TUESDAY, 26 OCTOBER 1999

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

PRIVILEGE

Referral of Matter to Members' Ethics and Parliamentary Privileges Committee

Mr BEANLAND (Indooroopilly—LP) (9.31 a.m.): I rise on a matter of privilege. On 15 September 1999 I raised in this House that the Minister for Families, Youth and Community Care and Minister for Disability Services in a ministerial statement to this House said that the Beattie Labor Government had accepted 41 of the 42 recommendations of the Forde commission of inquiry, the one exception being recommendation No. 14 which is to investigate alternative sites for a new youth detention centre at Wacol.

On 14 September Parliament was informed that the Beattie Labor Government would only fund recommendation No. 4 of the Forde inquiry to the sum of $10m, not the $103m recommended. Report No. 24 of the Members' Ethics and Parliamentary Privileges Committee highlights the duty of a member of Parliament to not mislead this House as being wider than a duty to simply not make false or incorrect statements.

Mr Speaker, on 15 September I wrote to you about this matter and in view of your refusal to refer the Minister to the Members' Ethics and Parliamentary Privileges Committee for misleading this House, I now move—

> "That the Minister for Families, Youth and Community Care and Minister for Disability Services be referred to the Members' Ethics and Parliamentary Privileges Committee for deliberately misleading the House."

Question—That Mr Beanland's motion be agreed to—put; and the House divided—

AYES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

NOES, 44—Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

ASSENT TO BILLS

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

> GOVERNMENT HOUSE
> QUEENSLAND
>
> 21 September 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 17 September 1999:
>
> > "A Bill for an Act to amend legislation about primary industries
> >
> > A Bill for an Act to enable the South East Queensland Water Board to transfer its undertaking to a company wholly owned by the State and particular local governments and incorporated under the Corporations Law, to amend the Water Resources Act 1989, and for other purposes."
>
> 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

MOTION OF CONDOLENCE

Death of Sir Charles Wanstall

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.39 a.m.), by leave, without notice: I move—

> "1. That this House desires to place on record its appreciation of the services rendered to this State by the late Honourable Sir Charles Gray Wanstall, a former member of the Parliament of Queensland and former Chief Justice of Queensland.

2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland for the loss they have sustained."

Charles Wanstall was born in Brisbane on 17 February 1912, the son of Ernest and Emma. His grandfather was one of the early teamsters in the west, and his father was a railway shunter for a time before becoming an inspector for the Agricultural Bank and a grazier. Sir Charles attended State schools in Roma and Gympie and completed his schooling at Gympie State High School. He entered the Public Service as a clerk with the Department of Agriculture and Stock in 1929, aged 16, for the princely wage of 100 pounds per year. Sir Charles began studying law at night and at the same time transferred to the Justice Department and the Crown Solicitor's office. He was called to the Queensland Bar in 1933 and worked in the Crown law office until 1935. He went on to establish his own private practice at the Bar and was admitted to practice before the High Court of Australia in 1942.

Sir Charles' parliamentary career began when he was elected as the member for Toowong for the Queensland People's Party—later the Liberals—on 15 April 1944. In his maiden speech to the House on 24 August 1944, Sir Charles, now 32, urged the repeal of the Commonwealth Powers Act 1943, arguing its repeal—

> "... to be a practical necessity for the reason that so long as it remained in force it imposed a different test as to the constitutional validity of Commonwealth legislation in Queensland from that ... applied to such legislation in either Victoria or South Australia."

Other issues that Sir Charles covered in his maiden speech were his strident belief that votes cast at the last Queensland election by the holders of proxies in the names of soldiers present in the State on polling day were invalid and illegal, and the need for a revision of electoral boundaries.

During debate in the House in 1945, Sir Charles attacked the delegation and subdelegation of powers to "the creatures of Executive Government, the numerous boards, committees and the Directors-General." He suggested to the House that the Queensland Parliament should have a standing committee to consider and report on all regulations and orders laid on the table of the House—a role that continues to be performed today by the Scrutiny of Legislation Committee. Sir Charles also wryly suggested that a standing committee might give some thought to the streamlining of parliamentary procedure. He said that he never failed to be amused when the Speaker put the rather absurd question that a Bill, upon being introduced, be printed, while the messenger stood at the end of the Chamber with a printed Bill in his hand.

