Warrego—NPA) (3.11 p.m.): Today I want to talk about the Native Title (Queensland) State Provisions Amendment Bill. Members would be well aware that there are something like 260 amendments to this Bill before the House today—some 200 in the first instance and more that have been foreshadowed recently. Being a betting person, I would bet that more amendments will be moved later on.

Native title has caused enormous uncertainty that is unprecedented in Australia's history. It has caused division between black and white. It has caused division between black and black. Based on what members of the community have been told, they have formed unrealistic expectations. Some people, particularly the Aboriginal people, held a belief that they would be getting land back, that they would be able to have all these things, and that maybe people who do not have land would be able to accumulate some land. Everybody would like to own more land, whether it be for a house or a bigger backyard. If somebody is going to say to you, "You can have that for free", of course you will probably say, "Let me have a look at it."

These expectations have been fuelled by activists, fuelled by white carpetbaggers, fuelled by bleeding hearts and fuelled by the irresponsible actions of the ALP Government and the Democrats, particularly in the Federal sphere, and supported very strongly by members on the other side of the House.

Mr Welford: Are you a bleeding heart?

Mr HOBBS: I am not a bleeding heart. The people opposite associate with bleeding hearts.

I have no problem with and I have absolute compassion and understanding for people who are disadvantaged. We want to be able to help them in every way we can, but we must do it in a fair and equitable manner. There is no sense in going out in the community and creating expectations that will lead these poor devils up the garden path. This is what has been done.

The decision of the High Court, which was certainly a blow to the common law and a blow to commonsense, has created difficulties that, as I mentioned before, are being made worse by the political opportunists, particularly the ALP, the Democrats and do not forget the Greens, who were there at the time. I was the Minister in charge of land administration in Queensland when the Wik decision was handed down. Unfortunately one of the things that had to be done, which I still believe today was the right decision, was to put a freeze on a lot of the land dealings throughout the State until we could get a better handle on what native title really meant and what its implications were.

It would have been totally irresponsible for any Minister of the Crown, or any parliamentarian for that matter, to issue a legal document—a land title document—that was, in fact, not valid or to which somebody at some later stage could issue a challenge. People's livelihoods and careers—generations of families—rely on those land title documents. No responsible Government could issue documents that for some reason or another might be flawed.

As we all are aware, after a lot of discussion, debate and argument the Prime Minister put in place the 10-point plan that was to go quite a way towards alleviating a lot of the issues of native title administration. As we were slowly working our way through the process we were able to issue documents before the 10-point plan was passed. After that time the opportunity was opened up for us to be able to issue clear title with a surety that no native title implications were, in fact, involved in any of the stamped documents. The passage of time has now defined even more appropriate methods of doing that.

The legislation before us today is the result of the absolute haste by the Premier to bring legislation into this House before the Leader of the Opposition could do so. While we acknowledge that there is a need to proceed quickly, as well can be seen the job has not been done well. I really have to say that the right to negotiate clause contained in the legislation at that particular time was unnecessary; it did not have to go in there. It was not part of the 10-point plan. It was placed in that legislation purely at the behest of the Queensland Labor Government. That has held up the issuing of licences and mining leases across this State. The mining industry, particularly the opal mining industry, is still on hold at this stage. This Government has not issued any mining leases since it came into Government—none, zero! A big zero licences have been issued.

I must say this, and I believe it is important to revisit the past for a moment or two. In this House on 19 March 1997 Mr Beattie, the then Opposition Leader, said—

> "For a year, the Opposition has warned Queensland that the Premier has been seeking political mileage from rather than solutions to native title issues. We have warned that this disgraceful behaviour would cost Queensland jobs

> and investment. Today we have proof of just how damaging the Premier's confrontationist approach has been to mineral development."

He went on to say—

> "The mining industry recoiled in horror as he froze their lease applications, as every other State kept leases flowing."

At this stage Mr Beattie has not issued any licences. He went on to say—

> "His political posturing is driving the mining industry out of Queensland. This is made clear by the fact that the latest ABS statistics show that expenditure on mineral exploration in Queensland has fallen by 13% over the past 12 months."

On 19 March 1997 one of the other Ministers, Mr McGrady, said—

> "For the past 10 weeks, the Premier and his Minister for Natural Resources have held Queensland to ransom. They"—

adopted—

> "a land management system by freezing 1,400 approvals simply to serve their own political purposes."

He still has not issued any licences since that time. He is the Minister. He went on to say—

> "To slam the brakes on economic activity when we have the highest unemployment level in mainland Australia is pure economic vandalism. The Premier and his Minister claim to have acted on legal advice, but no other State had that advice and QCs were lining up to tell the Government that its freeze was unnecessary."

That is what he said, but he has not issued any licences. He also said—

> "What was achieved? Absolutely nothing except hurt to many thousands of Queenslanders! This freeze was designed to create panic within the community about the High Court's decision on Wik."

He went on—

> "The Premier should apologise to all Queenslanders for his reckless economic vandalism. Minister Hobbs should resign for abusing his responsibilities for his own political ends. This freeze is still hurting many people in our State, and in particular in my electorate. In the interests of Queensland, the Government should lift this freeze now so that Queensland battlers can get on with their lives."

The now Minister and the now Premier allowed to go through amendments which should have resolved these issues, but they got it wrong. The freeze is still there. On 25 November 1997 the then Opposition Leader said—

> "We had the four-month freeze on mining leases that cost the State valuable jobs in isolated parts of the State and damaged our international reputation."

Those comments were made at the time by the now Premier and the now Minister. We find that they are now in exactly that situation. By doing legislation properly, they could have been able to issue some of those leases. In a recent interview with the Premier the Courier-Mail asked him about his achievements. The article states—

> "Beattie bristles at the Opposition's continuing attempt to label him the Do-Nothing Premier, particularly at its claim that he has been unable to deliver major new investment projects. He is happy to provide a list of achievements including:
>
> . Presiding over the creation of more than 43,000 jobs since taking office.
>
> . Ending confusion about native title laws."

The second point is the most important for the purposes of this debate. He said that was one of his achievements, yet here we have 260 amendments before the House and still we do not have any mining leases issued. I do not think the Premier has achieved an end to confusion at all. If anything, there is more confusion within the industry than ever before.

Under Mabo, something like 2% of the State was unallocated State land. The original native title legislation, put in place by then Prime Minister Keating, talked about the right of Aboriginal people to negotiate in relation to that particular land. That was, while not appropriate, probably somewhat manageable. The Wik decision increased that 2% to about 75% of the land mass of Queensland, which involved a lot of individual land-holders over the length and breadth of the State. It also changed the structure of the rules of ownership of land. There was no need to bring the right to negotiate into this legislation, but that is what has been done. This Government has complicated the process more. It did not need to do that.

The coalition, particularly the Federal coalition, realised that there was a vast difference between the Mabo and Wik decisions. The 10-point plan made it quite clear that we did not have to have a right to negotiate over 75% of Queensland. That

certainly is not reflected in the legislation before the House today.

We have spoken to many mining companies in recent times. One said to us that rocks are rocks and that they do not have to mine in Australia. That sends a pretty strong message to us that unless we get our act together the mining industry will abandon us entirely. They have started to leave already. They have been heading out for quite some time because of decisions of Government that have made it harder for them to explore, mine, drill and negotiate. There is such damage to the industry that the effects will be felt for many years, until some clear signals have been given by Government that will give those industries confidence.

Without confidence, economies fall. Without confidence, people will not invest. That is the problem we have had in this State for some time. If we asked people when they lost confidence in Government, we would be able to trace it back quite clearly to the Keating and Goss eras, particularly in relation to land matters. Paul Keating actively pursued native title legislation to the result that he secured. The Goss Government put a freeze on freeholding and instituted tree-clearing guidelines. Under the national park acquisition program, it bought and sometimes forced people from land. The people who had ownership suddenly found that they had leased land that they thought was secure. They found that it was not secure. The Government is now doing the same to freehold, in spite of all the years of security people have had.

An analogy can be seen in relation to motor vehicles. If I bought a car and someone came along and took the wheels off it, I would say, "Hang on a minute, mate. I think you ought to put them back or pay me for those." People would not do that to someone else's car. It is the same for people who own land. If somebody came along and wanted to take the trees off it, for example, or said that somebody else had some ownership of that land, the owner would say, "Hang on a minute, mate. I paid for that."

I think we in this State are not really getting a fair go from particular Governments. There is no reason why people who own land cannot have a secure future. If we are not able to achieve security, we will end up with further chaos and further political instability in this State. I do not see any need to make it worse. This legislation before the House today is only making things worse.

The amendments may fix things up for the opal industry. We hope they do. I have a lot of opal miners in my electorate. They have been bashing their heads against brick walls. We have been saying to them for some time, "I think it should be right." Then when the 10-point plan was formulated, we said, "We think it should be right. All we have to do now is get it through the State House and you will be able to go out and actually start to mine." All the people in the opal industry have been able to do is go out and peg the mine. They cannot work it. They cannot even go out with a shovel and dig. All they can do is walk over it and look at it. They cannot really go out and do proper exploration. They need to be able to do that. They need to have that security. Basically, their lives have been put on hold. I believe that this Government in particular has been totally irresponsible in relation to those people.

I am not talking only about the little miners, but about the bigger ones as well. I have had discussions with quite a few of the big mining companies. Others have said, "If we knew it was going to be this bad, we would not have come. Why would we bother to do it?" But they were in so far that they had to keep going. What a sad basis for a business! The big mines were caught between a rock and a hard place, and they had to soldier on to a certain degree and try to stay there because of their investment. But it does not give them any confidence. It gives no security to those people or to the shareholders. I ask members to consider the share market for the mining industry. We know that prices are down, and that is probably a worldwide trend.

Mr Welford: They're up.

Mr HOBBS: They are not up very far. By the same token, there has been no confidence on the part of those industries to go out and invest. In the forestry industry, all they need is security; then they will be able to invest and do further value adding. If they can do that, it will create jobs and do those things that we all talk about. It will ensure that we here in Queensland create a great future for the generations to come. I do not see why that cannot be done.

Time expired.

Mrs LAVARCH (Kurwongbah—ALP) (3.31 p.m.): To place the Native Title (Queensland) State Provisions Amendment Bill into its proper context, I would like to briefly retrace some of the significant milestones in the development of the Queensland native title regime. By clearly understanding where we have come from, we can make sound decisions about where we should go.

The Mabo decision was handed down in June 1992. As is well understood, that historic decision held that the Australian common law recognised the native title of Australia's indigenous people to land where there is a continued connection to the land by the Aboriginal peoples involved according to the laws and customs of the people and the title had not been extinguished by the actions of Australian Governments.

Native title, unlike other land titles within our land law system, has its source in Aboriginal customary law and not in the grant of interests in land by Governments. However, like all land interests, native title is fully subject to the power of the Executive and the Parliament to deal with land in accordance with the law. In response to the Mabo decision, the Keating Government developed the Commonwealth Native Title Act. That Act had several objectives. It effectively drew a line in the sand between the time prior to Mabo, when Governments and the wider community acted in ignorance of native title rights, and after that time, when we all had an obligation to recognise and deal with native title. It guaranteed the validity of past acts, that is, actions and laws made by Government prior to the commencement of the Native Title Act. It protected native title from further unintended extinguishment. It also established a mechanism to determine, where native title rights continued, what was the nature of the rights and who held those rights.

Finally, it provided a "future act" regime to allow dealings in land to continue before native title determinations in a way which protected native title rights but permitted economic development. All in all, it was remarkable legislation. It showed incredible foresight and leadership on an extraordinarily difficult area. It was, as was probably inevitable in breaking new ground, flawed in a number of regards, and these flaws manifested themselves within the first few years of the legislation's operation.

What were those flaws? Firstly, the Commonwealth regime did not account sufficiently for the need to integrate native title recognition and protection into the land management processes of the States. Secondly, it underestimated the sheer difficulty and time required to establish a case for a determination of native title to be made by the Native Title Tribunal. Thirdly, it did not correctly foresee where the common law of native title would develop. The most obvious example is the assumption in the original Native Title Act that the grant of a valid pastoral lease would be inconsistent with continuing native title rights and interests. Fourthly, the idealism underpinning the Native Title Act failed to envisage the quite disgraceful way the Rob Borbidges of the world would attempt to use native title as a political weapon to attack progressive social and economic policy.

By late 1995, the Keating Government had proposed amendments to the Native Title Act to respond to the problems in the system thrown up by the Brandy decision of the High Court. That decision was on the ability of the National Native Title Tribunal to make determinations. Equally, there is no doubt the Keating Government would have also moved to overcome other problems like the failure of the registration test to be a sufficient hurdle for claimants to access the right to negotiate. For its part, the Goss Government had established a State native title regime in response to the Commonwealth's Native Title Act. It was a basic regime which provided for the validity of past acts but did not really purport to incorporate native title into the State land management system.

The next stage of the evolution of the State's native title regime is based upon a number of court decisions. I have already mentioned the High Court decision in Brandy, but this was only one in an important series of Federal Court and High Court decisions. The Waanyi decision of the High Court confirmed that the registration test for native title claims was, to all intents and purposes, inoperative. It also foreshadowed that the assumptions about the effect of pastoral leases on native title may not have been as that believed by Government and many lawyers.

The key decision, of course, was the Wik decision, which gave more light to the interrelationship of native title to statutory interests in land by finding that the rights created by the grant of a pastoral lease coexist with and do not extinguish native title. The High Court greatly expanded our understanding of native title. The implications of Wik were the subject of another shameful fear campaign by the National Party and its Right Wing allies. Ironically, this beat-up of fear and emotion probably bit the National Party when its Federal counterparts could not deliver on the wholesale extinguishment which the Queensland National Party had demanded.

Away from the emotion and fear, the Wik decision did raise some important issues for the operation of the future act regime in the Native Title Act. While Wik was never, in truth, a huge issue for primary producers, as the High Court made it clear that pastoral rights prevailed over coexisting native title rights, it did raise issues for mining and resource

development. The Howard Government responded to Wik with a 10-point plan. This change was far reaching to the Native Title Act established by the Keating Government. While basic concepts were maintained, their application was completely altered. Gone was the distinction between permissible and impermissible future acts based upon the so-called freehold test.

Under the original Native Title Act, future dealings on land where native title might exist could proceed if the same thing could have been done on freehold land. The 10-point plan replaced this threshold test with a cascading system of future act categories that governed the procedural rights and compensation entitlement which would be provided to native title holders. The categories include primary production, control of water and air space resources, facilities for the public and offshore areas.

There is much of the original 10-point plan with which I disagree. However, at least the Howard Government purported to respond to Wik and the practical experience of the native title regime with a considered public policy response. In contrast, the Borbidge Government did nothing but mouth abuse at the High Court. Literally, its only response was to place a freeze on all land dealings on other than freehold land. This appalling abdication of Government responsibility was the height of neglect to the interests of the mining industry in this State.

Immediately prior to the passage of the 10-point plan—which has now become a 7.5–point plan through the Harradine compromise—the Federal Court handed down the Croker Island decision. This decision confirmed that native title rights could exist over offshore waters and is clearly important for our State with its long coastline, and particularly to the waters of the Torres Strait. Fortunately for Queensland, the passage of the 10-point plan coincided with the election of the Beattie Government. It has meant that responsibility to shape a Queensland native title system has been in the hands of a Government willing to pragmatically but compassionately balance the interests of all stakeholders in this debate.

It is quite frightening to think of how a re-elected Borbidge Government may have responded. There would have been no real commitment to consultation and negotiation with Aboriginal people. There would have been an attempt, as has happened in Western Australia, to deliver all things to the mining and industry stakeholders and ignore the legitimate rights of Aboriginal people.

This attempt to give miners open leases would have proved futile as the Borbidge Government would never have survived the scrutiny of the Senate. The miners know this. Land developers know this. Even those opposite know it. Those opposite know that it would never have survived the scrutiny of the Senate. Only the Queensland Nationals are dopey enough to attempt to pander to the most extreme elements of their small-minded constituency. Fortunately, the Beattie Government has rejected extremism and adopted notions of fairness and balance in developing the Queensland regime.

The first stage ensured that titles granted on the incorrect assumption that leasehold interests extinguish native title would be valid. Also, specified tenures are confirmed to have granted exclusive possession, and hence extinguished native title. This outcome has delivered certainty, but at a price to native title holders. It was a pragmatic decision, and once again the Aboriginal people of this State have demonstrated their willingness to give way to the interests of others.

The second stage of the Queensland regime is embodied in the Bill which is now before us. It provides for the incorporation of the native title regime into Queensland's land management system. It does this in a pragmatic way which respects the right of Aboriginal people to be involved in decisions about land where the rights are held by native title holders. With regard to mining in Queensland, the State regime will mean that the focus is on the nature of the Act proposed rather than the tenure of the land involved. By this I mean that, to the extent it is allowed by the Commonwealth Native Title Act, exploration will attract a defined process of consultation but not the right to negotiate.

For actual mining, a State alternative to the right to negotiate applies. This alternative attempts to coordinate the processes applying regardless of whether the land is subject to a pastoral lease or not. The starting point for the State is that miners and traditional owners are encouraged to enter into an indigenous land use agreement. Indigenous land use agreements are a means by which native title holders and developers can document their agreement in a way which delivers certainty to the developer.

Stage 3 of the Queensland regime provides for the establishment of the Land and Resources Tribunal as the State body empowered to administer the State native title

regime. By incorporating the old Mining Warden's Court, the Land and Resources Tribunal will effectively be a one-stop shop for mining and land access issues within the State. When operational, the tribunal will overcome a continuing deficiency in the native title regime. That deficiency has been the failure to fully integrate native title into the State land use system.

Later stages of the Government's reform will see issues surrounding cultural heritage also being administered by the Land and Resources Tribunal. This is an important initiative. It is important because Aboriginal cultural heritage is, in the eyes of the law, a separate matter from native title. The idea behind cultural heritage laws is that they lead to the identification and protection of areas of significance to Aboriginal people. This may be because of the continuing cultural importance of the site or, in some cases, because of the location of artefacts or remains. Whilst legally different from native title, the distinction may not be readily accepted by traditional owners. Responsibility for a site of significance is not likely to be sourced differently from the laws and customs upon which native title rights are sourced.

It is logical that the one tribunal has responsibility for both issues, and this is what the Land and Resources Tribunal will do. I note that the tribunal will also have responsibility when the compulsory acquisition of native title is proposed for a major infrastructure project and this acquisition will not trigger the right to negotiate.

I would like to conclude by saying that this Bill is imperative for the achievement of a successful management system for mining within the State which properly accounts for the rights and interests of the indigenous community. I congratulate the Premier for taking the politics out of this issue. I congratulate the Premier for bringing all the parties together for consultation and negotiation. I congratulate those parties for their constructive approach to the formulation of this Bill. I admire the Premier's patience with the Commonwealth. It is my hope that our native title regime will be given a tick so that we can get on with it. I commend the Bill to the House.

Mr SANTORO (Clayfield—LP) (3.45 p.m.): I concur with comments made by honourable members to my right—that at least the previous speaker said what she said with a smile on her face.

I rise to speak on the Native Title (Queensland) State Provisions Amendment Bill. It is almost one year since the Premier and his colleagues formed Government in this State. How many times have we heard that the Premier was going to fix native title? We were told that this Government had all the answers and would kick-start mining in a way which would involve indigenous Queenslanders. We were told that we were going to see an outbreak of action and consensus. Instead, what we have is more confusion, more delays and more buck passing. What is worse, we are now debating legislation that is overly complicated. If it ever does get the tick from the Federal Attorney-General and the Senate, it will hang like a millstone around the necks of all those who have to try to work through it.

It is a dud—a very expensive, complicated and counterproductive dud, but a dud nonetheless. If anyone was looking for a testament in relation to this Government of smoke and mirrors, non-activity and buck passing, this piece of legislation is it. Let me be absolutely honest. I have great difficulties in understanding this Bill. After listening to the honourable member who has just preceded me, I am aware that other members in this place also have difficulty with this Bill.

The Premier was quite right when he said that there would be a need for not less than 13 separate determinations by the Federal Attorney-General. That highlights the complicated nature of this Bill. Let me deal with each of my concerns.

Firstly, I am concerned that the Premier has attempted to pass the blame for this exercise onto the Federal Government. The member who has just preceded me repeated that assertion. A reading of the Premier's speech would lead one to think that the Federal Government was being pedantic. The Premier waxed lyrical about how the Commonwealth was insisting on technical purity and that enough was enough.

From my own discussions with my Federal colleagues, I have been informed that the Bill presented to the Commonwealth by the Premier was full of errors. It was a mess. That means that the concerns that I and others expressed last year about this House being presented with a rushed Bill were absolutely correct. The Commonwealth looked at the Bill pushed through by the Labor Party last year from the viewpoint of technical compliance with the Federal Native Title Act and from the viewpoint of workability. The terrible indictment on this Premier and this Government is that the Bill failed on both counts. It was full—I repeat full—of technical errors. Worse still,

parts of the Bill did not work and did not make sense. Almost every single page of the Bill had to be rewritten. Hundreds of amendments had to be made. That is what we are doing today. Today, we are debating literally 734 amendments to a substantive Bill. To add insult to injury, we will then be debating another 90 amendments to the amendments. What a joke!

Mr Cooper: The Bill should be withdrawn.

Mr SANTORO: Of course the Bill should be withdrawn. The honourable member for Crows Nest is absolutely correct. The Bill should be withdrawn, rewritten, cleaned up, made to make sense, made to work and made to mean something to the people who have a vital interest in this type of legislation, including the indigenous people of this State. The indigenous people of Queensland have bucketed this Government high and low about the contents of this piece of legislative vandalism.

Yet, instead of admitting his error, the Premier, when introducing this Bill, attempted to pass the blame for this situation onto the Commonwealth. The Premier should have thanked the Commonwealth for at least preventing another badly drafted Beattie Labor Government Bill being perpetrated on the people of Queensland.

My second concern involves the inordinate delay in getting an alternative State provisions regime in place so that our mining industry can start moving ahead. Again we have a situation where the Premier claimed that only his legislation would be able to get through all the barriers—from Cabinet approval through to the Senate. We were told that only the Beattie native title template would be able to get through the barriers and only the Premier's legislation would become operational. That was November last year. It now looks as if the Northern Territory legislation, of which the Premier was so dismissive, will not be disallowed by the Senate. I might add that at least that legislation has already been processed by the Federal Attorney-General's Department and has received the necessary determination by the Federal Attorney-General.

How much longer do we have to wait before this Government and this Premier actually present this House with sensibly and competently drafted native title legislation?

My third concern about this Bill is that this Parliament has been treated almost with contempt. The Premier's speech told us nothing about this Bill and how it differed from the Bill passed in November last year. The Explanatory Notes, while a model of clarity—and I certainly am not critical of the public servants involved in this exercise—did not deal with the central issue of how this Bill was different from the Bill that it is replacing. I join with the Scrutiny of Legislation Committee in expressing my concern about this matter. For the information of the House, I point out that the committee said in part—

> "Unfortunately, the Explanatory Notes to the legislation do not highlight the changes made to the original Parts 12 to 18 of the 1998 Act by the new Parts 12 to 19. The Second Reading Speech merely refers to Commonwealth Government insistence on technical purity.
>
> ...
>
> The Committee notes that the Explanatory Notes do not clarify, on a clause by clause basis, the nature of the changes effected by each provision of the Bill. The Committee is therefore concerned that the Explanatory Notes do not provide the standard of explanation necessary to comprehend the change effected by each clause of the Bill."

The committee also referred to the complexity of the legislation. In short, we have a totally rewritten Bill presented to this House with no explanation of the nature of the changes and no attempt at all to set out in tabular form the changes and the reasons for each and every one of them. I join with the committee in expressing my belief that simply saying that a couple of hundred amendments are necessary because of the insistence by the Commonwealth on technical purity is simply not good enough.

The Premier was supposed to be bringing new standards of behaviour into this Parliament. Instead, he is treating this House with thinly veiled contempt. When the Premier responds to members' contributions, he should use that opportunity to outline the changes made to the Bill and why they were made, or do so clause by clause during the Committee stage. As it is, members are placed in an almost impossible position in trying to comment in any sort of intelligent way on this Bill.

My next concern relates to the extent of consultation that has gone into this Bill and the accuracy of the Explanatory Notes. All of us have been left with a pretty nasty taste in our mouths by the claims by the QIWG that the Explanatory Notes to the State Development and Public Works Organization Amendment Bill dealt falsely—and I repeat, falsely—with

the level of consultation with that body. I note for the public record that, under this Bill, there are no comments about the results of consultation. I seek some clarification as to what sort of consultation occurred in relation to this Bill and whether the stakeholders expressed support for this initiative.

My next area of concern relates to whether we are again being presented with a legislative lemon. The last time we debated a native title Bill, we were presented with a rushed job that was amended extensively in the Committee stage and then picked to pieces by the Commonwealth. No doubt, having regard to the Premier's comments when he introduced this Bill, we will be presented with further amendments after discussions with the Commonwealth, that is, amendments on top of the major amendment that we are debating, on top of the amendments to the major amendments that have been circulated after the major amendment came into the House. At this stage, I want to know whether this Bill is now in a satisfactory state so that the Federal Attorney-General can look to the issue of determinations without his officers advising him that this Bill is full of technical errors. Can the Premier give such an undertaking to this House today, or whenever he rises to answer our queries?

The next matter that I want to raise with the Premier is a matter that he has not yet dealt with. I want to know just what time periods we as a community are looking at. I will not go into great detail on this issue, because it has been addressed very, very well by the honourable member for Warrego and the Honourable Leader of the Opposition. However, it just seems to me that there would appear to be at least three major areas critical to the State's economy requiring urgent legislation. Those areas are petroleum leases, hard rock quarrying and cultural heritage legislation. For a long time, the Premier has been promising new cultural heritage legislation and in his speech he mentioned that it may be ready by the end of the year. I seek some information—indeed, some reassurance—from the Premier as to when all of these areas are going to be dealt with because, if the Premier has not noticed, I point out that time is slipping away. No doubt the Premier's advisers can correct me, but it is my belief that the Northern Territory package of native title legislation passed by that Parliament last year dealt with petroleum issues. If that is the case—and, as I said, I stand to be corrected—then surely to goodness this State can act a little quicker than it is at the moment.

My next concern relates also partially to timing, but it is in relation to parliamentary scrutiny. This is a concern that I have expressed every time I have risen in this Chamber to speak to native title Bills over the past 12 months. When the Western Australia and Northern Territory Parliaments debated native title reforms, they were presented with a comprehensive package of legislation. Parliamentarians were able to look at the sum total of the reforms and make sensible decisions about the desirability or otherwise of the reforms in a cumulative sense. Instead, we are presented with a dribble of reforms over an extensive period, compounded in this case by the same Bill introduced twice but totally rewritten the second time around, and with no explanation of the nature or the effect of the changes. After this Bill has been introduced, we get another 94 amendments to the amending Bill. Increasingly, as the Scrutiny of Legislation Committee has highlighted, the reality is that members of this Parliament are placed in a difficult, if not impossible, position when it comes to attempting to exercise any sort of scrutiny at all.

The next issue that flows from all of this is the fact that, at the end of the day, if this legislation eventually gets through all of the hurdles, it is going to have to be adopted and obeyed by the general community. The fact of the matter is that this legislation is unduly complicated and very difficult to understand. There are literally hundreds of small miners in rural Queensland who will be obliged to comply with this Bill, and they will not have a clue how to do so. What is more, most of the small firms of solicitors in rural areas also will not have the expertise to come to grips quickly with these new laws. The practical effect of all of this complication and lack of understanding based on a lack of consultation and a lack of commitment to the principle of simple and easily understood and read legislation is more delays to the mining industry, which is crying out for help, which is crying out for legislative simplicity and which is crying out for legislative fairness and equity.

The almost inevitable consequence of this Bill will be the growth of a new industry of native title lawyers. Those lawyers will be based in Brisbane and the larger regional centres. In recent times, the Premier has made much about ambulance-chasing lawyers. This Bill will promote and facilitate a lawyers' haven. It is legislation that is so difficult, so complicated and so convoluted that ordinary Queenslanders would be totally lost in trying to come to grips with it, and many will have no option other than to pay enormous

amounts of money in legal fees just to try to keep operating, let alone exploring and eventually commencing a genuine mining operation. I am not saying that native title presents any Governments with easy, plain English drafting opportunities. However, this Bill transforms an already complicated matter into an almost impossible one.

This Bill applies not just to future mining activity but also to the more than 1,000 applications for mining tenements or mining leases that are currently before the Department of Mines and Energy. In those circumstances, the provisions of Part 19, which deal with transitional provisions, are absolutely critical not just for miners but also to the economic wellbeing of Queensland. When one reads that part of the Bill, it becomes clear that the mining registrar must give to the applicant of any application lodged with the department that is still current notice of the quaintly termed "notification commencement day" for the application. Depending on the nature of the claim, those existing claimants are defaulted back to the provisions of the Bill. For example, where an existing applicant nominates a surface alluvium—gold or tin—mining claim, that person is given four months from the time of the notification commencement date to lodge an application under proposed section 444 and comply with the requirements of that provision. Of course, in common with most of the other provisions in the Bill, proposed section 444 is overly complex and places a vast array of hurdles in the way of any miner proceeding. For example, the application has to be given to each native title notification party for the land in question as well as the native title registrar.

However, what is deeply troubling is what the application must contain. It must state, firstly, whether or not the application has been lodged; secondly, give a clear description of the land and its location; thirdly, details of the proposed activities proposed for the land and an outline of the expected impact on the land of the proposed activities.

Just interposing here, so far so good, but then the Bill continues: fifthly, that the applicant must consult with each registered native title body corporate for the land over which the application relates as well as—and I repeat, as well as—each registered native title claimant for the land; sixthly, a nominated consultation day at least two months after the giving of the notice; and, seventhly, that the native title notification parties have a right to be heard by the Native Title Tribunal about whether the claim should be granted and other matters relating to the grant.

That means that before any of the more than 1,000 mining claims that are lodged with the Department of Mines and Energy and that are lined in queues and are no doubt covered in dust—not mining dust but bureaucratic and legislative dust—they must comply with those requirements. As if the hurdles were not already high enough. That means that every single miner falling within, for example, proposed section 444 must consult with each and every native title claimant and, in addition, the Government has interposed native title bodies corporate into this convoluted process. I presume that those native title bodies corporate are in fact federally mandated representative bodies, some of which are almost broke, embroiled in one controversy after the next and riddled with political infighting. I want the Premier to deal explicitly with this point. I ask: is it the case that all existing mining claims, or at least the vast majority, will not only have to be ticked off by each and every native title claimant over the subject land but, in addition, there face a further barrier in the form of representative bodies? I also wish the Premier to deal with this issue: if that is the case, why has the Government insisted on miners dealing not only with people who have lodged a claim but also with people who may have no interest in or knowledge of the subject land and who may reside and operate hundreds of kilometres away?

In the time available to me and given my other commitments today, I have not had a chance to look at the 94 amendments that have been circulated to see whether any of my questions have been answered.

Mr Fouras interjected.

Mr SANTORO: I am ready to stake my place in this Parliament on the belief that the vast majority of my concerns have not been covered by these 94 amendments. If the honourable member for Ashgrove or the honourable member for Greenslopes or any of the people who inanely accept the advice of their Minister and Government in an unthinking and not very clever manner have the answers to the questions that I have asked, let them provide those answers to me in their contributions. However, because no-one has written any for them, undoubtedly they will not make any.

What worries me is that if representative bodies are given automatic locus standi to appear before the Native Title Tribunal for each and every existing mining claim, two results are bound to flow. The first is that whatever else the Premier may claim, he

cannot deny that the delays and frustrations experienced by miners who have been waiting for months if not years for their applications to be processed will be exacerbated and drawn out even further by the State Government's mandated processes. Secondly, if by legislation this Government has bestowed legitimacy and a place at the table for representative bodies for more than 1,000 existing claims and all future ones, those same bodies will inevitably come to the State Government looking for funding. They will say to the Government that, if the Government has decided that they should play a role and that role will be a massive time-consuming and expensive one, the taxpayers of Queensland should pay for the privilege. I ask the Premier: as a result of this legislation, are indigenous representative bodies now approaching the State Government for funding? If they are, is it the intention of the Government to provide funds?

The Leader of the Opposition pointed out that this Government has done absolutely nothing to solve the existing backlog. My fear is that not only has the Government done nothing positive but it is actually doing something negative to make the backlog worse, to heap process upon process and to make the task of the smaller miners and those without enormous capital reserves very difficult indeed.

From the very first time in 1993 when I rose to discuss legislation on native title, I have attempted to be as positive as I could about the various points of view and interests. Native title is a debate not only about land and money but also about culture, belonging, family tradition and the most dearly held beliefs of both indigenous and non-indigenous Queenslanders. It is a most sensitive issue and one that raises enormously important, complex and difficult issues yet it also impacts very directly on the future of the State from an economic perspective. The challenge facing all Governments is to come up with legislation that is fair and workable. On both counts, this legislation fails, and fails dismally, because it is unfair and unworkable. It is unfair because it places enormous burdens on miners who simply do not have the means of dealing with the processes, the costs and the complex paperwork that the legislation requires and it is unfair on the indigenous residents of the State and nation. As other speakers before me have said, the legislation should be withdrawn, rewritten and dispensed with immediately.

Time expired.

Hon. T. R. COOPER (Crows Nest—NPA) (4.07 p.m.): I do not take any pleasure in speaking in this debate. I like to participate in the parliamentary debate on many issues but, for the record, I state that I believe that the Native Title (Queensland) State Provisions Amendment Bill 1999 is a massive disappointment and a massive confidence trick that is being played on all Australians, including indigenous Australians who, along with the pastoralists and miners, have been the losers. I repeat a statement that has already been made in this Parliament: the Labor Party and the High Court, hand in glove, have foisted upon this country one of the greatest and most divisive follies ever seen in our history. I certainly look forward to the day when we can see some commonsense prevail and we can put all this rubbish behind us so that we can live in harmony together and everyone can get a fair go. I know we will get there one day, although we have to go through all this rubbish and, in the meantime, people will continue to be hurt, misled and confused. In addition, the legislation places a massive cost not only on the Aboriginal people but others as well. The only winners are the legal fraternity. They are laughing because the more of this rubbish that we pass, the more that is in it for them. The pointy heads, the legal eagles and the people who have dreamed up this stuff—

Mr Hobbs: Carpetbaggers.

Mr COOPER: Call them what you will. They are making a killing out of this, but their day will come and I look forward to being around to make sure they get their comeuppance.

Mr Santoro: What does it do for jobs, jobs, jobs?

Mr COOPER: It is only jobs, jobs, jobs as far as the legal profession is concerned. There are more snouts in the trough to bleed the country white. I hope that members will pardon the expression, but that is the way it is.

I believe that the High Court Wik decision was a disgrace. Most thinking Australians know that and have said so. They know that we could have lived with the Mabo decision until Paul Keating got his hands on it and imposed Labor Party policy on it, although he could not even get that right. He messed that up as well, which I think is a tragedy. We are left with the mess and again it will be up to someone, somewhere, sometime to clean it up.

I quote from the Leader of the Opposition, who spoke about what happened when all this started, because there is so much confusion surrounding the issue. I dare say

that people from all sides of Parliament and certainly those in the community would not be able to explain the processes that people have to go through. People are utterly confused. Whether they are involved in the mining industry or the pastoral industry, they do not know which way to turn and it is causing a great deal of depression, division and hatred. All of that has been foisted upon us by a High Court that is filled with pointy heads who did not know what they were doing. They have imposed a decision upon the people of this nation that they should be ashamed of.

Mr Welford: Don't you have any respect?

Mr COOPER: Absolutely none. The Minister can call it disgraceful, but I have no respect for the people who have foisted this decision upon the nation. It has caused so much division, heartache, disappointment and tragedy. It is a cruel confidence trick that has been played on so many people, including the Aboriginal people. Those people who foisted this upon us should be ashamed of themselves.

Mr Welford interjected.

Mr COOPER: Would the Minister like me to say it again? I am happy to keep saying it, because that is exactly how I feel and it is exactly how the majority of Australians feel. It is the few academic airy-fairy people who think, "Isn't this great?" It gives them a warm fuzzy feeling, despite the fact that they have made such utter fools of themselves.

The right of Aborigines to negotiate over mining was perceived in the 1993 Native Title Act as applying to land where no person other than the Crown had rights to the land. The presumption of the day was that the right would therefore apply only to vacant Crown land, nowadays called unallocated State land, because that was perceived to be the only tenure on which native title might have survived.

The right engaged procedural rights that were far in excess of the rights that any other Queenslander has ever had in the context of mining on their land. That poses the question: why should Aborigines achieve rights far in excess of those available historically to anybody else? The answer is: that was as far as the Labor Party was prepared to go in 1993—towards the 1970s vintage policy of a full veto on mining for Aborigines. That was what Labor thought the metropolitan market would bear. That Labor policy is the genesis of the right to negotiate. That did not mean much in Queensland at the time of the passage of the original Act. Only a very small proportion of our State is unallocated State land, and the assumption was that the right to negotiate would rarely come into play in this State. As we know, the Wik decision changed that.

In the final analysis, the High Court's ruling in Wik was far more interventionist than the ruling in Mabo. The presumption in Mabo was that native title had been extinguished over the great bulk of the landmass by inconsistent dealings in the land by Government; that wherever there had been a grant of a title inconsistent with the continued existence of native title, native title was extinguished to the extent of the inconsistency. In Mabo, dealings which totally extinguished native title were said to be any dealings which granted freehold rights over land and most leasehold rights over land. In fact, the earliest views of the Keating Government were that even mining leases extinguished native title. In Wik, that view of exclusivity attaching to leasehold was reversed, to the extent that the long-established principle that a lease was a grant of exclusive possession that therefore necessarily extinguished all native title was overturned. Talk about inconsistency! This from the High Court—made up of different people then—which has since caused so much confusion!

We have seen all of the attempts made to repair the damage. The Premier made all sorts of promises about how strong and competent this Government would be; that it would put it all right and make it all work so that everyone could understand it. This sort of legislation is constantly being introduced into this place. There have been endless amendments. As I think has been said, there have been some 90-odd amendments, none of which anyone can possibly understand. Perhaps the Premier can explain a few of them, because we want to know how this legislation will improve the situation. As has been said, given the large number of amendments, the whole Bill should be withdrawn, cleaned up and brought back. As I said, it is a tragedy that this has to happen.

Most people, including some honourable members opposite, are sick and tired of the Premier's constant apportioning of blame to someone else. According to him, it is always someone else's fault. This Government has been in power for 12 months. It said that it would play merry hell with this legislation and fix it up. Of course, there is more confusion now than there ever was. It is no use blaming the Federal Government; it did the best it could do at the time with its 10-point plan. But the plan was constantly altered, delayed and mucked around with in the Senate by people

who wanted to make sure that there would still be confusion. They wanted to make sure that there was as much confusion as possible so that they could blame the Government of the day.