Sir Charles' last recorded statement to the Parliament was a somewhat dramatic occasion. On 25 November 1949, he was suspended for continuing to read a question on a proposed royal commission into the Golden Casket after the Speaker had ruled that there could be no further questions on the subject. The Hansard record is: "Mr Wanstall continued to read his questions amidst uproar."

Sir Charles did not stand for re-election in 1950 and is quoted as saying—

> "It was impossible to conduct a practice at the Bar, and be a Member of Parliament at the same time—particularly a member in Opposition ... I choose the Bar."

He remained prominent in Queensland politics for some time, serving as the State President of the Queensland Liberal Party from 1950 to 1953.

Sir Charles' practice at the Bar flourished and in 1956 he became a Queen's Counsel. He was involved in some of the important cases of the day, including constitutional law and revenue cases, and also played a prominent part in several royal commissions. His judicial career began in 1958 when he was appointed a judge of the Queensland Supreme Court, with the Courier-Mail reporting that the "schoolboy from Gympie who never doubted he would one day be a barrister" had outdone his boyhood hopes.

In May 1971 he was named Senior Puisne Judge and was knighted in 1974. In July 1977 Sir Charles Gray Wanstall was appointed Chief Justice of Queensland. He held this position for five years until his retirement from the bench in 1982. It was a distinguished legal career for a schoolboy from Gympie who made his way without the benefit of wealth or close legal connections but through sheer merit and hard work.

As with his parliamentary career, Sir Charles' last reported statements as a judge, on the occasion of his valedictory, were controversial. Whilst congratulating his successor and close friend, Sir Walter

Campbell, Sir Charles felt bound to "deplore the unjust and unsatisfactory treatment Mr Justice Douglas received in having been passed over for the appointment", despite his seniority.

In addition to his political and judicial duties, Sir Charles made a significant contribution to Queensland through his charitable works. In 1961 he became a foundation member of the board of trustees of the Queensland Cancer Fund, a position he held for 30 years, and he was the chairman of the board from 1962 to 1985. In their first years, the trustees raised almost five hundred thousand pounds and by their second year they had provided vital radiation equipment for the Queensland Radium Institute. During his chairmanship, the board of trustees established a 29-unit accommodation lodge at Herston for rural cancer patients who have to travel to Brisbane for treatment. In recognition of his years of dedicated service to the Queensland Cancer Fund, the Sir Charles Wanstall Apex Lodge proudly bears his name.

Sir Charles also served on the committees of the Guide Dogs for the Blind and the Multiple Handicapped Association. He was chancellor of the Brisbane Diocese of the Anglican Church in Australia for more than 20 years. Sir Charles was a great patron of the arts and theatre, serving as chairman and then as a member of the Queensland Ballet board for a total of seven years.

Sir Charles married in 1938 and he and his late wife Olwyn had one daughter, Jon. Sir Charles is survived by his daughter and her family. On behalf of the Parliament, I extend my sympathy and that of the Government and this House to Sir Charles' family.

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (9.47 a.m.): It is a privilege to second the motion of condolence proposed to the House by the Premier. Sir Charles Wanstall was a rare man. We honour him not only as a past Chief Justice of this State but also as a member of this House, albeit a member for only six years and a full half century ago. He is part of the honoured history of the State of Queensland. He was a true conservative and also a true progressive. Some people see conservatism and being progressive as separate functions, but this is not so and people like Sir Charles Wanstall prove the point admirably. I am particularly grateful to my colleague the member for Indooroopilly, whose electorate includes the seat Sir Charles represented half a century ago, for the interesting and sensitive obituary that he contributed to the Australian.

Sir Charles was indeed a rare man. His life epitomised the opportunities that ordinary people find open to them in a great democracy such as ours. His beginnings were humble but he achieved greatness, and that is the essence of Australia and Queensland. Ours is a country and a State where the able and the intelligent can rise naturally to the top from any of life's stations. This is a country that is rewarded with an absence of artificial barriers.