The mess resulting from the original decision has caused the pastoral industry much pain. In many senses, this has crippled the pastoral industry. The process has been extremely costly and heart-breaking. Many people involved in the farming industry have experienced droughts, cyclones, floods, collapsed markets and falling commodity prices. Most of those things are either acts of God or beyond our control—for example, fluctuations in world markets. This rubbish is man made—Beattie Government made. It should never have happened.

There are some sound and practical people on both sides of the Chamber. However, the airy-fairy members are the ones who seem to prevail. They seem to think that they will never have to live with the consequences of their actions. They have brought in this sort of legislation and have carried on with these attempts to make it work. They know darned well that it will not. It is the people who have to live and suffer because of this whom I and other honourable members on this side of the House feel for. Not only will they have to pay out an enormous amount of money to sort this out; they will experience endless delays and confusion. Unfortunately, it also causes division amongst people.

The right to negotiate is an imposition that I believe sets black against white. I do not believe that there are any benefits for either side. Sadly, the vast majority of the population will be hurt and are hurting as a result of this. It is only a few who seem to see any benefits. Mabo meant that native title would apply to the 2% of the State that is unallocated State land. That is what that meant at the time. People could live with that. The Wik decision altered that to capture the 75% that is leasehold. That is a massive reinterpretation of the land law. A few academic socialists on the High Court brought about total confusion. I know that my voice might not carry all the way to the High Court, but I want to let them know about the damage they have done. As I said, tragically, there are no winners in this except those few.

Even the Scrutiny of Legislation Committee's critique is scathing. At point 6.7 it stated—

> "The Committee notes that the Explanatory Notes do not clarify, on a clause-by-clause basis, the nature of the changes effected by each provision of the bill. The committee is therefore concerned that the Explanatory Notes do not provide the standard of explanation necessary to comprehend the changes effected by each clause of the bill.
>
> The Committee requests information from the Premier ..."

Mr Welford: That is outrageous!

Mr COOPER: We all know that it is outrageous. Sadly, we have to live with this. The Scrutiny of Legislation Committee has got it right. As I said, there are honourable members on the other side of the House and on ours who find this all too confusing. One day the matter will be cleared up in the interests of all. It is unfortunate that people have to go through pain in the meantime. Even if this Bill is passed by the Parliament, it will cause confusion and will not solve anything. Again, both the ordinary Aboriginal people and the pastoralists have my total sympathy.

Mr Welford: They will work it out without your help.

Mr COOPER: They will not. How on earth will those two groups ever work it out? They know very well that the system will be working against them.

Mr Welford: You are happy just to fan the flames.

Mr COOPER: I am not. We should not have had this situation in the first place. However, we have got it and it is something that has to be dealt with.

Mr DEPUTY SPEAKER (Mr Reeves): Order! I remind the member to speak through the Chair.

Mr COOPER: We are enjoying the tete-a-tete. I guess that epitomises the difference between our side and that of members opposite. The member opposite said that this will all be worked out somehow. He is hoping against hope that it will. However, we want to see something constructive and clear in legislation so that everyone knows where they stand. But if we continue to have a mass of legislation that has to be worked through legally, the laymen, be they Aboriginal or white people, will not have a hope.

Unfortunately, I believe, the legislation bogs down the development and progress of the pastoral industry of this State. As I have said before, over the past 9 or 10 years they have had enough problems to deal with as it is. These further constant impositions make it even tougher for them to make a living and to

survive in business. It is no wonder that people get frustrated. That is why we see endless frustration in the community being manifest in various ways, for example, through Independents or other political parties. We are seeing more and more of that. We cannot necessarily blame people for that. If they feel angry and frustrated, they obviously have reasons for that. This is another imposition that is added to their other pain and suffering. Tragically, it seems as though there is no end in sight. It is just out of sheer desperation and the sheer fact that this is so unnecessary that these people have to try to live and breathe under these conditions. That, I believe, is the rank absurdity that is known as "native title".

Mr Welford interjected.

Mr COOPER: One day it will be a thing of the past. I believe that one day we will be able to live in harmony without the mess that has been created. I think it is just sad that Governments of the day—be they of the political colour of the member opposite or ours—who, as the elected representatives of the people, are the ones who have to answer to the people but find it very difficult to do so when something is imposed on them by non-elected people from above. That is what makes life even more difficult, and most people realise that. It is the people who let politicians know whether or not they are going to be the Government of the day. If parliamentarians, who are in the hands of the people, are in control, they should have the means to set things on the right track, but they have enormous difficulty coming to grips with something that has been foisted upon them from above.

We on this side of the House will not rest until this farce, this impediment, this absurdity, this tragic disappointment, this costly mess and this very cruel imposition is behind us. I do believe it is a shocking experiment gone wrong. It is something that we all have a responsibility to put right. One of the things we could do and must do is explain this to the people. It is very difficult to go out amongst the people to try to explain this sort of thing, but we owe it to the people go out to explain the ramifications of this as much as we possibly can.

As the Minister for Environment and Heritage and Minister for Natural Resources said, we should not fan the flames. It is not a question of fanning the flames. We do not have to; they are burning brightly. We have to try to make some sense out of this. That is what is not happening. It would be interesting to hear the explanations as to what these particular amendments actually mean and what they will do to make life easier for all of those people out there who are affected by the legislation. I am willing to bet that this will not make life any easier at all. It will not clear up any of the confusion. Unfortunately, as I have said, it is the people who are going to suffer. It will impact on the ordinary Aboriginal people out there, who have suffered long enough. To now have this imposed upon them is a cruel act. Of course, white Australians will have to try to live with it as well. They have to try to make a living, to be productive, to raise families and so on. To have this, which will make their life almost impossible, imposed upon them as well is one of the cruelest acts. I want to make sure that my thoughts are on the record, and I think I have done that. I do not apologise for one thing that I have said. I am going to make sure that everything I have said is circulated widely because people are asking us, "What on earth is going on? What is this native title all about? How can we do something about it? How we can we know what it is about? How can we understand it? How can we explain it?"

Mr Welford: Abusing the High Court isn't going to gain them any good. How does that help?

Mr COOPER: As I said, the people out there are the ones who are suffering, and the member opposite and everyone else have a responsibility to try to explain it to them. As I said, I am saddened to take part in this debate because I do not believe it is going to help the State in any way, shape or form. I do not believe it is going to help the nation. The Government keeps on putting through legislation like this, some of which is supposed to allow us to try to help people. Occasionally we come to this sort of stuff, and we know that we are only going to make things worse.

The Minister for Environment and Heritage and Minister for Natural Resources is saying that I want to abuse the High Court. I have a right to say what I think about any non-elected or elected body, and I will do so. Freedom of speech still lives. Those people have no God-given right to force this sort of stuff on me or anybody else. I want my thoughts to be known, and they are; they are on the record. I am very pleased at least to get that off my chest, but I will still work very closely with people—with pastoralists and with Aboriginal people—out there in the real community, in the real world, to try to get some sense out of this so that, as I said, one day we might be able to live together in harmony. I look forward to that.

Mr FENLON (Greenslopes—ALP) (4.24 p.m.): I rise today to support the Bill. In doing so, I have to note just how little those opposite have learned since they last came in here and pontificated about native title. They have moved nowhere and they have learnt nothing. But it certainly is very helpful to the public of Queensland to have this debate, to show again just how different from us those opposite are.

Everything that has been said in terms of showing that they have learnt nothing shows that they are still entrenched in that oblique resistance to this major change in the legal, political, social and cultural landscape of Australia. It is resistance which shows that they are still locked and entrenched in a set of values—a set of principles—which would indicate that they simply prefer straight conflicts—a straight fight—between the various interested parties. They want those parties out there on the ground slugging it out. The good old "divide and rule" principle would prevail if they were in Government to oversee the process. Indeed, while they were dividing and ruling, their own particular economic interests would surely prevail.

I am also amazed by the statements made by the member for Crows Nest in referring to the High Court as "socialists". What year is this? Is it 1999 or 1899? Even Tim Fischer had the good sense to tell the truth about what he saw as the High Court and what he wanted it to be. He at least referred to them as small-c conservatives, but he wanted them to be capital-c conservatives, which was Tim's very modest and delightful code for, "Yes, we know they are conservatives, but we want them to move about 10 degrees further to the right. We would like them to be far more conservative."

At least good old Tim was honest about that, even though it was completely wrong and improper for a senior politician in Australia to be making those sorts of implications—even demands—about the political colour of the High Court. That is unprecedented in Australia's history, and even within the Western World. It is unbelievable that senior politicians in a Westminster democracy would make such statements. It is astounding.

But even more astounding in terms of the political landscape of Australia is whom that is coming from, because the people from whom those statements are coming are those who are generally seen as representing the conservative forces—the conservative parties—in this country. It has been their traditional domain that they have been the advocates of the judiciary—the conservative judiciary—that certainly has prevailed in this country over the years. But, no, on this occasion we see the conservative forces in this country directly attacking the judiciary, directly attacking the integrity of that judiciary and, what is more, doing so in a bizarre and most inappropriate manner. It just shows where the conservative political forces in this State are heading. It shows their desperation in trying to get into bed with One Nation. We heard exactly the same line from One Nation members today in terms of an attack on these authorities that made an independent and well-considered decision based on very substantial and sophisticated hearings over a very long period. Because they cannot accept the umpire's decision, they have to attack it, but they have to do it together. It is, indeed, the "One" National Party and the One Nation Party now in Queensland working together to attack the judiciary, and in doing so what an indictment that is on the conservative side of politics of this country.

Let the Hansard record show that this has been the stance taken by the conservatives in this House—calling the members of the High Court socialists. What absurdity! Are we imagining that the High Court judges are down there by Lake Burley Griffin reading their copies of the Socialist Worker or sitting around discussing the merits of Das Kapital? I do not think so. These people are fundamentally conservative in terms of where they have come from to get to their positions. I believe that is a point well accepted by all parties historically in Australian politics. Historically, the High Court has been a buffer in terms of change, but it seems that the ground has suddenly changed beyond small-c conservatives and capital-c conservatives. Now, according to the claims of those on the other side of the House, apparently we have capital-s socialists on the High Court.

I will touch on some of the important aspects of this legislation to illustrate again the general theme that has been taken up in this Bill which confirms the very great distance on these matters between those on the other side of the House and the party of which I am a part, and very proudly so. This Bill reconciles two competing interests of all Queenslanders. The first is the advantage of sustaining the growth of the mining industry and the second is the fundamental cultural significance of recognising and protecting the rights and interests of indigenous people. This legislation takes these two needs and provides a balance. It ensures the efficient management of the mining industry while providing native

title holders with tangible rights and safeguards.

A clear example of the neat balance achieved by this legislation is found in the section 43 scheme. To explain this scheme it is necessary to understand that mining involves grants of mining tenements over essentially three broad categories of land. The first category of land concerns freehold land—land where native title is most likely to have been extinguished. The second category is land, such as pastoral lease land, where it is possible that native title might coexist. The third category of land is section 43 land. Section 43 land is land where native title is most likely to exist, such as unallocated State land. It is this third category which is covered by the section 43 scheme.

It is clear that these section 43 dealings involve land where native title is most susceptible to extinguishment. Therefore, this is where native title rights and interests need greatest protection. This was recognised by the Commonwealth Native Title Act and this is delivered by this Queensland legislation.

Of the four schemes provided in this Bill, the section 43 scheme accords greatest rights of notification, consultation and negotiation to native title parties. Yet at the same time the scheme is also of benefit to the mining industry as it provides a streamlined process for exploration and mining. The result is a fair outcome and an advancement of opportunities for everyone.

I remind the House that the requirements in this Bill are additional to the requirements in the Mineral Resources Act 1989. The requirements of the section 43 scheme are in addition to the requirements in the Mineral Resources Act 1989. The requirements in the section 43 scheme will also apply if an applicant under a section 43A scheme elects for them to apply, instead of the requirements of the section 43A scheme.

There are four mining tenements provided for under the section 43 scheme: mining claims not on alternative provision areas; high impact exploration permits not on alternative provision areas; a high impact mineral development licence not on alternative provision areas; and other mining leases not on alternative provision areas. I remind the House that an alternative provision area is defined in the Commonwealth Native Title Act. In general terms, an alternative provision area is non-exclusive land that is or was covered by freehold or a lease which did not extinguish native title rights and interests, or is or was reserved or dedicated for a public purpose and is or was used for that or a similar purpose.

An example of non-exclusive land that is not an alternative provision area is land which has always been unallocated State land. Non-exclusive land is land where native title has not been extinguished but only where that land is on the landward side of the mean high-water mark. The additional requirements for the section 43 scheme are specified in detail in Division 4 of Part 17 of the Bill. Part 17 relates to mining leases.

The other forms of tenement that come within the section 43 scheme are less detailed. The additional requirements that apply are notification and registration, consultation and negotiation, objection, hearing, and notice of grant. I will now elaborate on these additional requirements—first, the notification and registration.

An applicant for a mining lease other than a surface alluvium—gold or tin—mining lease must give written notice about the application to the native title notification parties and the native title registrar. The native title registrar is the registrar of the National Native Title Tribunal. The applicant must also publish the notice in a newspaper circulated in the area of the proposed lease and in a publication catering for the interests of Aboriginal people or Torres Strait Islanders, which also circulates in the geographical area of the mining lease and is published at least once a month. That notice must be given and published at any time between three months prior to lodgment of the application and 28 days after the certificate of application is endorsed by the mining registrar. A longer period may be allowed.

The native title notification parties for the land covered by the application are the registered native title bodies corporate, the registered native title claimants and the relevant representative Aboriginal or Torres Strait Islander bodies. The notice must state that any registered native title party has a right to be consulted about the proposed lease, to object to its grant and to negotiate about the grant. The notice must also specify the notification day, which is the day by which the notice will have been received by or come to the attention of all relevant parties, and the closing day, which must be at least three months after notification day.

The expression "registered native title party" generally means the registered native title bodies corporate and registered native title claimants in relation to the land, but it may also include other parties, including claimants who are registered within one month of the closing day. The applicant must also advise

the mining registrar that the notice has been given and of the names and addresses of the registered native title parties. If there are no registered native title parties with respect to the application or those parties do not object to the application, the process under Division 4 of Part 17 will stop. The mining lease may then be granted, provided the usual requirements of Part 7 are met.

I now turn to consultation and negotiation. If the Division 4 process has not stopped, consultation and negotiation in good faith is required with a view to obtaining the agreement of the registered native title parties to the grant of the mining lease and any conditions. The parties to the consultation and negotiation are the applicant, the registered native title parties and the State, although if the parties agree the State may stop having a role or have only a particular role.

Division 4 includes guidelines about the process for consultation and negotiation in good faith and allows any party to ask for mediation to help in resolving relevant issues. If the consultation and negotiation parties reach agreement, the parties must lodge a certificate with the mining registrar and give a copy to the tribunal. The process under Division 4 of Part 17 will then stop, and the mining lease may be granted provided the usual requirements of Part 7 are met.

I turn now to the issue of objection. A registered native title party may lodge an objection to the proposed mining lease at any time before agreement is reached or before the proposed mining lease is referred to the Land and Resources Tribunal. The objection may be withdrawn at any time before agreement or referral and must be withdrawn if agreement is reached. An objection by a registered native title party about the effect of the lease on the party's registered native title rights and interests may only be made under Division 4 of Part 17.

I turn now to the issue of hearing. The tribunal must hear an objection that is not withdrawn. The tribunal is also open to any consultation and negotiation party to refer the proposed mining lease to the tribunal to make a native title issues decision about whether or not the proposed mining lease should be granted and, if so, on what conditions. A party cannot refer the mining lease to the tribunal until the later of six months after the notification day or three months after the mining registrar displays notice about the environmental impact statement, if any. However, if no referral is made within three months of that time, the Minister may reject the mining lease application. The hearing by the tribunal will be combined with any hearing required under Part 7, for example, to hear objections made by other land-holders.

Subdivision 5 outlines the requirements for the combined hearing and the matters to be taken into account by the tribunal in making its native title issues decision. Those matters reflect the requirements of section 39 of the Commonwealth Native Title Act. In certain circumstances, the Minister may overrule the native title issues decision or ask the tribunal to make a decision urgently if it is in the interests of Queensland.

Finally, I turn to the notice of grant. If the mining lease is granted, the holder must give notice of the grant and any conditions to each registered native title party within 28 days of receiving notice of the grant.

Members can see from these amendments that the changes proposed under this Bill provide more machinery and more mechanism to drive the original ethos of this Bill towards negotiation and settlement between the parties and towards bringing the various parties together to ensure that all of the interested groups have appropriate processes at their disposal, with reasonable time frames and reasonable judicial capacities to determine outcomes at critical stages of the process. Again, that is in stark contrast to what would be desired by members opposite—to have blood on the streets and to have those parties fighting it out and, indeed, for particular economic interests to prevail out of that. And those economic interests do not necessarily always coincide with the prospect of enhancing mining in this State and the development of jobs. I support the Bill.

Mr KNUTH (Burdekin—IND) (4.43 p.m.): In 1974, a Labor Party senator by the name of Senator Cavanagh stated at the National Press Club that the Federal Government had bungled the Aboriginal policy. According to one report, the then Minister for Aboriginal Affairs, Senator Cavanagh, said that the Federal Labor Party had bungled the Aboriginal policy and had altered the whole character of the Australian individual and created areas of hatred. He told the National Press Club that Labor's implementation of this policy in Aboriginal affairs had been one of disaster. We still do not know what is best for Aborigines.

Twenty-six years later, the Labor Party is still bungling Aboriginal affairs. And I believe that this will go on for another 20 years, despite what is being said in this House and despite what is being said by the Government.

Where will it all stop? Will the Aboriginals, at a later date, sell the areas of land that they have acquired? And in the future will they say that they were diddled out of the right price, and will it all come back to the Australian people? This debate has been raging for 30 years. In common with the member for Crows Nest, I would honestly love to see an end to it, too, but somehow I do not believe that I will.

One aspect that has been left out of this debate is small business and what this is doing to small businesses in rural and regional Queensland. A constituent of mine came into my electorate office the other day. He is setting up barramundi tours in the Burdekin. He spent everything he had to set up that business. It is a great idea. It is promoting jobs in the Burdekin. It will capture the tourists who go through my electorate every year at this time. But what he did not account for was native title. He thought he had everything covered. He put in his submission to the QFMA, but the QFMA has been knocking him around, telling him to do this, telling him to do that. Then suddenly, he has to face a native title search.

I phoned the QFMA and said, "Look, I have already done a native title search. I did it a couple of days ago because of the hut owner's business. I assure you that there is no native title over that area." But the QFMA said, "Oh no, we have to do our own." I said, "Look, I have got all the papers. Why can't we get this over and done with right here today and get this man in business? He is losing jobs. He is knocking back tourists. He has been booked out, but he has to knock all that back because he cannot get the licence he needs."

This sort of thing is happening to hundreds of small businesses throughout Queensland—thousands. I have heard developers say the same thing: they cannot put a road through, they cannot do this, they cannot do that, because it could be under native title or it is rumoured to be under native title. These are the problems that are being created. I do not believe that, when they made their decisions, the Federal Government and the High Court foresaw this.

I do not have the answers. I believe that we should all get together to push something through. I am not saying that Aboriginals do not have the right to own land. I am not saying that for one minute. But how far is this going to go? Is it going to drag on for years? Or will it stop after this Bill has been passed? I do not know. However, I do know that it is causing untold pain—a lot of pain. People are perplexed. They do not know where they stand. People in the country areas are hurting the most. I have not heard of any native title issues in relation to metropolitan areas. If there were, I believe that there would be a public outcry, and the Labor Party knows that.

What amazed me was that, at the opening of this Parliament, former Senator Bonner stated that this was his land. Is the day going to come when we see a native title claim over the land on which this Parliament sits? What is going to happen? What will we do then? Will the Labor Party change its views on native title?

Mr Pearce interjected.

Mr KNUTH: I am sorry, but that is what he stated.

The Labor Party thinks it is very strongly behind native title issues. However, the truth is that the Labor Party got onto these issues because it was losing the blue-collar vote. The blue-collar voters walked away, so the Labor Party took on these minority groups. It is pushing their barrow—"We got the green vote, we got the homosexual vote, and now we have the Aboriginal vote. That should get us into Government."

Mr Sullivan: You're the one who wanted a pink bridge.

Mr KNUTH: I will do anything to attract tourism in the Burdekin no matter how absurd it might sound to the member. If it means dollars to rural communities, I will push it.

Mr Sullivan interjected.

Mr DEPUTY SPEAKER (Mr Reeves): Order! The member for Chermside! I remind the member for Burdekin to speak through the Chair.

Mr KNUTH: I am wasting my breath trying to change the Bill, so I am just going to speak on behalf my constituents. Every time I listen to the blue-collar workers, and every time they hear something about native title, they say, "I am sick of that party I have been supporting all my life." It has been proven that the Labor Party won 37.8% of the vote in Queensland at the last election. It managed to get into Government thanks to One Nation—thanks to Pauline Hanson's ridiculous views, because she did not want to pass preferences to the conservatives. The Labor Party got into Government, but it is not going to happen again.

Mr Reynolds: What about the Country Party?

Mr KNUTH: What about the Labor Country Party? That is more interesting. I thought they stole my idea.

Mr Reynolds interjected.

Mr KNUTH: This Bill is just helping the conservative cause. If the Labor Party wants to continue backing this Bill and backing native title it should go ahead because it is simply helping our cause. More and more blue-collar workers keep coming over to us every day. I thank the Labor Party for taking this on. I talked to an Aboriginal person from the Burra-Gubba tribe, which is one of the local tribes in the Burdekin area, and I was told that that tribe has not lodged too many claims. The people feel that, if they are not going to live on the land, why put in a claim. They know the truth. I asked the Aboriginal people, "Has any member of the Labor Party ever invited one of your people into his home?" I was told that they had not. I was told, "We know what they are up to. They are just after our vote." The Aboriginal people have woken up to that. The Aboriginal people are starting to get wind of what is going on. It is not going to last forever.

Mr Reynolds: They took five minutes to wake up to you.

Mr KNUTH: There goes the member for Townsville. I knew he would butt in sooner or later. Every time the member for Townsville opens his mouth another vote comes our way. The member for Townsville does more backflips than a Seaworld dolphin.

Mr Reynolds: They took five minutes to wake up to you, and you know it.

Mr KNUTH: I don't think anyone has woken up to me. I have been looking after my electorate as a good member should. I do not necessarily agree with what the member for Tablelands did, but he is standing up for his electorate. I believe any member of this House who stands up strongly for his electorate will be re-elected.

Mr Mickel: You voted for him. You were going to raise the standards of Parliament.

Mr KNUTH: Did I say that?

Mr DEPUTY SPEAKER: Order! I would remind members who are going to interject that they should do so from their correct seat.

Mr KNUTH: As I stated before, the pain that is being caused to small business over this native title issue is causing division in the community. Unfortunately, that division is being pushed back onto the Aboriginal community. I tell people, "Don't blame the Aboriginal people; blame the people who are pushing this. Blame the people who invented this." Henry Reynolds pushed this on Eddie Mabo when he worked at the university. He fed him dreams. I am not speaking through my hat. I happen to be good friends with Eddie Mabo's daughter, Bethel Mabo. Do not tell me that I am talking through my hat. I know exactly what I am talking about. The truth does not come out in the media. I know that I am speaking the truth about the facts behind the scenes.

Mr Reynolds: You just don't know that you are saying it in racist terms.

Mr KNUTH: I am not a racist. I would like the member for Townsville to withdraw that statement. I am not going to get him to stand up and do it but I would like him to withdraw it. I am not a racist. From my involvement with my own church and the Aboriginal people who have been with me, people will know that I am not a racist. I have never pushed racist views.

I have stated right from the start that I agree with Aborigines having the right to own land, but where is this going to stop? Who is pushing this agenda? Most of these Aboriginal people do not want land. Certain groups want the land.

Where have Queensland Governments and Queensland people been racially intolerant of Aborigines? Aborigines enjoy some of the best housing in the world. They enjoy social security. They enjoy all the benefits of a white society.

Mr Reynolds: You are incredibly naive.

Mr KNUTH: I am not naive. Nelson Mandela said himself that Aboriginal people have it very good in this country. They have. Where else in the world does a native race have it so easy? We have given them house after house. We have given them everything they have wanted. They have free medical services.

Mr Mickel interjected.

Mr KNUTH: Where? They enjoy all the benefits that any person in white society enjoys. They have had it very well. They have never been mistreated. Where is this going to stop? We keep hearing all these minority interest groups saying that Aborigines have it so tough and so hard compared with everybody else. In some circumstances I agree.

I agree that some people will not employ an Aborigine because of his colour. That is wrong. I have employed Aborigines. I employed Aborigines because of their attitude, not their colour. I had some very good Aboriginal employees. One of my employees was a very good mate of mine and he ended up committing suicide. It is a sad story. He went down to Hervey Bay and got in with the wrong bunch and ended up committing suicide. That upset me. I spoke to his mother

on Palm Island. I quite often worked on Palm Island. His mother said to me, "Jeff, I never liked whites. That's the truth. But when he was around you he came to his senses and he came back to me and he had a very good attitude to life." We ran out of work. We were doing contract work for the Department of Aboriginal and Torres Strait Islander Policy and Development at the time. He went down south and the rest is history.

I have heard statements from minority groups that Aborigines are doing it tough. I have just completed a trip to the Northern Territory where I looked at the tourist industry. It is a very well established industry. Aborigines in the Northern Territory are enjoying royalties from various mining groups. They are receiving money from the tourism industry and various uranium mines. I do not have a problem with that.

However, there is something that the Federal Government may have to look into. Sometimes Aborigines are successful in native title claims. We all know that any farmer or grazier who was unemployed and who ran out of money would be put through a means test. Once an Aboriginal tribe wins a claim and is making money, is the tribe going to go through the same means test? Why do taxpayers have to fork out money when Aborigines have suddenly become a financial institution? The Federal Government is going to have to look carefully at this. Aborigines cannot have their cake and eat it, too. We cannot have benefits for white men and separate benefits for Aborigines—

Mr Reynolds: You have no understanding of this Bill. You haven't spoken to one clause of the Bill.

Mr KNUTH: I spoke to the clauses at the last sitting. I am speaking about some of the facts behind this Bill that are not being talked about. I have the right to speak, and I will speak.

I would like to mention also the issue of hunting in these areas where Aboriginal people are going to claim native title and take ownership of the land. Will the hunting be done by traditional means? Will the hunting be done with a spear and a bark canoe, not with a Savage tinnie and a 40-horsepower Tohatsu and a 303 to shoot dugongs and turtles? These are the things that we have to consider. Aboriginals cannot enjoy both sides of the fence. They either want to live in their traditional way and own the land or they want to live the way of white man society, which has benefited them.

In the past, a lot of untruths have been spread about Aboriginals being forced off the land. In some cases, yes, they were forced off the land. However, in a lot of cases the Aboriginals walked towards what white man had to offer. Unfortunately, in many circumstances it was alcohol, which has been very detrimental to the Aboriginal people. In a lot of instances the Aboriginal people enjoyed what the white man had to offer, so they left the land. Recently, I saw this first-hand when I went to Kakadu.

Mr Pearce interjected.

Mr KNUTH: That is right. I went to Kakadu. In 1964 an Aboriginal elder—I cannot remember his name—made paintings on rocks. He did that because he wanted to show his people what they were walking away from. They were losing their identity with the land and with the Aboriginal customs and ways, because most of them had walked away from the Kakadu area to work on the big cattle properties. They were more interested in the horses, cattle, stockwhips, jobs and money that they could obtain from the white man. So these people were not pushed off the land. This was the tour guide talking; he knew all the facts and they are backed up by the Aboriginal hall that they have at Kakadu. Those Aboriginal people were not pushed off that land; they wanted to go off that land. No-one forced them off. However, it has been stated that many Aboriginals were forced off the land. In some cases, yes, they were, but not in all cases. That is pretty evident in a lot of the communities around the coast.

Mr Reynolds: You need to enrol in a first-year anthropology course at James Cook University. I will give you a reference so you can get in.

Mr KNUTH: The member for Townsville seems to know what he is talking about. I would like to hear him talk on the subject one day, if he may. I would not mind that.

Many untruths have been spread about what is happening with Aboriginals. I do not know too many Aboriginals who really want to go back to their traditional ways. However, if they want to, they should have that right. There should be no reason for stopping them. I am very concerned about the push for land grabs. Is it being pushed because Aboriginals wish to go back to the land or is it being pushed for monetary gain? That is what concerns me, because a hell of a lot of people out there in the small business fraternity are suffering because of native title. What about their rights? Is anybody going to cry for those people? I am. I will stand up and I will go on

record and say that I back those people who are being pushed aside by native title and back their rights to be able to create jobs and get on with their businesses. I think that I am wasting my breath with the Labor Government.

Mr Reynolds: You are just wasting your breath.

Mr KNUTH: I agree with the member for Townsville; I am wasting my time, but at least I will be able to go back to my electorate and say that I stood up for small business in Queensland.

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (5.04 p.m.): This Bill is a major part of this Government's strategy to get mineral exploration and new mining projects moving again in Queensland. As members will be aware, in recent years a considerable backlog of applications for exploration permits at various mining ventures where native title may still exist has built up. At present, there are over 1,100 applications for exploration permits and some 500 applications for mineral development licences, mining claims and mining leases. That backlog has come about through a combination of the complexity of the Commonwealth Native Title Act and the inability of the previous Government to deal with the situation constructively. During their time, they did nothing about this situation, except put a freeze on everything.

Since coming to office, the Beattie Government has developed a fourfold strategy to deal with the situation in a manner equitable to all parties. Firstly, we have initiated a number of right to negotiate processes under the Commonwealth legislation to allow significant advanced mining projects to proceed as soon as possible. Secondly, we have begun a multiple right to negotiate process in various districts of the State to deal with most of the outstanding applications for mining leases and mining claims of small miners, chiefly for opal, gem and alluvial gold. At present, in some districts these negotiations are coming to a conclusion. As part of the negotiations in these districts, we also hope to reach indigenous land use agreements for dealing as simply as possible with future applications. Thirdly, we have introduced legislation to provide alternative State procedures, which are simpler than those provided in the Commonwealth native title legislation.

As mentioned by the Premier, the Native Title (Queensland) State Provisions Amendment Bill (No. 2) 1998 was passed by this Parliament in November of last year but not proclaimed, pending necessary approval by the Commonwealth Attorney-General. Essentially, this Bill revises that legislation in the light of extensive consultation with the Commonwealth on compliance and workability issues. If passed and approved by the Commonwealth, this legislation will form the cornerstone of dealing with the native title requirements of mineral tenure processing in Queensland for the future. Fourthly, the Government is also committed to arranging even more flexible procedures for tenure processing for both applicants, native title holders and their representatives through appropriate indigenous land use agreements for particular districts wherever possible.

There has been some criticism that the Government is not using the provisions of section 26C of the Commonwealth Act, which allows exemption from negotiation for tenures in areas of opal or gem mining activity. The Government has concluded that such provisions would be of only limited use, because they would be restricted to limited localities where activity is particularly intense. The Government considers that developing indigenous land use agreements for relevant areas is a more productive approach. Nevertheless, the legislation before the House provides for the possible use of section 26C and the Government would be prepared to reconsider, if a consensus is reached, that it would be useful in particular circumstances.

Where there are no potential native title issues—for example, on freehold land—then exploration permits are being issued. However, this legislation will most importantly allow exploration permits to be granted again over a large part of the State, hopefully to result in the discovery of new mineral deposits for the future benefit of the Queensland community as a whole. It will also allow those mining lease and mining claim applications outside the current right to negotiate processes to proceed. However, with the large numbers of applications outstanding, a controlled process is necessary to commence the new notification, consultation and negotiation processes. If these were to be started simultaneously for all applications, native title holders and representative bodies would have little chance of dealing with the requirements in the statutory time frames and there would be administrative problems in the Department of Mines and Energy and the Land and Resources Tribunal. Accordingly, the Government has developed a transitional phase-in strategy for dealing with the backlog. That is in Part 19 of the Bill.

Before the legislation commences, the Department of Mines and Energy will contact all outstanding applicants, informing them of their options under the new legislation and asking what type of tenure they require, for example, a low-impact or high-impact exploration permit. After the legislation commences, the department will notify applicants progressively that they may commence the notification and consultation procedures. Applicants then have two months or four months to begin, depending on the type of tenure. The department's notice will be issued in batches for similar tenures in the same native title claim area, or parts of a claim area, so that the most required consultations of a particular nature for a particular district can be undertaken more or less at the same time. Before deciding on appropriate batching, the Government will consult with Aboriginal representative bodies in regions where there are numerous applications outstanding. Nevertheless, there will still be a considerable workload on all concerned, but with goodwill on all sides it is hoped that the backlog will be a thing of the past within 18 months, allowing us to progress in a much more constructive way in the future. I commend this Bill to the House.

Dr PRENZLER (Lockyer—ONP) (5.10 p.m.): The Native Title (Queensland) State Provisions Amendment Bill 1999 is another prime example of the control that Australia's Commonwealth Government has over the States. This State cannot avoid legislating for native title due to the Commonwealth Native Title Act—an Act that I am sure must be the most confusing and ridiculous piece of legislation in the entire Commonwealth collection.

I realise that this Bill is almost the same as the previous alternative State provisions Bill that was passed in the House in November last year. Apart from the amendments required in order for this Bill to pass the Federal Attorney-General's inspection, amendments to incorporate procedure which is current practice and was thought to have been in the Mineral Resources Act and additional transitional provisions, this Bill is almost identical to the original Native Title (Queensland) State Provisions Bill.

I also understand that this Bill cannot be avoided. What I do not understand is why these issues were not dealt with the first time around. Not only are we now debating another version of a Bill that has already been debated and passed, but we were also issued with another raft of amendments that the Government will be making to its own amendment Bill. In respect of the Parliament, other members of this House and the people of Queensland, the Government should have more consideration for the time required to examine and analyse such a large number of new amendments. The High Court and present and previous Federal Governments have succeeded in creating this web of madness, and the State Government must suffer accordingly, as must all Australians, especially those directly affected by this native title nonsense.

Considering the reality of the situation, and as much as I object to the entire concept of native title, I feel that the Premier and his native title task force team have delivered a passable solution to the problem of native title in Queensland in relation to mining activities. However, I must express my growing concern over the increasingly reduced role that State Governments are playing in Australia. Commonwealth Acts and intentions have far too much influence over the workings and laws that relate to Queensland.

The issue of native title is of great concern to many Queenslanders, including me. The existence of native title has confused many people. There is not even conclusive evidence that the Aboriginal and Torres Strait Islander people are in fact the original Australians. Several anthropologists throughout history have disagreed with such a claim. In fact, they have claimed that another race roamed this country long before the Aboriginal people and that this race was killed, destroyed or driven away by the Aborigines.

Professor A. P. Elkin was Professor of Anthropology at the University of Sydney in the 1950s. In his book, The Australian Aborigines, he stated—

> "Was there a preceding race in Australia, namely the Tasmanians? The latter were a Negroid group related to the Melanesians and Papuans. If the Tasmanians were living in parts of Australia at the time the Aborigines commenced their invasion, they must have been either conquered and absorbed, or extinguished, or else forced to seek a new home across Bass Strait which may have been much less formidable then than now."

Another author, Kathleen Haddon, was the daughter of one of the world's most highly acclaimed anthropologists, Alfred Cort Haddon. She wrote a book titled Artists in Strings. Kathleen travelled the world with her famous father and referred to the Aborigines as follows—

"Long headed, broad nosed people of 'Pre-Dravidian' stock, they are connected racially with the 'Veddah' and certain jungle tribes of South India, rather than the neighbouring Papuans and Melanesians.

These 'Pre-Dravidians' appear to have displaced an earlier, woolly haired people, who had come into Australia via New-Guinea and who had survived until recent times only in Tasmania."

I might add that, although Eddie Mabo and his people, the Meriam people, led the native title issue, their case was far different from many that we see in Australia today, which are clearly greedy grabs. The Meriam people are of Melanesian descent, which is different from that of the mainland Aborigines.

The famous anthropologist Alfred Haddon published a book titled The Races of Man, in which he states—

"Australia was originally inhabited by Papuans or Negritoes who wandered on foot to the extreme south of that continent. When Bass Strait was formed, those who were cut off from the mainland formed the ancestors of the Tasmanians.

Later a Pre-Dravidian race migrated into Australia and over ran the continent and absorbed the sparse aboriginal population. The latter either being driven off, exterminated, or even partially assimilated ... "

Another author, E. R. Gribble, in a book titled A Despised Race, states—

"The first inhabitants were a negroid race being curly haired. Later came the 'Dravidian' (Pre), a straight haired race driven from Egypt through the north of India."

The length of time it is claimed Aborigines have been in Australia is also very uncertain. In the earlier part of this century, Professor J. W. Gregory came to the conclusion that the Aborigines had been in Victoria for only about 400 years. Professor A. P. Elkin, Professor of Anthropology at the University of Sydney in the mid 1950s, stated—

"The immense size of shell mounds, especially in northern Australia has been quoted as proof of a great antiquity of human occupation; I have seen a cockle-shell mound forty-five yards in circumference and three feet six inches high and there are larger ones. But the formation of such a heap does not imply thousands of years. A few score natives spending a few weeks occasionally in the locality would make a large refuse heap in the course of a century."

One has only to look at the mess that we can make in a few years to see that they could have done that very quickly. Professor Elkin continued—

"The Talgai fossil skull found in 1884 in the Darling Downs, southern Queensland, is also indecisive, for we do not know the rate of mineralisation in this region, and there was no geological evidence for determining its relative age."

In reference to the dating methods, particularly that of cation ration dating and carbon-14 dating which are used by many experts in attempting to date the length of Aboriginal inhabitance in Australia, the Geo Australasian, volume 15, No. 4, 1993, published an article titled The Date Debate. That article stated—

"Some scientists have raised continued concerns over accuracy after endeavouring to duplicate some of the cation ration work without success."

In a book titled Anthropophogmatism in the Antipodes, J. Cook revealed just how confused Australian experts seem to be about the length of the Aboriginals' stay in Australia. He stated—

"In 1961 it was claimed that they had been in Australia for eight thousand (8000) years. Then it climbed rapidly during the 1980's to be thirty thousand (30 000) years. By 1990, the academics were claiming forty thousand (40 000) years and by 1996 it had peaked at fifty thousand (50 000) years. So what is the truth?"