Of course, it is not a place where advancement can come without the application of effort or bipartisan preferment and we must always strive to keep it that way. Sir Charles is among the many others who stand tall in the history of Australia who would want it that way. He was a man who kept the conservative faith in the forward-looking way that true conservatives always do. He had no time for cant. He would not cling to the past or try to return there in social or political fields or in the law for any reason. However, in his many public comments throughout his long life, he did show a tremendous appreciation of the fact that the past—while it is another country far away, from which we are irrevocably separated—is the foundation stone of any community's future.

He served Queensland extraordinarily well as a lawyer who had come into the law the hard way, working as a clerk and studying at night and passing his Bar examinations in 1933, and later he served with high distinction as a justice of the Supreme Court and later chief justice. Also, he served Queensland and the electors of the then seat of Toowong well in his four years as their representative and as a member of the Queensland People's Party in this place. His lawyer's skills and his forensic language made a number of people uncomfortable from time to time. I was reminded of his skills as a debater who was difficult to beat and of his view of proper public policy by the Hansard reports of several of his forays against opponents of his party. His savaging of Labor's record on petrol rationing—it had opposed it in 1940 at the opening of the war, yet it supported it, based on what Sir Charles described as a highly debatable reading of Commonwealth powers, in 1949, when the war was long over—and of several luminous personalities of the day was a masterly example of his art. Others no doubt can tell us more about that occasion and perhaps share with us further examples from his life. I will say simply that I recommend interested members read the Hansard of his contribution to the debate on the Liquid Fuel Bill—at pages 1554 to 1559 of the Hansard for

1949—as a masterly lesson in how to devastate our opponents without, in the language and practice of today, being smart.

Queensland's history is rich in the number of its people who have served the public interest with consummate skill and dedication. It is not given to many to rise to the summit. Today we can reflect in this place—the people's place—on just what it is that we owe to Sir Charles Wanstall and others of his ilk. Our debt is great and can never be repaid, except by keeping the faith. It is the genius and the natural humility of people such as Sir Charles that, in this great community of egalitarian thought and practice, bring to bear on public life the best of the old—our proud traditions planted here with us from Britain—combined with the best of the new, that is, our creation of a robust and democratic Australian society.

Sir Charles was a man of the 20th century. His place in the history of 20th century Queensland is secure. It is honoured and it is richly deserved. On behalf of the Opposition, I extend our condolences and our thoughts to his family and friends.

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (9.52 a.m.): I join with the Premier and the Leader of the Opposition in supporting this motion and in recognising the important contribution of the late Sir Charles Wanstall to the law, both through this Parliament and through his contribution in the Supreme Court. On behalf of the Government, I had the honour of attending the funeral at St John's Cathedral and heard a powerful eulogy delivered by Chief Justice de Jersey.

I noted the observation of the Premier in relation to Sir Charles' willingness to speak out. It is true that he was a man who had deep respect for the rule of law but, equally, he was not afraid to speak when plain speaking was called for. Thus, as we have heard, he was ejected from Parliament on one occasion, and he was not afraid, in extending congratulations to his successor as chief justice, to express his deploring of the unjust and unsatisfactory treatment of Justice Douglas.

His skill in debate, to which the Leader of the Opposition has referred, included a capacity to support unpopular causes. Indeed, I am reliably told that in this House he even defended the cause of lawyers, which I am sure honourable members will accept is an unpopular cause, and did so in an interesting clash of swords with then Premier Hanlon. Equally, the contribution of Sir Charles Wanstall to the arts should not be ignored. His chairing of the Queensland Ballet board for three years helped to lay a foundation for the excellence which the Queensland Ballet has continued to achieve over the decades and for the enrichment of the cultural life of Queensland throughout modern history. I extend my sympathies to the family for the loss of Sir Charles Wanstall.

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (9.54 a.m.): On behalf of the Liberal Party, I rise to support the motion moved by the Premier and seconded by the Leader of the Opposition. Sir Charles Wanstall was born in Brisbane in 1912, the son of a railway shunter—later an Agricultural Bank inspector—and the grandson of an early western teamster. I note that during his eulogy the chief justice remarked that he may have been related to the same group of teamsters in the early history of Queensland.