That is a very good question. What is the truth? Who were the original Australians? What happened to the race that may have existed here prior to the modern known Aboriginal? Should the Aborigines be apologising and paying any remaining Tasmanians and Papuans for invading their nation? How long ago did all of this happen?

It is clear that the Mabo case was the beginning of native title legislation, but Mabo and the Meriam people were not true Aboriginals. It seems clear that there is a great deal of disagreement as to who in fact the original Australians were. I am sure that many anthropologists could produce many more varying assumptions and conclusions. Even if only 10% of them believe that the Aboriginal race were not the original Australians and they were not here longer than 10,000 years ago, based on their studies and hypotheses, would this not be enough doubt? How could one

seriously conclude that the opposite was the case beyond reasonable doubt? One cannot do so; there is too much doubt.

Not only is it debatable who the original inhabitants of Australia were and how long the Aborigines have been in Australia; it is also debatable that any form of landownership ever existed. Professor Elkin further stated—

> "The food-gathering life is parasitical; the Aborigines are absolutely dependent on what nature produces without any practical assistance on their part. They must therefore, seek their food wherever it can be found. In other words, they are compelled by circumstances to be nomadic."

They were nomadic. They wandered the land, hunting and gathering. They did not set up communities and build roads. They did not develop agricultural communities. They moved from place to place and hunted and gathered their food. Yes, they did have tribal territories, but these territories changed as the tribes relocated. Land-ownership was alien to Aboriginal thinking. The entire native title mess that we face today is based upon arguable academic theory and legal opportunism, not fact—not evidence beyond reasonable doubt that Aboriginals are original Australians and not evidence beyond reasonable doubt that they own this land.

Native title has had a massive effect upon Australian industry and society in general and has added to the racial division that has existed in this country for far too long. In an attempt to make up for past wrongdoings, one should not initiate other wrongdoings. In 1996 in Longreach, the Prime Minister stated that in trying to address the past the pendulum had swung too far in the opposite direction. This is the same type of reverse racism that One Nation has spoken about since the beginning and in respect of which it has unjustly and without foundation been branded racist. Those who divide based on races are racists. Equality is the only answer, and native title does nothing to achieve that aim.

The member for Gladstone understands what equality means and displayed that through the introduction of her Mineral Resources Amendment Bill this morning. I commend the member for her effort to create some equality in the native title debate through her private member's Bill. I believe in what the member for Gladstone mentioned in her second-reading speech this morning, that is, land rights should be granted to non-indigenous Queenslanders who also can show a connection to the land. It makes good sense and furthers the fight for equality in Queensland. I am certainly looking forward to the debate on that Bill.

I know Queenslanders' hands are tied regarding native title. The Commonwealth Government will have the final say. The uncertainty needs to be ended and all parties need to know the procedure and where they stand. It is for this reason that we in One Nation will be supporting this Bill. However, I reiterate that One Nation's philosophy is one of complete opposition to the native title concept. Today I have informed members of some of the doubts that have been raised in relation to Aboriginal originality in this country.

Mr ROWELL (Hinchinbrook—NPA) (5.23 p.m.): Today, in rising to speak to the Native Title (Queensland) State Provisions Amendment Bill, in common with so many other Queenslanders I feel a profound sense of frustration about the fact that more than 12 months after the Beattie Government was sworn in it still has not delivered either a workable or fair package on native title laws for Queenslanders.

Last year, after many months of stalling and blocking tactics by the Labor Party and the Australian Democrats, the Howard Government was finally able to obtain Senate approval for a modified form of the 10-point plan legislation. It was as a result of the disgraceful tactics of the Federal Labor Party that the Federal Government had to go cap in hand to Senator Harradine and compromise the 10-point plan legislation to secure its passage. I would be the last person to rise in this Chamber and claim that the legislation that was eventually passed by the Federal Government was what Queenslanders needed. Although it improved the Native Title Act crafted by Michael Lavarch and Paul Keating, it is still a very cumbersome and complex piece of legislation.

Over the past five years, a whole native title industry has grown, and much of that industry is based on the fact that the Federal legislation is so long, difficult to understand and contains so many traps for the unwary that ordinary miners, pastoralists and claimants would need to stand in a queue to work their way through it. The complexity of the legislation is itself a major cause of the stagnation in the mining area, especially in respect of small miners. We are not talking about large multinationals with huge budgets and a team of lawyers and administrative staff; rather we are talking about small businesspeople whose margins are narrow and who do not have the logistical or material

means for getting on top of the law. But the complexities of the native title Bill, the uncertainties that the current law creates and the time and cost it adds to the bottom line are all having a catastrophic effect on the mining industry.

Just a month ago, Preston Resources, which was trying to develop Queensland's biggest mining proposal—a $750m nickel and cobalt mine—walked away from direct negotiations with native title claimants and has gone to arbitration. The managing director of Preston Resources, Adrian Griffin, said that the only thing standing in the way of the project, which has a life estimated at between 50 and 100 years, was native title. It is a very sad indictment on the current state of the law that a project which could supply 3% of the world's nickel and 4% of its cobalt and which would create 1,000 jobs during the construction phase and a further 1,000 jobs on a continuing basis is left up in the air. The fact that the current native title regime has resulted in a stand-off which is preventing this project from creating jobs, wealth and opportunities for all Queenslanders, whether they be black or white, is a tragedy. This Government was elected on the platform of jobs, jobs and more jobs, yet from its industrial relations law to its native title proposals it is driving jobs and opportunities out of the State.

Right now, more than 1,200 applications for mining claims are stalled in the Department of Mines and Energy—proposals that would create jobs and give a much-needed boost to many Queensland regional areas. They are just gathering dust in Mary Street. The Premier claimed that he had a plan—a vision—that would solve the native title problems besetting Queensland. He promised that through negotiations and compromise he would cut through the barriers and kick-start mining projects. He even claimed that he had a staged vision to native title.

Instead, in July 1999 we still do not have in place comprehensive native title laws drafted by the Beattie Government. In fact, despite all of the talk, claims and self-congratulations, we still do not even have any new cultural heritage legislation in place—just half-baked discussion papers that really go nowhere. This Government has not even updated the outdated petroleum laws, despite the fact that the Northern Territory was able to do so in its comprehensive native title legislation package last year.

We see a Government that is simply dithering and in the process is being quite rightly attacked by people on all sides of this debate. It is richly ironic that this Government, which claims that it would be able to bring the indigenous parties into the equation and reach consensus by the establishment of the Queensland Indigenous Working Group, quite deliberately ignored and attempted to brush aside that group's views on the notorious State Development and Public Works Organisation Amendment Bill last month. I am sure we will all remember that.

This Government, which claimed that it would respect native title, passed legislation that will allow the State to extinguish claims when significant private sector infrastructure projects are at stake. If this Government believes that native title claims can and should be wiped off the slate when private sector infrastructure projects are being put forward to the Coordinator-General, I find it very difficult to understand why it has persisted with presenting this Parliament with alternative State provisions which are so complex and which will continue to place many barriers in the way of the mining industry.

I do not intend to use my time to go through the various aspects of this legislation which were passed last year and which form the basis of this Bill. Nevertheless, I do place on record my concern that this Government, despite being given the opportunity by the 10-point plan legislation to pass alternative State provisions that will actually facilitate the development of our mining industry, chose instead to add further barriers to this important industry. There is no doubt that the passage of any State alternative provisions legislation is better than just relying on the Federal Native Title Act.

However, it is profoundly disappointing that the Beattie Government—and I am pleased to see the Premier in the House—has added in this Bill extra barriers to the exploration and granting of mining permits that were required by the Federal legislation. The procedural rights proposed by native title claimants and holders regarding mining and pastoral leases and other non-exclusive tenures are more extensive than those specified under the Federal Native Title Act in at least three respects. First, the Bill specifies a three plus one month time period to become a registered claimant. Secondly, there is an obligation to negotiate. Thirdly, criteria are specified for the independent tribunal to consider.

Independent observers recognised that these provisions bring the procedural rights for mining on pastoral leases very close to the level of the right to negotiate. Even though the

procedural rights granted for mineral exploration on leaseholder States are not as stringent, they are still significant. However, so-called "high impact" exploration permits are treated in the same way as mineral development licences, mining claims and mining leases, and the modified right to negotiate applies. As I mentioned, it is a matter of regret that neither this Bill nor the 1998 Bill deals with petroleum titles, and I would certainly like the Premier to comment on that. I hope that the Government gets moving and introduces legislation for this important industry.

The 1998 Bill was rushed in, and during the Committee stage the Premier moved some 160 amendments. The sort of amendments that were moved involved the following issues: the timing of compensation payments, compensation for native title holders who emerge at a later time, low-impact exploration activities, a provision that the State no longer had to be a party to an indigenous land use agreement, and objections by native title parties.

Under the 10-point plan legislation, the Bill, providing as it did for the alternative State provisions, had to be forwarded to the Federal Attorney-General for his determination and then be subjected to the scrutiny of the Senate. One would have thought that, having moved around 160 amendments, the Premier would have got it right. Instead, here we are more than eight months later debating essentially the same Bill, only this one is full of changes because the Commonwealth Attorney-General will not give a positive determination.

Mr Beattie: That's right.

Mr ROWELL: That is right. The Premier got it wrong. He did not observe what needed to be observed. He is a law unto himself. He wants to do what Peter wants to do. He cannot do it. The fact is that he has to comply, unfortunately, with a lot of what his people down there in the Senate wrote into that 10-point agreement.

Mr Beattie: You haven't got a clue.

Mr ROWELL: He does not have a clue, and it is proven here. There are another 90 amendments to the Bill that he has brought in now. He is absolutely incredible! I cannot believe it. I will go on, even though the Premier is certainly interrupting my contribution.

Instead, here we are eight months later debating this Bill. Why would the Commonwealth not do so? That is the important point. The Premier came into this House, tipped a bucket on the Federal Government, laying all the blame on it. He implied that the Commonwealth was being picky and obstructive. The truth is that the Premier presented to this Parliament a flawed Bill. It was full of errors, and this one that he has presented now is full of errors because he is now presenting more amendments to it. Not only was it wrong from a procedural point of view, but it was also wrong from a technical point of view. It was a pathetic attempt and was quite rightly torn to pieces by the Commonwealth bureaucracy, and that is a very important point. The Bill was submitted to the Federal bureaucracy and they found that it was full of errors and inconsistencies and was unworkable in parts.

This Government and this Premier should be hanging their heads low. They have wasted almost 12 months. They were dithering while mineral exploration has stalled. The best they can manage is to try to pass the blame onto the very Federal Government that pointed out the problems with the second stage of the Beattie native title plan.

Now we have the Bill introduced again, and again we are presented with a raft of amendments. After all this time, the Premier and his Government still cannot get it right. All Governments can be forgiven for introducing a few procedural amendments at the Committee stage. In fact, that can be seen as a good Government because the relevant Minister is listening to the community and is prepared to improve the Bill or compromise on key points. But in this exercise what we see is a Government that again and again is getting it wrong. Again and again it is presenting to this Parliament Bills of the same subject matter that are full of errors.

The Beattie native title Bill must be causing many people to wonder whether our mining industry will ever be able to move forward. Not only are the procedural rights given to native title claimants too wide and vague, but the very legislation itself is full of mistakes and the Premier, despite three attempts, still cannot get it right. Last year the Premier claimed that only his Bill would be able to meet the test of State parliamentary approval, Federal Government approval and Senate approval. Eight months later, he still has not got beyond that barrier.

I would also like to put forward a range of points which are quite important to miners in this State, particularly the opal miners out in the Winton area. I am sure that the member for Gregory will be speaking about this. The Boulder Opal Association has been hit by the

native title claimants out there for 1% of its gross proceeds. I think that is an absolute disgrace. It is blackmail.

A couple of months ago I visited the tablelands area. Many people up there—small miners, hardworking people—are doing it tough. In fact, very many of them actually employ Aboriginals. Their machinery is rusting. They cannot work. They cannot get the necessary approvals. The negotiations are very costly. Other considerations, such as the Environmental Protection Agency's requirements, mean that they are getting to a point where they will be forced out of business. Absolute frustration is creeping into that industry in north Queensland. I am certain that a lot of that frustration will continue after this legislation is enacted because there is no clear indication that these people will get a fair go. These hardworking people deserve better.

I also went to Century Zinc—a very interesting mine currently employing hundreds of people. Certainly, when the mine is almost ready for total production a large number of people will be employed. A great number of Aboriginal people are involved. The percentage escapes me, but I think it is of the order of 60%, and the Waanyi tribe is very strongly represented. They are doing a great job. The management sings their praises. The training they are doing at this time means they are competent operators.

I think these are the types of areas in which we can get people in these regions employment. If we have a regime of native title that will make things extremely difficult, those types of mines will not be going ahead, as we saw in relation to the Preston mine. Whether they are small or big mines does not matter very much. The point is that they generate dollars—mainly export dollars—for Queensland and they provide thousands of jobs. It is very specialised work. The equipment is big. Of course, quite a bit of understanding is needed about how to operate the equipment. These things are being done very successfully in very isolated regions of Queensland.

A sawmill may in the future be able to get started in Ingham. There is a large area of plantation forest there. One of the major problems being faced there is that the site of the mill will be on Crown land. The mill would employ in the order of 100 people as a result of tapping into a plantation resource of some 10,000 to 11,000 hectares of forest. It would be a major employer. There will be problems getting that mill going if native title issues prove to be difficult. It is just another hurdle that the developer, the person who is prepared to put the dollars into the operation, has to face. I do not think this legislation will overcome the problems they will have in that area.

Another concern involves people who have to negotiate under the right to negotiate provisions of the legislation. As I understand the legislation, when a particular lease is terminated the parties will have to renegotiate. I think this is a disgrace. If people have negotiated a certain position, they should not have to revisit it again and again. There is no real opportunity in this legislation to avoid the requirement to negotiate over and over again. There is a large group of people on this side of the House who have made a major contribution to this debate.

Time expired.

Mr JOHNSON (Gregory—NPA) (5.44 p.m.): I think it is appropriate to put on the record that this debate has been going on for far too long. Over the past seven or eight years in this country we have witnessed a division brought about by the colour of skin of different Australians—black, white and brindle. Some 66% of the population of Australia was born here. That figure includes Aboriginal people and people of different ethnic origins.

Dr Prenzler: We are all indigenous.

Mr JOHNSON: That 66% are indigenous. Looking back thousands of years, no doubt some of those Aboriginal folk came to this land by way of migration from islands to the north. They may have been here from time immemorial. We do not know that. A lot of the people who study this subject say that these people have been around for thousands of years.

One thing we have to remember is that we are on this planet together and we have to work together. A lot of the problems, heartache, angst, trauma and division that have been created by native title, Mabo or whatever else we term it, were created by Paul Keating, a former Prime Minister of this country. He played into the hands of the lawyers of this country.

An Opposition member: Labor lawyers.

Mr JOHNSON: Yes, the Labor lawyers. What we have witnessed here in recent years is absolutely criminal. Who have been the losers? The losers have been the people of Australia, whether they be pastoralists, Aboriginals, mining companies, individual miners or Joe Citizen—or anybody else, for that matter. The situation still has not been resolved. I welcome these amendments. As my colleague the member for Hinchinbrook

pointed out, I will be speaking on a couple of areas.

I grew up with Aboriginal people. They have been a very important part of my life. They are a very decent and understanding people. Compared with some Aboriginal people there are a lot of white people in this country whom I would not let put their feet under my table. However, we are not here to talk about division. We are here to try to resolve one unholy mess that has been going on for far too long. It has caused division, hatred and a lot of unrest in this country. It has brought this country to the brink of what we probably never ever dreamed of. I hope it does not bring any more of the hatred and hurt that we have witnessed in recent times.

My colleague the member for Crows Nest spoke this afternoon about the High Court. Some of the people on the High Court and in the legal profession have one hell of a lot to answer for in relation to native title. It has cost this country not millions and not tens of millions, but probably billions of dollars of taxpayers' money. We could have spent that money on roads, schools, hospitals, Aboriginal health or Aboriginal education—everything that pertains to equality for the 18 million people who live in this wonderful country that we call Australia.

Tonight I will speak about the opal mining and gemstone industries in Queensland. As members are well aware, the opal industry extends from Kynuna and Winton in the north-west of the State to the New South Wales border in the south. It also extends across the border to places such as Lightning Ridge and White Cliffs in western New South Wales, but I will talk about Queensland. The gemstone industry is located just west of Emerald, which is in the eastern end of my electorate. I quote from Gemstones, a document produced by the gem industry of the State. It states—

> "The Australian export market for opals in 1997-98 was estimated at $69 million compared to $85 million in 1996-97 and $106 million in 1995-96."

Wonderful sapphires—magnificent sapphires—are mined just east of Emerald at Anakie, Rubyvale and the Willows. They are equal to the best in the world. Winton and Quilpie are the hub of the opal mining industry in western Queensland, but the mining industry in those two centres is virtually at a standstill: 80% of those in the industry have vacated the scene, leaving 20% working currently. They are the ones who have exploration leases that have not expired, and they are able to work those leases as such.

I want to pay tribute to people such as Brian Hennessy from Quilpie—a very innovative young man in the industry. He has purpose in the industry and is delivering vision for the industry through representation to the Government and supporting the boulder opal industry in this State. Another person to whom I wish to pay tribute is James Evert from Winton. He comes from the famous Evert family in Winton. His father, the late Vince Evert, was one of the pioneers of the opal mining industry in north-west Queensland and one of the true gentlemen of western Queensland, together with the late Des Burton from Quilpie. Both those gentlemen are responsible—along with a host of others—for making this great industry the productive commercial industry that it is today.

I have quoted figures of between $69m and $100m-odd that the industry earns in export dollars for this State. When one equates that to those small country towns, one realises that, in a place such as Winton, the mining industry is probably worth $4m or $5m to the economy of that centre every year. Now that area has been vacated by people in the mining industry because they cannot get exploration permits.

I thank the Premier and members of his office for allowing Bruce Collins, the Mayor of the Winton Shire, and me to make a deputation to the Premier last Thursday morning to talk about the complexity of this issue and just how detrimental it is to that part of Queensland, to that industry, to the people in question and to the economies of those places. I understand that, with the passing of this legislation through the House this evening, we are going to see a turnaround.

I notice some of the Premier's officers in the lobby. I thank them because I believe that this is something which the Federal and State Governments have played politics with for too long. Many people outside the industry do not understand exactly who has been hurting and what the cost is to the individuals in question. I hope that, after this evening, we are going to see this issue resolved and we will see people such as the opal miners of Winton and Quilpie and places in between, such as Yowah and Eulo and other places in the electorate of my colleague the honourable member for Warrego, get back to full strength and production so that they can get on with earning a quid. At the same time, many people are unaware of how this industry, through tourism, exposes people to a great part of inland Australia. This is very important not only to the opal mining industry but also to the gem mining industry.

I want to quote an example of how selfish some people are. This comes from an article headed The Myth Business is Widespread, which appeared in the Sydney Morning Herald of 3 July 1999. It stated—

"Congratulations for Ben Hills's article exposing the state of Australian anthropology ... A postgraduate student in anthropology from the University of Queensland, interviewing in my office recently, told me matter of factly that in his consulting work on Aboriginal land cases, he and his professional colleagues commonly fabricated and distorted evidence and otherwise did whatever was necessary to ensure that their Aboriginal clients won."

That is absolutely criminal! There are better men and women in jail than some of those coots—I will give you the mail—and they should rot in jail.

At the end of the day, I have witnessed these things first-hand. All the time I am hearing stories like this. And they are not fabrications, they are the truth. These issues are causing that conflict, heartache and unrest in the industry.

I turn now to the issue of section 26C in relation to the opal mining industry. The Honourable the Minister for Mines and Energy said in the House a short while ago that limited access areas for some forms of mining were applicable to section 26C. I ask the Premier to confirm what the Minister said. In a letter to the Queensland Sapphire Producers Association recently, the Minister said—

"The Government is hopeful that an—

indigenous land use agreement—

"will be possible to free up the grant of future mining tenures in your area. If this proves not to be the case, the possibility of the Section 26C option could be re-examined in the future."

That is something about which the small mining people are gravely concerned.

I want to put on the record the cooperation that we have had from Senator Nick Minchin's office—the Minister for Industry, Science and Resources. I especially pay tribute to his senior adviser, Ian Farrow, who has been very helpful not only to me but to the opal miners of western Queensland and the small gem miners. He understands that—

"... Queensland authorities are currently considering whether Section 26C or some other option, such as developing a 'group' right to negotiate process to deal with outstanding applications for titles, and an Indigenous Land Use Agreement to cover the grant of all future titles for opal mining, would best suit the circumstances of opal mining in Queensland."

And at a recent meeting in Longreach, members of the Queensland Boulder Opal Association of Queensland raised with the Minister's office—

"... questions with regard to Section 26C. The first question sought clarification of the meaning of the word 'area' in Section 26C(4)(c)(1) ..."

They were advised that—

"... in this Subsection, 'area' refers to the total area of the lease or claim, rather than the disturbed area only. Sub-sections 26C(4)(c), (d) and (e) all relate to conditions on the titles that can be granted in the approved opal mining area, and cover such elements as the area and duration of the titles that could be granted under a Section 26C scheme.

The second question requested clarification regarding the definition of approved opal or gem mining areas to which Section 26C would apply. In this regard, one of the conditions for the Commonwealth Minister's approval is that, immediately before his approval, mining for opals or gems is being carried on 'in the whole or a substantial part of the area' (Section 26C(5A)."

Apparently, this comes back to this legislation before the House today. I hope it is resolved.

I want to place on the record again that this is no time for playing politics with this very, very hurtful and very, very upsetting chapter that we are experiencing in Australia's history in relation to native title. I again thank the Premier for the time he gave the Mayor of the Winton Shire and that delegation last Thursday morning. For the sake of the opal mining industry and the small gem industry within this State, I hope that we are going to see this issue resolved. It is absolutely paramount to the ongoing viability not only of the mining industry but of the pastoral industry and every other industry that this issue affects in this State that this issue is resolved once and for all, so that we can get on with the job of making this State the greatest State in the Commonwealth without fear of hatred and revenge between people of different coloured skins because of something that was put in place by lawyers who could not give a twopenny-halfpenny damn about the future of

this nation, as long as their hip pockets are lined with the chaff that we taxpayers pay towards their ongoing operations.

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (5.59 p.m.), in reply: I thank all members for their contributions to the debate on the Native Title (Queensland) State Provisions Amendment Bill. I would like to address some of the particular remarks made by members opposite, but in light of the time I am happy to adjourn the debate and reply tomorrow.

Debate, on motion of Mr Beattie, adjourned.

SOUTH EAST QUEENSLAND REGIONAL FOREST AGREEMENT

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (6 p.m.): I move—

> "That this Parliament supports a South East Queensland Regional Forest Agreement which promotes the successful development of a viable and sustainable native hardwood industry through—
>
> (a) jobs growth in forest industries;
>
> (b) resource security through 20 year guaranteed access to crown native forests;
>
> (c) improved management of native forests through enhanced silviculture;
>
> (d) State and Federal Government support for plantation development and value adding initiatives; and
>
> (e) a scientifically justifiable comprehensive, adequate and representative forest reserve system."

Today, we saw hundreds, if not thousands, of very concerned people who live in the logging regions of south-east Queensland descend upon Brisbane to send a very clear message to the Government of this State. These people indicated to the Government that they want to make sure that their industries, their livelihood and their communities are sustained into the future. I would like to commend those people for the way in which they conducted themselves in bringing their message to the parliamentarians and people of this State. I commend those people for the way in which they put forward their message.

The south-east Queensland native hardwood industry is sustainable. The United Nations is using Queensland expertise to improve forest practices overseas. The industry underpins 44 rural communities and 1,200 jobs direct. In many towns it is the sole major industry on which the rest of the community relies. That was the reason why those people descended on Brisbane today. They wanted to make sure that the legislators of this State saw and heard their message.

The RFA process was originally intended to take politics out of the forest industry and to provide the timber industry with the long-term and secure wood supplies it needs to develop, invest in their businesses and create more jobs in rural and regional Queensland, and Queensland in general. It was also intended to provide better management of our forests, to provide for enhanced silviculture and better use of wood supplies in value adding and alternative uses, and to provide a scientifically based, comprehensive, adequate and representative forest reserve system.

The coalition Government was committed to delivering a sensible, scientifically based RFA and commissioned research to ensure that the decision was based on science and not on emotion or ideology. The Borbidge Government had developed a genuine spirit of cooperation and consultation with all the stakeholders—evidenced by the signing of the scoping agreement which enjoyed widespread support. Notably, with the change of Government that consultative committee ceased meeting. The committee was not required by the Beattie Government. The Beattie Government had its own agenda. It had a pre-election preference deal with the extreme Greens to pursue.

Despite the rhetoric on jobs and governing for all Queenslanders, the Beattie administration was only interested in getting into office any way it could. Those opposite have not been interested in achieving a consensus as was occurring under the Borbidge Government. That is evidenced by the fact that this matter has gone on and on. It is also evidenced by the amount of division in the community on this issue. Those opposite shut the stakeholders out from the development of the job destroying directions report.

The Government insisted that the two most extreme options be included—to shut down 500,000 hectares and to shut down 620,000 hectares. This Government says that it is interested in the timber industry. However, it did not have to include those two very extreme options in that report. Because they were included in the report, there must have

been an intention to bring one of those options into being. The Government's so-called best option calls for half of those 1,200 workers to be sacked and for their livelihoods and the livelihoods of their families and communities to be subsequently destroyed.

The Ministers responsible for the RFA could not be bothered getting out and learning about the industry, talking to the people and seeing the forests. Instead, they sent out a delegation of backbenchers. Whilst it is very important that backbenchers have an appreciation of the issues involved—and they probably went out there with open minds and wanted to do what they could about bringing the community's concerns back to Brisbane—the real matter here is the commitment of the Executive, the commitment of the Cabinet and the commitment of the Government. Now that the heat has been turned up by those forest industries and the rural and regional communities—and rightly so—suddenly the Premier is appealing for compromise. Suddenly the Premier is appealing for all the parties to come together and talk it through.

Why did the Premier shut those people out after the State election? Why did he shut them out of his backroom negotiations in drawing up the directions report? The Premier and the Deputy Premier are appealing for compromise. Today, we saw the extreme Greens' idea of compromise on the banner behind their hired aeroplane. The aeroplane was flying around and around Parliament House towing a banner which read "Stop logging our native forests". That is hardly a compromise. That is the sort of agenda which has been captivating the minds of many members opposite. It is that sort of compromise that the Premier and the Deputy Premier want.

Is the Deputy Premier going to desert his Australian Workers Union faction—those hundreds of workers who put him where he is? Where is he when it comes to delivering a compromise? Many AWU workers who are concerned about their future were among the people outside Parliament House today.

We saw a pathetic attempt to hose down today's protest in the Government's wishy-washy talk in last week's Courier-Mail of boosting plantations. The Deputy Premier claimed "the only way to protect the environment was a major boost in native plantation forestry." He refused to rule out a ban on logging in native forests. Today, the Premier refused to rule out banning logging in native forests. In fact, the Premier has clearly enunciated that his preference is for this warm and fuzzy transition policy from native hardwood forests to plantations. It is an admirable objective to boost plantation resources, and the Borbidge Government made many gains in plantation development and farm forestry initiatives. But it is naive in the extreme to expect this conversion in 20 to 35 years. Any of us with any understanding of these issues would understand that some of those areas, depending upon their capacity, will take much longer to come on line.

Let us look at some facts. There are currently over 620,000 hectares of Crown native forest available for logging. The January 1999 report of the Bureau of Resource Sciences and ABARE entitled Hardwood Sawlog Plantations for Selected Areas of South-east Queensland contains some interesting findings. The land capability assessment undertaken by the study identified some 200,000 hectares of cleared agricultural land that is capable of supporting blackbutt and Gympie messmate for plantations. It also identified some 250,000 hectares of drier land for spotted gum in the north coast, Kilcoy-Woodford and Gympie supply zones. That sounds all right so far.

But then—and this is the significant bit—it found that, despite the large area identified as capable of supporting hardwood plantations, only 5,355 hectares are economically attractive when the potential returns from competing land uses are taken into account. Further, the proportion of this land likely to be made available for plantations is small due to a host of impediments. Topping the list of impediments would have to be the massive uncertainty created by the Beattie Government regarding its intentions to restrict clearing on freehold land and its refusal to provide a guaranteed right to harvest. As well as that, there are the general market uncertainties, the risks associated with such large and long-term investments, and the size of optimal areas of land for economies of scale.

So there is a bit more to it than the Premier really has tried to explain to this Parliament and a bit more to the fuzzy headlines that he has been seeking to gain of late in the newspapers and in other media. If the Premier were truly serious, he would have addressed it in his directions report. He would have provided some details about how he was going to remove these impediments. He would have pulled his Natural Resources Minister into line and ruled out his planned bans on timber harvesting on freehold land. Instead of simply adopting his usual cop-out of blaming the Federal Government and appealing for big

bucks to buy out timberworkers' jobs, the Premier would have removed the uncertainty that the Labor Government has created.

I say to the Deputy Premier that timberworkers are not depending on getting $50m from the State Government. They want a guarantee from him of long-term wood supply security and a guarantee that no jobs will be lost.

Time expired.

Hon. V. P. LESTER (Keppel—NPA) (6.10 p.m.): Basically, tonight the Opposition is here to yet again reiterate that we need from this Parliament the continuation of a viable and sustainable timber industry that is based on the native forest hardwood resource with a gradual transition to hardwood plantations as they become available. We want the retention of all existing jobs, enhanced silviculture practices and value adding. We want to ensure a scientifically justifiable, comprehensive, adequate and representative forest reserve system and the continued access to forest reserves by other associated industries and community groups.

Mr Purcell: Put a bit of heart into it.

Mr LESTER: It is okay for the member opposite to say, "Put a bit of heart into it", but I am stating very clearly in the Parliament some of the basic reasons why those 3,500 people were outside today in a very orderly demonstration. They are worried. That is why they were there. Those people from some 44 towns do not want to see their jobs go. Why would they be worried? Because under the very best option, possibly 600 jobs would be lost! That is raw timberworkers' jobs, not the add-on effect. The worst scenario could be that 1,100 jobs will go. That is the reason they were here. However, they were not a rabble. They were a very decent, well-organised group who marched by the correct processes and conducted their demonstration in a most sensible way. I did not hear one bit of yahooing or anything else. They had the Webb Brothers band to give a bit of entertainment, but when one listened to the speakers and to those people who were affected, we could see their quivering concern. If they do not have their timberworker jobs, it is very, very clear that they may not have any job at all.

That is why I am saying to the Parliament tonight that this is a serious issue. I call upon everybody here to work together to make sure that we can come up with a realistic deal not unlike the Western Australian agreement where, indeed, no jobs were lost. I firmly believe that we can use "no jobs lost" as a base with which to start. I really believe that we can do that and go from there. As I said before, with proper value adding, proper sustainability and being careful in the future, we can grow those jobs, as the timber industry itself has suggested, in an environmentally friendly way by up to 600 jobs.

Not so long ago, I also attended another rally at the Rocklea showgrounds. That rally was attended by rally drivers, horse riders, four-wheel-drive vehicle owners, bicyclists and hikers—people concerned about their recreational areas. The environmentalists and health fanatics tell us how important it is to make sure that recreation is used to the hilt. Yet we are concerned that some of these recreational areas might be taken away. I would agree that, on that particular day, the Minister indicated that there may be some form of land title or whatever by which these people can still continue with their activities. However, he certainly did not guarantee that jobs would not be lost in the timber industry. Although I believe that it would be fair to say that on that occasion he tried quite hard, there was a speech for them and a different speech for others who may have been listening. I hope that I am wrong in that, and I could well be wrong. It would be good if I am. However, when one says that there will be certain areas set aside under perhaps a different form of title, I wonder whether we have given in before we start.

Before I finish, I have to say that we should not try to go down the middle of the road and appease the Greens and everybody else. We have the timberworkers there. They can do the job properly. We can have no jobs lost. We can grow the timber industry.

Mr DEPUTY SPEAKER (Mr D'Arcy): The honourable member for Keppel's time has expired. I take it that he is seconding the motion moved by the Deputy Leader of the Opposition?

Mr LESTER: Very much so.

Time expired.

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (6.15 p.m.): I move the following amendment—

> "Delete all words after agreement and insert—
>
> 'Based on an increase in jobs through the development of a world class timber industry incorporating a high level of value adding, downstream processing, improved productivity, a comprehensive,

adequate and representative system and expansion of softwood and hardwood plantations with adequate financial support from the State and Commonwealth Governments.' "

The whole point of the RFA was to get the community together to talk about how to best use the timber resources. As a Government, we have kept an eye on that as an outcome so that we finish with a balanced solution and that that balanced solution is in the best interests of the community as a whole. There is no way that everyone in the community is going to be satisfied, simply because there are two points of view that are diametrically opposed. However, the role of parliamentarians is to resolve difficulties in the interests of all members of our society.

It is disappointing to note that, although there has been a lot of goodwill and reason from people involved in the debate, that is, members of the timber industry, timberworkers and conservationists, the politics have been played very hard by those opposite, particularly those in the National Party who wanted to get back the vote of those who at the last election voted for the One Nation Party. In relation to that issue, the problem is that those members opposite have a history; they have form. I will repeat it one more time in this House. In 1997, Rob Borbidge signed an agreement with John Howard which locked us into an RFA process. In that agreement, the Opposition agreed to implement the RFA by the middle of 1998. However, when the Opposition was faced with the choice of doing its duty to the community or trying to win political points, at that time it chose to win political points.

Mr HOBBS: I rise to a point of order. The Minister is misleading the House. That is not true. We were prepared to go through the process and do a professional job.

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

Mr ELDER: The fact of the matter is that the Opposition chose not to do its duty to the community; it tried to win political points. In the meantime, there was a press statement by the then Premier paying tribute to Aila Keto and the Australian Conservation Society. Brian Littleproud, the then Environment Minister, told a conference of conservationists that the Borbidge Government was getting in place an RFA and that it was a great achievement of that Government.

So in Government, the coalition thought that the RFA was great; it was fantastic. The then Government said that it had an outcome. However, there was nothing: there was no outcome, there was no agreement with the Commonwealth; it was all rhetoric. When the Opposition had to take on this issue in the electorate, because it knew that it had to take on One Nation in the affected parts of the State, it squibbed it. So where has the hard work gone? It has gone straight back into the too-hard basket for us to deliver.

The hard work is now being done, and it is hard work indeed. It is not flashy and it is not, as a number of members opposite are doing, a matter of running around the State, particularly in the south-east, telling the conservationists that they can get everything that they want and telling those people in the bush that they will get everything that they want. That was highlighted by the effort of the member for Callide in Monto, who told the people what they wanted to hear, knowing full well the truth in relation to the issue.

It is a crying shame that members opposite have not been prepared to play a constructive role. If they were prepared to do so, they would support the Premier and me in our attempts to seek a boost to the Commonwealth funding that we receive. Former Premier Borbidge boasted that he received $10m from the Federal Government at a time when Tasmania was given $110m, Western Australia was given $140m and New South Wales was given $60m. Premier Borbidge was boasting that he got $10m. The fact of the matter is that we need the same sort of Commonwealth funding that those States received so that we can move ahead with plantation timbers and value adding in the industry. Only 28% of the timber that leaves this area is actually value added in the area. The Government recognises that more needs to be done in terms of a commitment to the plantation timber industry and more needs to be done to drive value adding opportunities. With biotechnologies and biosciences driving the types of solutions that we can achieve in this area, it is quite possible to get a balanced long-term solution for those who want our forests to be protected, and for those who want to see the expansion of job opportunities in the forests and who want to work in the timber towns, and at the end of the day for the towns to be viable. Members opposite should stop playing politics—

Time expired.

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (6.21 p.m.): It is a pleasure to participate in this debate because once again it gives me a chance to outline the clear distinction between the role of

the Government and the role of the Opposition in this issue. The Government is playing the most constructive possible role that any Government can play. The Opposition is being typically cynical about the tactics that it is using to try to divide the community and is playing conflict politics instead of the politics of consensus. This Government is about bringing Queenslanders together to find a solution that will build jobs for regional communities and achieve a conservation outcome that future generations of Queenslanders can be proud of. That is not the cynical political approach that the Opposition has been taking.

A couple of things raised by my shadow colleague Mr Lester make a bit of sense. Unlike some of his other colleagues, he contemplated the concept of a transition to a timber industry that is ultimately primarily based on plantations outside State forests. That transition is already occurring in the market today because 60% of the hardwood timber resource in south-east Queensland is already provided from private resources outside State forests. He also mentioned the need for a comprehensive and adequate reserve system.

At page 62, the directions report states that the comprehensive assessment of the region's forests shows that 620,000 hectares of State forest would need to be reserved from logging for south-east Queensland's reserve system to meet the national JANIS reserve criteria to the maximum extent possible on public land. That is the criteria that the RFA process applies to assessing how one defines the conservation reserve and then how one moves to identify the sustainable resource available for future timber harvesting. At page 63, the directions report pointed out that even then, because of the depleted state of the forests in the south-east Queensland region, only 55% of regional ecosystems would meet those national JANIS targets. Therefore, even on the higher scenario contemplated in the directions report—a scenario that we do not necessarily see that we have to deliver because of its economic and social impacts—which one would need to meet if one wanted to fulfil the proper requirements of the RFA process, 45% of forest types would not be represented in the reserve system to the level that the national criteria suggest. Even under that scenario, only one third—6 out of 18—of forest ecosystems listed as rare meet the target level of reservation and less than one sixth—4 out of 26—of forest ecosystems rated as vulnerable meet their target.

That gives members of the Parliament and the Queensland community an indication of the difficulty that we have in addressing the RFA issue in Queensland because our forests are already so limited. That is why we have a very real challenge in finding a solution that can deliver a reasonable conservation outcome that many Queenslanders would like to see as well as an outcome that can provide long-term job security for the people who are already involved in the timber industry.

Opposition members have said that this is about appeasing the Greens. I point to the broader view of the south-east Queensland community on how we manage these valuable forest resources on public lands, remembering that timber resources are already 60% provided from private lands. An assessment of the social and forest values of the community was undertaken by the Social Assessment Unit of the Department of Primary Industries and Energy in Canberra in conjunction with the Comprehensive Reserve Assessment Unit of my Department of Natural Resources. The assessment found that in relation to forest management and use, the majority of the population in the south-east Queensland RFA region believe that recreation, 84%; tourism, 65%; and—believe it or not— beekeeping, 57%, should be allowed in State native forests in Queensland. Conversely, it found that grazing, 17%; logging, 17%; and mining, 8%, should not be allowed. Only in the Builyan sector does a majority of the population support logging, 67%, and grazing, 66%. We are dealing with the south-east Queensland community which recognises values other than logging as being very important.