Sir Charles was educated at the Roma and Gympie State Schools and undertook secondary studies at the Gympie State High School, joining the Queensland Public Service in 1929. While working, he studied at night for five years, striving to improve his mind, and he passed his Bar examinations in 1933. He went into practice at the private Bar in 1936 and soon built up a large and lucrative practice, despite the lean Depression years. In 1939 he tried to enlist in the AIF, but he was not accepted for service. Instead, in an act of utter selflessness, he closed his practice and became a legal officer with the Commonwealth Crown Solicitor, such was his concern with national security legislation.

In 1938 he married Olwyn John, to whom he remained married until her death last year. Their marriage was a long and successful union and they had one daughter, Jonnie. In 1943 Sir Charles joined the Toowong branch of the newly formed Queensland People's Party. In 1944 he became the State member for Toowong and he remained there until 1950. Although we may never know his personal reasons for turning his back on a lucrative career in the law to serve as a parliamentarian, I believe it was based in a large part on Sir Charles' concern that the Queensland Government had forfeited too many of its States' rights at the request of the Commonwealth Government through the Commonwealth Powers Act of 1943. This is reflected in his maiden speech, which even on paper is confident and insightful and would rest easily in a book of historic speeches. Sir Charles' speech alludes to a great passion for his subject and a greater belief in the Queensland Constitution and the Queensland

Government's power as an independent law maker. He stated—

> "Not only did that Government pawn the rights of the people of this State without consulting their wishes—without obtaining the consent of the owners of those rights, the people—but having pawned them, they threw away the pawn ticket."

For the many Queenslanders who believed in States' rights, Sir Charles' warning could not have been more accurate.

Former Queensland Treasurer and Liberal Leader Sir Thomas Hiley described one of Sir Charles' speeches as a "classic example of parliamentary debate". Hansard has faithfully captured his mood and sometimes his irreverence to a subject, in particular when the Labor Government tried to reintroduce petrol rationing, arguing that Queensland's loyalty to Britain should be paramount. It is a well constructed argument against hypocrisy. It is said that the Government members were silenced by Sir Charles' arguments and the Opposition members tore up their speeches as they felt they could not contribute to the debate any better than Sir Charles. If honourable members look at Hansard, they will note that the debate ended rather abruptly.

Sir Charles also brought a level of practicality to the Queensland Parliament, suggesting that the Standing Orders Committee might devote some thought to the streamlining of parliamentary procedure. As mentioned by the Treasurer, he never failed to be amused by the fact that, when the Speaker put the rather absurd question that a Bill, upon being introduced, be printed, the messenger stood at the end of the Chamber with the printed Bill in his hand.

In 1950 Sir Charles retired from Parliament to return to his vocation—the law. However, he gave the infant Liberal Party of Australia, Queensland Division, three years as president of the organisational branch, from 1950 to 1952. His retirement from Parliament obviously had not diminished his interest in Government policy or his desire to create a unified Queensland Liberal Party. In 1956 he became a QC. In 1958 he became a judge in the Queensland Supreme Court. As a judge, it is said that he gave his time obligingly to the fulfilment of justice, and as chief justice he brought a higher community esteem to the position. His judgments were thoughtful and he never succumbed to populist sentiment. On retiring, he said that he was most proud that he had maintained a unified bench instead of a group of single judges.

During his time on the bench, Sir Charles made a point of mentoring new barristers who, like himself, did not have the benefit of family connections to the law. During the late sixties, in one year only two newly admitted barristers met this criteria. One was his associate and is now the Honourable Justice Richard Chesterman and the other was Angus Innes, later a member of this House and Liberal Leader. In 1982 on his 70th birthday he retired from the bench. He had a run of bad health up to his retirement.

The true measure of a person such as Sir Charles, however, is not just a list of his own achievements, but also the contributions he made to the community. For more than 20 years, Sir Charles served as Chancellor of the Anglican Church in Australia. According to the Queensland Cancer Fund, he was their founding father, playing an active role since it was formed, taking the role of chairman in 1961 and remaining as a trustee until 1991. Such was his contribution to the fund there is a facility near the Royal Brisbane Hospital dedicated to Sir Charles—the Sir Charles Wanstall Apex Lodge, which houses those patients from the country who come to Brisbane for treatment. Other contributions to the community included seven years with the Queensland Ballet board, including three years as chairman, the Society Welfare Services, the committee for the Guide Dogs for the Blind and the Multiple Handicapped Association.