Time expired.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! Does the member second the amendment moved by the Deputy Premier?

Mr WELFORD: Yes, I second the amendment.

Hon. T. R. COOPER (Crows Nest—NPA) (6.26 p.m.): Of course, the Opposition will not be supporting the amendment even though it uses very fancy words. However, if we are going to arrive we have to know how we are going to get there. All members on this side of the House want to see a viable and sustainable timber industry, which is what we have been on about, as has the industry itself. For the past 125 to 150 years, the timber industry workers have proven themselves to be very good managers. People in this place and those families that have relied on the timber industry for a living for five or six generations are sick and tired of the Greens telling them where to get off. The Greens do not care about the livelihoods of those people. People

like Aila Keto would sell their souls to destroy the livelihoods of the people who work in the timber industry. The Minister for Environment saw those workers today. He should have gone out and said hello, because they are honest to goodness, decent Queenslanders who are trying to make a living. It is a pity that they had to come all the way to Parliament House to fight for their livelihoods. Nevertheless, they certainly were extremely well behaved, and I place that on the record.

Simply as a bit of ironic trivia, I note that many people watching the proceedings of today saw members of the Green party in a boat, floating on the river. Can members guess what sort of a boat they were in? It was a wooden boat. It is funny that they needed wood to float on the water. That does not worry them; they think that that will continue.

I quote from Charles Hamilton, who sent an email report to ALP members which stated that he wanted a—

> "... transition out of native forests for the timber industry and into plantations as required by Labor's biodiversity policy, a critical element in the conservation movement's support for Labor at the last election."

It was simply a deal that was done for some preferences and those people's jobs and livelihoods have been put up for grabs.

Government members interjected.

Mr COOPER: It is true and they know that. Members opposite do not have to listen to me; 3,500 people know the truth. They know that the Government, hand in glove with the Greens, wants to close the industry down and send those people to the wall. We know it and they know it, and it is a tragedy. The Government's directions report has put forward two extreme options to satisfy the extreme Greens, one to close 500,000 hectares and the other to close 620,000 hectares. Everyone knows that that will be the finish of the hardwood timber industry and native forests. We can all live side by side. The forests are sustainable. Plantations are right for the cypress softwood industry and the hardwood industries. The Opposition agrees with that proposition. We think plantations are certainly the way to go, along with the natural timber that is available in the native forests, which as I said have been beautifully managed for over 125 years.

Today we heard Maryborough Mayor Alan Brown, who is probably of the same political ilk as members opposite, condemning the Government for what it is trying to do to the industry. That condemnation was also reiterated by people from Fraser Island. Both those people and Alan Brown know only too well that the so-called compensation packages, which involved getting people without fingers and thumbs to work as waiters and flower pickers, offer people nothing worth while. Those people know that a fraud was perpetrated on them. They will not be burnt again.

Similarly, the workers at Ravenshoe were made all of the promises under the sun. That industry was run beautifully and managed very well. It was the pride of Queensland. People from around the world looked to Ravenshoe as a model for managing a hardwood timber industry. But that was shut down, too. The Government's decision will close down the 44 timber towns right across the State. The Government should not be trying to get people to make compromises. There is no need to do that. The Government's awful deal with the Greens has put it in this situation. It should not let these people be the pawns in this dreadful game. There is no need for this process to be drawn out like this and no need to blame the Feds. Now that Labor is in Government, it is its responsibility to manage this RFA process. The Government can do this. It will gain a lot of goodwill from this side of the House if it looks after people in the timber industry.

A Government member interjected.

Mr COOPER: The honourable member said, "We are." We will see about that. Those people who protested today do not know that yet. They would not have come down here unless they felt they had to.

Time expired.

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries) (6.31 p.m.): I rise to support the Government's amendment, because this Government is committed to jobs and rural and regional Queensland. The Government recognises the need to provide security and certainty to the timber industry.

For instance, this Government has made an historic commitment to the cypress pine timber industry based in south-west and western Queensland. This is an exciting industry that generates about $30m each year for Queensland and supports 2,000 direct and indirect jobs. This Government's commitment overcomes the uncertainty and insecurity generated by previous Governments. The Borbidge Government was prepared to allow the cypress pine industry to work on a year-by-year allocation regime.

Mr Hobbs interjected.

Mr PALASZCZUK: The member should talk to his constituents about our decision and solution. They do not think much of the honourable member for Warrego any more. It took this Government seven months to come to a resolution.

The former Borbidge Government's approach stifled the exciting cypress pine industry and cost Queensland jobs. I refer honourable members to comments by the Taroom cypress mill operator, who was quoted recently in the Central Telegraph newspaper. She said that under the previous Borbidge Government she was forced to trim her work force from 14 to five. Now she concedes that there is potential for the mill's work force to increase. That is good news for Taroom and Queensland.

The regional forest agreement has provided an opportunity to deliver security and certainty to the south-east Queensland timber industry. As I have said, this Government is about delivering security and certainty. Just as the former Borbidge Government refused to offer security to the cypress pine industry in western Queensland, it did not deliver on the RFA it signed Queensland up to. The former Borbidge coalition Government promised to complete the agreement last year, but it had made no significant progress towards meeting its commitment when it lost office in June last year.

As the Minister for Primary Industries, I have been working closely with the timber industry, associated bodies and other stakeholders involved in the industry. Unlike members opposite, I have not sought to grandstand on this issue; I have sought to work with local communities and, along with my colleagues, I want to achieve a good outcome for Queensland. I have spent a great deal of time in communities in south-east Queensland and, in common with all honourable members, I look forward to the finalisation of the RFA process.

Mr Seeney interjected.

Mr PALASZCZUK: Even during my four days off I drove through those communities and spoke to people not only about the problems they are experiencing in the timber industry but also others. Unlike the honourable member opposite, I did not go outside this place to talk for the first time to the timberworkers who were protesting. I have been out to the regional communities and spoken to people. I have taken on board their concerns and brought them back to my party and the Government. I have given a commitment to the timber industry, both the cypress pine timber industry and also the RFA process. When one speaks to the concerned people in the industry, one picks up from them the concerns that they have in relation to their jobs. Similar to the way in which this Government is committed to dairy farmers and the communities in which they live, it is committed also to the timberworkers and the communities in which they live.

Unlike the Opposition, we believe in looking after regional and rural Queensland. We believe in looking after their aspirations. More importantly, we believe in giving them certainty and security. At the end of the day, unless people in rural and regional communities have certainty and security, they will not be able to function. Therefore, I say to members opposite: stop grandstanding, join with the Government and support it. At the end of the day, this Government will deliver an outcome that will be beneficial to our timberworkers in south-east Queensland.

Time expired.

Mr HOBBS (Warrego—NPA) (6.36 p.m.): I say to the Deputy Premier that his Government has achieved another record in this State: it has united the graziers, the timber industry and the AWU workers against it. The Government has achieved getting 3,500 people, timberworkers from the timber towns, sufficiently united to protest in Brisbane. It was the biggest protest since the Vietnam War. I congratulate the Government.

The Minister for Primary Industries said that he has been out talking to people. If that is so, why did 3,500 protest outside Parliament today? The Minister has not been talking enough. These people are not the strikers or professional layabouts who turn up at most protests. These people do not tie themselves to trees and bulldozers. They do not float around on wooden boats on the Brisbane River. They are ordinary mums and dads who would never dream of strike action. They are good, honest-living people. Why on earth would they come down here if there was no problem?

The Minister has taken the RFA process from a scientific process to a political one. When I commenced the RFA process for south-east Queensland, it was a genuine process designed to get it right. The Deputy Premier runs around the State saying that we should have finished the South East Queensland RFA within the proposed time frame. It took longer than was first suggested, and I make no apology for that. It took longer to get it right, and so be it. We would have preferred to have put it in place before

members opposite came into Government, but we did not do so. We could not do that, because we had to work through the process.

The Deputy Premier spoke about finding the RFA forgotten in the bottom drawer. That is untruthful and irresponsible. We moved heaven and earth to take into consideration all of the opinions of the people involved. Most importantly, we looked to the best methods of forest management to enhance productivity and ensure the conservation values of the forest. The one big factor that came out of the negotiations was that productivity could be improved. This was identified and had to be explored further. We could not cut it off halfway through. No-one realised that these gains were there. It was only after they had been right through the process that they found they could do much better.

If productivity could be enhanced, it would mean that no jobs would need to be lost and there would be opportunities for value adding. Also, more confidence would be given to the community. The Government's sleazy deal with the Greens for preferences has seen it backtrack on the gains that have been made in the RFA negotiations. It is prepared to sell timberworkers, graziers and communities down the drain because of its deal with the conservation movement. It is prepared to sacrifice scientific assessment for political gain. The Government has misrepresented the truth in the RFA process.

The Minister for Environment said a while ago that 60% of the resource is sourced from private land. But will he guarantee that 60% will still be able to be sourced from private land after he goes through this latest exercise in relation to the vegetation management group? Will he guarantee that all of that 60% will, in fact, still be there?

The graziers who lease land in the RFA region have also faced uncertainty. There are over 700 such leases in the south-east Queensland region. A group called the High Range Lease-Holders & Graziers Association formed in March 1998. They saw as the key issues security of tenure, the management of invasive Eucalypti, fire as a management tool and not as a destructive force, and public involvement in planning and policy development as outlined in section 5 of the Ecologically Sustainable Forest Management Report.

Leases for the grazing of cattle in State forests were granted so as to maintain the open nature of those blocks which historically were lightly timbered. The grazing of cattle and the management of land for grazing was a cost effective way of maintaining the openness of the bush by reducing the undergrowth that arose when the logging disturbed the ground and for the control of fires. None of the scenarios put forward in the directions report offer any comfort to those communities. There will be at least 500 jobs lost in the logging industry, but there is no estimate of the job losses which will occur within the grazing industry and the effects on those small towns. The Government has not done enough work on the grazing side of the issue. Already further job losses are indicated with local abattoirs being unable to source sufficient cattle.

Time expired.

Mr MICKEL (Logan—ALP) (6.41 p.m.): We have just heard from the failure of the RFA—the man who claims to be trying to get some jobs for timber workers, but when it came down to it in the Borbidge Government, he could not even save his own job. So what confidence can we have that he knows anything about the RFA?

Prior to that we heard from the member for Crows Nest, who went on about the Fraser Island decision. The decision, of course, that he overlooked was the 1975 decision of the Fraser Government to ban mining on Fraser Island. What compensation did those people get—infinitesimal compared with the package that we put together!

We have heard also from the honourable gentleman opposite about the so-called sleazy deal. He should tell us about the sleazy deal that he did with Drew Hutton in the 1995 election. He should tell us all about that one when he, the member for Burnett and a few others signed off on a deal with what they now call the "extremist greenies". We remember it very, very well. But it is not just him. We remember the intervention of the member for Keppel up in Shoalwater Bay when he sold off any chance of mineral exploration up there—just to see if there were any minerals up there. He sold out to the greenies up there, despite the admonition of the mining industry.

I do not want to talk about those things tonight; I want to talk about the regional forest agreement. The RFA process has been claimed by some to be a destabilisation of the timber industry. Such claims do nothing to enhance the RFA process. It is not a fait accompli situation because the RFA is about consultation and negotiation. The RFA is an agreement between the Commonwealth and State Governments to set aside agreed forest areas in each State for conservation purposes and to pursue forest and timber industry

development. Does the honourable member for Warrego disagree with that, because that is from a press release of the honourable Marc Rowell on 11 March 1998. I know how much the member for Warrego wants to distance himself from the member, but surely not in a public display of disagreement such as this. The fact of the matter is this: it is an agreement between the State and Federal Governments.

Let us deal with the timber industry. The Leader of the Opposition claimed this morning that there should be no job losses. That is what he wanted, yet when the backbench committee visited the town of Linville they were ignoring the RFA process. There was a restructuring going on in that town and some of the workers had to go to the town of Yarraman. That was happening and it has been happening in the industry regardless of the RFA process.

I have no objections to Finlaysons doing what they are doing in Linville. They struck me as an excellent family firm, dedicated to all the things that the honourable member for Crows Nest said were a bit of fairy floss. They are committed— absolutely committed—to value adding, to growing a productive industry and to developing export markets, and that is the way it should be. The fact of the matter is that, as technology changes and as commercial realities change for these firms, of course there will be job changes. I might say that the backbench committee found the same thing in the town of Eudlo, where a new owner came in, put on extra people thinking he could use them and then had to scale back. That is commercial reality.

But the most impressive aspect of our visit was the willingness on the part of so many of those sawmilling companies to explore export opportunities. We saw that in a number of towns, where they are linking up with larger firms which can take the timber industry to the next stage of processing. We also saw the impressive way in which so many of those firms are looking to export markets, particularly to the Japanese market, at the moment.

I want to commend the Minister for State Development for the grant he has given to the Logan City Joinery in my electorate, which over the years has shown a tremendous capacity to develop its export markets. It has currently identified markets in the Philippines and Japan. This is aiding the work force, but it is also developing an export capability for timber products produced in my own electorate. I also want to commend Don Keogh Furniture in Crestmead—the only furniture exporter in Queensland today. These people are making something: making a positive contribution and value adding to the Queensland timber industry. That is the direction in which we want to see it going, and we should not squander it.

Mr SEENEY (Callide—NPA) (6.46 p.m.): Today the forgotten people of the forestry industry have come to Parliament to publicly express their concern for their future in the industry. They came from as far away as Monto and Eidsvold, having spent seven hours in a bus from 3.30 this morning. As I speak, they will still be many hours away from home. For many, their return journey will not end until after midnight. I wish them godspeed and I congratulate them on the job they did today.

Over 3,500 people, none of whom are used to public protesting, came to put their message to this Labor Government and the people of Brisbane with a peaceful and well ordered street march. This was not the usual collection of rent-a-crowders and professional protesters who we more typically see involved in street marches. These people have given up a day's work, have spent money that many could ill afford and who, in the case of Eidsvold residents, shut down their community for a whole day so that they could come down here and voice their concern for their future. These are people much more at home in the bush than marching in city streets. They are more at ease with physical work than debate, but they came to Brisbane today to call for a finalisation of the RFA process in line with the provisions of the original motion that was moved here tonight. What response did they get? The same arrogant response that this arrogant Government has given them all along!

In Monto, the community that I am proud to call home, there have been three large public meetings to discuss the RFA. Each time, the Monto Shire Council has invited many representatives from the State Labor Government, including the Deputy Premier. Each time—three times they have been invited—no-one has attended. Not only did the Premier, the Deputy Premier and the Minister for Natural Resources not attend any of those meetings, but they could not even send a staff member or a departmental representative. However, the ultimate display of arrogance was visited on those people from the threatened timber communities by the Premier this afternoon. He refused to meet a deputation of mayors from those threatened timber communities. He refused an invitation to address 3,500—

Mr ELDER: I rise to a point of order. Those remarks are untrue and offensive. The Premier did, as I did. I ask that they be withdrawn.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! The Minister finds them offensive. I ask the member to withdraw.

Mr SEENEY: I withdraw. Neither the Premier nor the Deputy Premier was prepared to meet a deputation of mayors. What they did was wait until the crowd dispersed and there were only about 50 people left—

Mr ELDER: I rise to a point of order. Those remarks are offensive and untrue. An offer was made both by me and the Premier to meet a deputation of mayors. I ask that they be withdrawn.

Mr SEENEY: There is no point of order, Mr Deputy Speaker. They said, "We will meet a deputation so long as it is held at the same time the march is taking place."

Mr DEPUTY SPEAKER: Order! The member for Callide will resume his seat! Under Standing Orders you will withdraw the remarks that were offensive to the Deputy Premier.

Mr SEENEY: I withdraw. They hid in the House—peaking around the corner, waiting for the crowd to disperse—then slipped out into the forecourt when there were about 50 people left and tried to steal the show for the purpose of the TV cameras. It was a display of unbelievable gutlessness on the part of the Premier and the Deputy Premier—unbelievable gutlessness and cynical manipulation to try to steal the TV headlines, the unbelievable gutlessness and cynical manipulation that is so typical of the falseness and the shallowness of the Premier, the Deputy Premier and the whole Labor Government.

That behaviour is in keeping with the whole approach that this Government has adopted to the RFA process to date. For this State Government, the RFA is about green ideologies. It is about academic theories and it is about factional deals—factional deals that the Deputy Premier cannot win. It is about media opportunities and it is about information manipulation. It is about perpetuating half-truths and outright falsehoods.

The RFA process should be about forests. More importantly, it should be about people. For the people from the threatened communities who made the trip to Brisbane today, the RFA is about their whole lives—the lives of their families and their futures. The RFA should be about protecting timberworkers and their families—skilful people who have accumulated generations of knowledge in forestry work that is now ignored and belittled by the ideologists in this arrogant Government.

The RFA should just as importantly be about rural communities and their futures. Today those rural communities, led by their mayors and councillors, were here to make their voices heard by a Government that has treated them with contempt in the past and that treated them with contempt again today. The Deputy Premier refused to meet with them and refused to speak to them. He hid in the precincts of the House until they had dispersed—

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr SEENEY: Then he snuck out into the forecourt—

Mr DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr SEENEY:—to try to steal away the television headlines.

Mr DEPUTY SPEAKER: Order! I warn the member under Standing Order 123A. The honourable member's time has expired.

Dr CLARK (Barron River—ALP) (6.51 p.m.): I would like to return a bit of calm to the House. The case of the timber industry and its need to continue logging in State forests has been clearly articulated outside this House today. We know of the fears of workers, business owners and residents in those small rural communities such as Wondai, Dingo and Linville. We know that they believe their towns will die if logging stops. I have heard those concerns personally as a member of the consultative backbench committee. Nobody can fail to be moved by these decent, hardworking people as they talk about the fear of the future for their families and their communities. If those were the only interests that the Government had to consider, our task would be easy, but they are not. There are other legitimate interests that the Opposition knows about only too well. That is why it was not able to conclude the RFA. It knows how difficult it is.

I remind members opposite of those other interests, because they have been expressed to us with as much passion as have those of the timberworkers, and they cannot be ignored. Here I am talking about the beekeepers, the horse riders, the four-wheel drive vehicle owners and other recreational users. I am talking about the foliage harvesters and the ecotourism operators. Not all of those uses are compatible with intensified logging—the so-called enhanced silviculture.

Mr Mickel interjected.

Dr CLARK: I have heard this foliage harvesting industry referred to derisively as flower picking, but the member for Logan was right when he interjected: it is a tremendous industry that is growing very fast—a $4m industry that employs some 70 people. Enhanced silviculture has driven that industry out of New South Wales. It is not compatible with that industry. Similarly, if they were able to have more access to State forests, ecotourism operators could expand that industry to a much greater extent, earning far more dollars for regional communities.

Honourable members would have read in yesterday's Courier-Mail about indigenous interests. They feel that their interests have been ignored, and they cannot be ignored. They are native title holders. They are traditional owners and we have to factor them in to this issue as well.

I turn now to conservation interests, which generate so much heat in this place. It is interesting that the conservationists are not making money from our forests. They actually do not benefit personally. The other legitimate industries I have described all have vested interests, but what do conservationists have? It is something that is very hard for people in this House to understand. Conservationists have a commitment to see forest ecosystems preserved for their own sake. They actually take on board the scientific information that was described by the Minister and they are responding to that information—the irrefutable, scientific, independent studies that tell us that, when compared to forests in all other States, south-east Queensland forests have the largest number of species of plants and animals. They actually have the greatest biodiversity. It is also irrefutable that our forests are the least protected and that they do not meet the JANIS criteria, even if all our State forests are included.