Husband and father, friend and benefactor to the less fortunate in the community, eminent jurist, the ninth member for Toowong and former Chief Justice of Queensland, Sir Charles Gray Wanstall will be missed. He set an example many strive to follow but few manage to match.

Mr BEANLAND (Indooroopilly—LP) (10.02 a.m.): I rise in this condolence debate to add my words. Sir Charles Wanstall was known to me for more than 20 years as a former member for Toowong—a seat which I held prior to its abolition through electoral distribution. He was a person with a common touch, affable and genial, as has already been indicated. He was a Queenslander through and through, and I think in this day and age that is something which I know he was very proud of.

Sir Charles had that quiet, intelligent determination. He made contributions to the community selflessly and willingly. His friendship and loyalty to people around him was unshakeable. As has been mentioned, he came from a very humble background. In 1938 he married Olwyn John to whom he

remained married until her death some 15 months ago. Their marriage was a long, successful union and they had one daughter, Jonnie.

When war broke out Sir Charles endeavoured to enlist in the AIF but was not accepted for service. However, he closed his private practice and chose to become a legal officer with the Commonwealth Crown Solicitor, concerned then with national security legislation. There is little question that from that moment his interest in politics grew because it was during that time that he realised the implications of decisions by the then Labor Government to hand significant powers to the Federal Government.

In 1943 Sir Charles joined the newly formed Queensland People's Party—the Toowong branch. He ran for and won the seat of Toowong in the 1944 State election and remained a member until 1950. In fact, it is interesting to note that also elected to this State House for the Queensland People's Party at that particular election in 1944 included members such as Mr T. A. Hiley, later Sir Thomas Hiley; the then Major K. G. Morris, later a senator for Queensland; and Mr Bruce Pie, the member for Windsor. So Sir Charles came into this House at a time when new members were elected and there was an upsurge of the newly formed Queensland People's Party making its presence felt.

In 1950 after leaving this place and having made the decision that he wanted to continue in law rather than have a life in Parliament, he then ran for and became president of the Queensland division of the Liberal Party of Australia. In his maiden speech, Sir Charles demonstrated his passion for State rights. Even on paper that speech is confident and insightful. It is obvious that Sir Charles had natural gifts for parliamentary debate and that those gifts carried over into the law. A parliamentary colleague, Sir Thomas Hiley, said of Sir Charles' speech on petrol rationing in 1949—

> "So powerful was his speech, so crushing its effect, that other opposition speakers tore up their notes. None chose to desecrate what was accepted by all as a classic example of parliamentary debate. I may hear some to equal, I shall never hear any to excel that superb performance."

During that time Sir Charles was considered to be one of the most approachable and affable members of the Queensland People's Party, of the newly created Liberal Party and of this House. He encouraged young people to enter politics.

In 1974 Sir Charles received a knighthood in the Queen's Birthday Honours List for distinguished service as a judge of the Queensland Supreme Court—a court he served on for 24 years but for two weeks. That is quite a lengthy service by anyone's judgment. In his retirement speech, Sir Charles said he always strove to have a happy and harmonious bench as he felt it was better to have "a real court and a real bench" rather than "a number of individual judges". He said that no bench which is torn by internal strife can function as a bench should. Sir Charles was highly regarded as a chief justice. His judgments bore the classic marks of true craftsmanship and, in fact, it is fair to say were referred to—even by members of the House of Lords.

It is true to say that it was not in Sir Charles' nature to reach the quick and ready conclusion. Rather, he pursued truth and justice carefully and concisely and his judgments were not delivered unless polished to perfection. One of my colleagues has already mentioned Mr Justice Chesterman who, at his swearing in as a judge of the Supreme Court in 1998, attributed his own career to Sir Charles' mentoring of him during a time when the profession was strongly influenced by family connections. Sir Charles made a point of taking as his associates law students who had no dynastic professional support.