We need to talk about whether the Opposition is prepared to ignore all of those other interests, because we are not. We recognise the need to consider all of those interests and we know that they do have to be taken into account. That includes the people in the survey referred to by the Minister, which also supports the conservationist view.

We are going to tackle all of those interests—not by dividing up the forests amongst competing interests but rather by embarking on a major plantation and agroforestry industry to create long-term security for the timber industry and at the same time allow for the expansion in State forests of the other industries and activities that I have talked about, such as ecotourism and foliage harvesting, which rely on preserving biodiversity and which actually create jobs and make money.

Time expired.

Question—That Mr Elder's amendment be agreed to—put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 40—Beanland, Black, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Pairs: Mackenroth, Connor; Nelson-Carr, Borbidge

Resolved in the **affirmative**.

Motion, as amended, agreed to.

ADJOURNMENT

Hon. P. J. BRADDY (Kedron—ALP) (Acting Leader of the House) (7.02 p.m.): I move—

"That the House do now adjourn."

South Burnett Meatworks, Murgon

Hon. T. R. COOPER (Crows Nest—NPA) (7.02 p.m.): In February 1998, the coalition released a report titled "Meat Processing Industry at the Crossroads". That report contained 22 recommendations together with details of a fund of $20m that was set up to provide relief and assistance in a range of ways, including value adding, exports, assistance with payroll tax relief and WorkCover relief. When our Government left office and this Government took over, the problem at Murgon meatworks arose when it obviously ran into trouble.

At that time, the Government was saying that it was there for the workers, for the people, for the industries and for the meatworks. When this Government commissioned another review, it came up with six of the original 22 recommendations. However, the recommendations provided no assistance for payroll tax or WorkCover relief.

As anyone would know, the Murgon meatworks was facing a bill of $1.3m from WorkCover premiums, rising to $2m. That was absolutely crippling. Although that was not the only reason that the Murgon meatworks got into trouble, it certainly helped. The Borbidge Government developed initiatives following difficulties at the Bowen and Mackay meatworks, and we put in place that assistance package to assist the Murgon meatworks or any other meatworks that got into trouble.

We are fully aware that the meat industry is a tough one. Competition in the industry is absolutely ruthless, but the Murgon meatworks knows that. It has been in the business for a long time. It has about 600 employees. It is well managed—contrary to the view of the Premier, who has castigated its management and staff, saying that they are incompetent. That was an insulting statement, to say the least. The Government has sat on its hands and blamed management and staff. Yet only recently it assisted the multinational AMH to expand. The Murgon meatworks is a cooperative with about 3,000 Queensland shareholders. Yet this Government is quite prepared to side heavily in favour of the conglomerate AMH. If AMH is allowed to knock Murgon out by its competitive practices, that will mean one fewer competitor in the field—a competitor that we badly need.

I place on record the work of Councillor Bill Roberts, the Murgon Mayor, who has done an enormous amount of work in order to try to save the meatworks. I also recognise that Mr Rick Dennis of Ernst and Young is the voluntary administrator. His role is to take control of the operations and provide the board with the appropriate time and structure within which to put together a restructure of the operations. He has our full support. The irony, of course—and the unfortunate part—is that the Deputy Premier is on record as saying—

> "What is clear, though, is this: when companies get into trouble and jobs are at risk, we do not just sit back and accept the situation. Our role is to intervene. I said we would intervene in the market where we needed to intervene in the market"—

of course, this related to another industry—

> "not only in driving the jobs agenda and attracting jobs and growing jobs in this State but also in saving jobs in this State."

So what is sauce for the goose is sauce for the gander. We had a Queensland firm in trouble. And in order to get this Government to do something, we had to apply an enormous amount of pressure.

Members on this side of the House have kept in close contact with developments. Meatworks and jobs must be saved at all costs in that area and elsewhere around the State. We have recognised that competition is vital in the cattle industry, and we must maintain it. It can be enhanced and improved dramatically. There is no doubt about that. Restructuring financially is one thing, but they need assistance with marketing advice, export advice, value adding advice and ensuring that they have the assistance to go with that advice—and financial assistance if need be. We will hold to account the Federal Government, which has offered as much as $2m, in order to ensure that the Murgon meatworks can survive.

It is the jobs, for sure; it is the families, for sure; but it is the industry as a whole throughout the Murgon/South Burnett region and right across the State that is vitally important. Those people deserve every bit of support that we can provide. That requires some sound, sensible thinking. I sincerely believe that Ernst and Young, through Rick Dennis, can come up with the goods in order to make sure that this particular company can see a new future in the very, very tough business that, as I have said, the meat industry is.

Time expired.

Television Reception, Mount Morgan

Mr PEARCE (Fitzroy—ALP) (7.07 p.m.): I speak for the people of Mount Morgan who, despite living within 45 minutes of the regional City of Rockhampton, are unable to enjoy the luxury of an acceptable television reception. Today I call on the Federal Government to make a commitment to the people of Mount Morgan that it will proceed without delay to meeting its pre-election promises to clean up television black spots.

I acknowledge that the Acting Federal Minister for Communications, Information Technology and the Arts, Peter McGauran, on 8 July released an issues paper on the $120m television fund that is to be established from the sale of the additional 16.6% of Telstra. I applaud the release of the issues paper, but I want put in place a realistic time frame to which the Federal Government is committed and that will deliver quality television to Mount Morgan in the shortest possible time.

The people of Mount Morgan have put up with watching ghosts and snowstorms on their

television sets for too long. They deserve the quality television that others take for granted. Television reception in Mount Morgan must be at a comparable standard to that of other regional centres around Australia. Quality television for that community is about equity. It is about people being able to access information and to be entertained to a standard that is acceptable to the broader community.

As the local member, I have lobbied State and Federal Governments. I have lobbied television networks. I have put in the effort at the local level by carrying out surveys, meeting with the public and talking with people who have an understanding of what is required to fix the problem. There is no doubt that television reception in Mount Morgan is seriously deficient. A survey was carried out in January last year that showed that 10% of the town's 1,100 households which responded had an unacceptable reception level for Channel 7 and Channel 10. Of the respondents, 77.2% rated Channel 7 as poor, very poor or nil, while 75% rated Channel 10 in the same category. WIN rated highest in the fair, good or very good categories, with the ABC at 62.6%. Only 22.6% of Channel 7 viewers and 24% of Channel 10 viewers indicated a fair to very good reception. Whilst WIN and the ABC had the best reception of those who responded to the survey, 25% and 37% respectively indicated a fair to very good reception. Of the respondents, 92.6% had outside antennas in place and 78.4% of those were high-set. Many of the respondents are unable to view Channels 7 or 10 at any time because of poor reception.

Weather variations also impact on the quality of reception. Because of Mount Morgan's location in the hills, the transmitted signal is not spread equally across the town. There are many blackspots and the only way this problem can be rectified is to strategically place a transmitter in a situation where it can beam the signal to those places that are currently obstructed by buildings and terrain. The advice I have received is that we would need between $100,000 and $150,000 to purchase and install the equipment needed to lift signal reception to such a level that it would provide quality television.

The Federal Government now has its 16% sale of Telstra. One of the carrots for public acceptance of the Telstra sale was a promise to allocate $120m to a television fund to clean up television transmission blackspots and to extend SBS coverage. Mount Morgan and some areas of Bouldercombe—also in my electorate—are just two of the 200 or more transmission blackspots that must be fixed. The Federal Government must get on with the job and not allow the system to control the pace of progress on this quality of life issue. This is an opportunity for the Federal Government to show that it is capable of delivering to the people who are disadvantaged by location. It is important that we get the same quality of service in Mount Morgan as is enjoyed in nearby regional cities and towns.

I have supported the release of the Federal Government's issues paper, but I question the need for another information gathering exercise because of the research and planning that has already been completed. I know this is accurate because I wrote to the Australian Broadcasting Authority in August 1994. In December of that year I received a letter in response which said in part—

> "The Broadcasting Services Act 1992, which came into operation on 5 October 1992, sets out new arrangements for planning broadcasting services in Australia (including planning for improvements to existing services), which is being undertaken by the Australian Broadcasting Authority. An overview of the ABA's role"—

Time expired.

Timber Industry Protest

Mrs PRATT (Barambah—IND) (7.12 p.m.): I rise today on a matter of great concern to the people who massed outside the walls of this Parliament today. The people gathered today to bring their words and their concerns to all who sit in this place. These are the people of the timber industry and they are concerned at the loss of jobs occasioned by the RFA proposal. For once, the employer and the employee are united, marching together against their Government's proposals and endeavouring to be heard. It is a rare thing to see employer and employee marching side by side. With them are the people of the towns—in some cases whole towns, including the mayors and the owner/operators of what would appear to many to be unassociated businesses.

In small towns every business is dependent upon all the other businesses, and when one hurts, they all hurt. The people in rural and regional Queensland would not normally take to the streets or make a fuss. The very fact that hundreds—no, thousands of them massed outside the walls of Parliament

today shows that the last straw has finally been reached. The people of the smaller communities have day by day, week by week, year by year stood by as their industries have been stripped away—the pork, beef and mining industries, together with the proposed deregulation of the dairy industry, the threat to the peanut industry and now the threats to the timber industry and the salmon industry.

The people came here today to communicate in the only way that is left to them. They marched for a reasonable and workable joint solution to be reached between the industry and the Government—not a solution made by the Government and minority groups.

I have been told that it is not appropriate to wear this shirt in this Parliament and I have to ask why. This is the history of those who marched today. It tells the story of the timber industry from the first tree that was ever felled on this land right up until today. The people in the industry sustainably farm the forests, work the forests and protect the forests as if their lives depended upon them—as they do. These people are worried that their voices will not be heard by this Government, which is pushing for more plantations.

All who farm the land know the concerns of plantation farming. Plantation farming leads to increases in diseases and pests which spread to native forests. There is increased usage of herbicides and pesticides which are required to control pests in order to produce good yields when a one-species crop is grown. We see degradation of land through the choosing of poor sites, poor design and poor management. We have depletion of water reserves during periods of drought when native timbers have to compete for moisture, causing wells and bores to dry up and a lowering of the water table. People who work in the forestry industry are aware of these concerns.

Those who marched today have been forced to voice their concerns for not only their jobs but also for the environment. They have displayed this concern in a manner that is out of character. They have marched in the streets of Brisbane in an endeavour to communicate and get their message heard in any way they can. Many travelled long distances and spent up to seven hours on buses. Business owners/operators closed for the day to enable not just their workers but themselves to join the march.

That is why I wore this shirt today. It carries the words of those without to the eyes of those within. I cannot think of a more appropriate thing for a people's representative to do. After all, it is my job. It is why I am here. I must say that I am glad I wore this shirt because I did not see the Premier or any Labor members of this House among the crowd. I did, however, see many marchers wearing the shirts of the AWU and I am proud of them.

This T-shirt carries the voice of the people; it tells of their history, their hopes, their concerns and their fears. I cannot think of anything more appropriate than to have the words of the people conveyed to the members of this House in the people's own words. The people who marched today have heard the words of this Government and they are not convinced. That is why 3,500 people marched today.

Vietnamese Community in Queensland

Mr MICKEL (Logan—ALP) (7.17 p.m.): In recent weeks there has been much publicity in relation to the drug problem which has been identified with a particular ethnic group in this State—namely, the Vietnamese community. This publicity has reached the sensationalist stage, with allegations by an Ipswich councillor that the problem may make the south-west of Brisbane similar to Cabramatta in Sydney.

Whilst these comments are meant to grab the headlines, they ignore the efforts made by large sections of the Vietnamese community who are doing so much to ensure that their members are making a valuable contribution to our State. I mentioned last year in this House that I had the pleasure of attending a function hosted by the Vietnamese Women's Chapter who were celebrating their 10th year of operation in helping women in the Vietnamese community in Queensland.

I also attended on behalf of the Minister for Education a function at which the Vietnamese community were thanking their teachers in Queensland for the help that they had given to Vietnamese children by assisting them to become better Queenslanders. Today we find that the Vietnamese community is represented in a whole series of Government and commercial positions and are contributing to our export performance and to the vibrancy of our business community.

It must be acknowledged that some ethnic communities have been adversely affected because of the widely publicised activities of some individuals in that community. It is no secret that some of these activities have unfortunately been centred on the south-west of Brisbane. But the Vietnamese community cannot be singled out,

because any number of studies will show that the Vietnamese community is one of our most law-abiding communities. The problems of the Vietnamese community are shared with other migrant groups. They sometimes share the problems of language and certainly culture. This impairs their ability to settle effectively and integrate into the wider community.

But within the Vietnamese community many people have settled successfully and integrated into the wider Australian community and are successful people in their own right. They understand and can identify with the problems and barriers faced by migrants but, more than that, they have done much to help their communities.

Tonight, I want to particularly mention the Nguyen family, whom I have known for over 15 years. When I was a schoolteacher in the suburb of Inala, I had the privilege and honour of being able to meet the first wave of Vietnamese migrants who were brought into this country under the Fraser Government's policy. The Nguyen family were part of that first wave. One of those people in particular, Bichthuy Nguyen, whom I have known for over 15 years, came here as a very young child. She and her family have now made their way and are making an important contribution to Queensland's legal and commercial centres.

As I said, she and her now husband, Hung Nguyen, have been known to me for over 15 years. However, tonight I want to highlight the special contribution that they have made in the Vietnamese community in helping young people. In 1988, together they established the Vietnamese Youth Club in Queensland with the key objective of assisting Vietnamese youth to settle and integrate within the wider Australian community. Under their leadership, the youth club provided much-needed services to numerous Vietnamese youth in Queensland, including assistance with accessing mainstream education and training and, vitally, helping them to find employment. They also provided much assistance to the wider Vietnamese community through accessing and managing numerous community and Government programs designed to assist migrants, including the Migrant Settlement Program and the Migrant Job Placement Program. So they have a long history of trying to make better conditions and job prospects for the Vietnamese community. After all, the best social service we can provide anyone is the ability to get a job and retain that job. In that way, the whole of our society can progress.

When discussing some of the ethnic problems that unfortunately have surfaced in recent weeks, it is people such as these and other professionals and committed individuals in migrant communities around the State whose efforts should not go unrecognised. I am happy to say that my son now goes to school with a relative of the Nguyens. Mrs Kim Nguyen's son and my son go to a school that encourages all children to be treated fairly and equally. In the process, they have handed down to the next generation of people the same compassion and the same sense of fairness that was given to them when they first came to Australia.

We can ask for no better than that future generations grow up in a law-abiding way, in a way that will not only make a significant contribution to the wider Queensland public but also to those special ethnic groups whom they have looked after. So I want to congratulate the Nguyen family who, as I have said, have been friends of mine for years for the significant role that they have played personally. They are the unrecognised heroes who have worked so tirelessly to make the State a better place for all Queenslanders.

Radio for All Australians

Mr DALGLEISH (Hervey Bay—ONP) (7.22 p.m.): I would like to draw the attention of the House to a particular organisation of people in Hervey Bay called Radio for All Australians, which is led by a Mr Ken Hall. Radio for All Australians is comprised of a group of dedicated people who aim to provide radio broadcasting programs to people who are print handicapped. These people are growing in large numbers. Approximately 12% of people with diabetes have vision problems. In Australia, around 25% of people over 60 years old also have vision problems. This is a very serious issue. It affects so many people in our community, yet the people who are putting this program together are finding so many barriers. Everywhere they turn, there is another barrier.

I ask members to put themselves in the position of a 90 or 95-year-old person in an aged care home who lies there day in and day out. The highlight of their day, apart from the nurse who comes to their help or brings their meals to their bedside, is when someone walks past the door and they think that maybe that person has come to see them. But that person does not. For days on end, those aged people lie there, and there is nothing for them.

We need to look at these proposals put forward by Radio for All Australians, because

they intend to bring back the old radio soapies, such as Dad and Dave. While those people are lying in their beds, they can listen to the radio. Each day, they can look forward to that program coming on. When they hear that familiar voice or that familiar program, they can lie back and close their eyes and get that warm feeling when they think about their younger days. I do not know about anybody else, but the feeling I have for these people is immense. Why are these people suffering? Why does the Government not do something to help them? I know that there are members from both sides of this House who are financial members of that organisation. When I look around at the members of this House, I see how many of them wear glasses. This issue affects not just the aged community.

This is the Year of the Older Person. How about doing something positive towards making their quality of life better. We have the opportunity. We have everything in the palms of our hands to do something about this, yet nobody seems to want to know. We listen to the debates in this place about the rural communities and the devastation that is facing them. We hear about other issues, such as those relating to fishing. Every day, the debates about issues go on. What about our aged people? While we are sitting in here arguing about other things, they are dying. We should be thinking about looking after those people who are responsible for us being here. If they were not here, we would not be. I am sure that nobody can deny that statistic.

Mrs Pratt interjected.

Mr DALGLEISH: That is right. These people deserve dignity and respect. I believe that it is our job to provide that service to them. We need to get behind people such as Ken Hall and the dedicated people who work with him, such as his wife, Gary Owen and Bob and Jean Larter. They are just a few of the people who are involved in getting this program up and running. We need to get behind them. We need to help them. We do not need to shut doors in their faces. We need the Government to say, "Okay, what can we do to help?" These people are providing this service for nothing. What more can we ask? They are not paid, they are volunteers and they are trying to provide a quality of life for those people who need it. I think that it is time that the Government really got in and did its bit to help.

Cairns Base Hospital Long-serving Nurses

Ms BOYLE (Cairns—ALP) (7.26 p.m.): I must say that I endorse the sentiments of the honourable member who has just spoken. Indeed, he raised some important issues for all of us in this House to consider in relation to our own relatives, our constituents and our own futures.

However, tonight I would like to talk about the genuine pleasure that I had recently in attending a ceremony at the Cairns Base Hospital where 66 nurses in total were recognised for their long service to that hospital. In fact, 45 of the nurses present were awarded medals for 15 years or more of service and another 21 were recognised for over 25 years of service at the Cairns Base Hospital.

For their long years of service, they received a badge and a certificate. That is not really much. Of course, it is a symbol of recognition, and it is good to give, but when one thinks of the very many devoted years of energy and commitment that they have spent, it is not much. I would like to recognise in particular the longest serving of the whole group, and that is Sister Cath Greenwood, a nurse educator, who has served for over 37 years at the Cairns Base Hospital. For those of us who know her, we would say that she is a lady of style and good sense, one who has moved forward steadily during a lengthy period of upheavals, advances, system changes, and increasing public demands in health.

Sister Greenwood is a legend at the Cairns Base Hospital. Of course, when we consider the patterns of employment of the modern world, it is unlikely that her length of service will ever be surpassed. What does she receive? She receives recognition from her peers of the tremendous benefits that she has given to the public sector. What is the public sector? It is not us as the Government, really; it is those thousands of patients and their families who, over very many years, have been given the best of care and, along the way, those thousands of nurses who have been given the best of teaching. It is important to recognise the importance of this service to people. In the end, that is what public service is about. At this time when there are continuing demands for ever-increasing levels of service in Health, I hope that Cath Greenwood and all of those other medal awardees, all of those other long-serving staff members of the Cairns Base Hospital, will keep their focus on how very well they have served the region of far-north Queensland over these many years. When they look back on their long careers and remember their successes, may they also remember their very fine contribution to the far north of Queensland.

Motion agreed to.

The House adjourned at 7.30 p.m.