He was certainly a multifaceted man and someone who gave a great deal to the community. He served that community over a long period not only as State member from 1944 to 1950 but in various other roles. For example, he was very much involved with the activities of the Ironside State School, a place where he was president of the P & C association from 1956 to 1967, even though his daughter left that school in 1963. He was the person who led the call for the building of the school swimming pool. He was also involved in a range of other school activities. Sir Charles is now honoured at the Ironside State School for his dedication to the school and his fine example of service to the community.

As far as his service to the church is concerned—and it has already been referred to—it is worth while noting that even in the construction of the Christ Church at St Lucia, of which he played a leading role, the sandstone in the altar had to be the same as that used at the University of Queensland: the

church had to fit in with the community. He was very particular in that regard to ensure that when jobs were being done they were being done properly and in appropriate fashion. He served a range of community organisations throughout his wonderful life.

He was capable and practical with his hands, too. He even went so far as to take a great interest in architecture and buildings. He was even responsible for building a couple of additions to his family home. So he was a practical man as well as one who had a great deal of insight. As I say, his wife, Olwyn, who had a great love for music, passed away some 15 months ago. She had a very significant role in singing and was a member of one of Queensland's major choirs and also the Red Cross for many decades. She passed away on 15 July last year.

It is clear that, in rising to honour Sir Charles Gray Wanstall, we are honouring a person who is a true Queenslander, someone who served at the highest levels of this State and someone who has served his community as well as this Parliament, someone who in the tradition of those before him—he was the sixth Chief Justice of this State to have been a member of this House before rising to that great honour. I join with other members of this House in passing our condolences to Sir Charles' family. He is survived by not only his daughter, Jonnie, and son-in-law Hew, and his loving grand-daughters, Bonnie and Amber, but also his brother, Allan.

Motion agreed to, honourable members standing in silence.

PETITIONS

The Clerk announced the receipt of the following petitions—

Weipa, Local Government Authority

From **Mr Bredhauer** (509 petitioners) requesting the House to enact legislation to create a local government authority for the township of Weipa.

Thursday Island Hospital

From **Mr Bredhauer** (337 petitioners) requesting the House to intervene and instigate a full investigation into the lack of care and negligence of some general practitioners (doctors) and specialists employed by Queensland Health at Thursday Island Hospital.

Drug Rehabilitation Programs

From **Mr Reynolds** (40 petitioners) requesting the House to introduce true drug reform through (a) coercive residential rehabilitation drug centres for all heroin-dependent addicts in cooperation with our courts, Police Department and churches etc.; (b) free Naltrexone treatment for all heroin addicts in residential rehabilitation drug centres for the rapid detoxification of their heroin addiction; (c) establishment of a medical panel to assess each heroin addict and recommend the addict's treatment and length of time in a residential centre, follow-up treatment, supervision and counselling; (d) cooperation between law enforcement officials and parents of addicts who report their sons or daughters for treatment in residential centres; and (e) legal power to conduct random drug tests on suspected drug addicts by Health Department medical officers and selected trained police officers.

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—

20 September 1999—

Legal, Constitutional and Administrative Review Committee—non confidential submission received by it in relation to its inquiry into issues of electoral reform raised in the Mansfield decision

24 September 1999—

National Trust of Queensland—Annual Report 1997-98

Queensland Dairyfarmers' Organisation—Annual Report for the year ended 31 March 1999

Late tabling statement by the Minister for Primary Industries (Mr Palaszczuk) relating to the Queensland Dairyfarmers' Organisation Annual Report for the year ended 31 March 1999

30 September 1999—

Auditor-General's Report No. 1 1999-2000—Audit of Certain Matters Associated with the Issue of an Interactive Gambling Licence

Criminal Justice Commission—Gocorp Interactive Gambling Licence: Report on an Advice by R W Gotterson QC

4 October 1999—

Auditor-General's Report No. 2 1999-2000—Results of Audits Performed for 1998-99 as at 3 September, 1999

Queensland Audit Office—Annual Report 1998-99

5 October 1999—

Local Government Electoral and Boundaries Review Commission—Review of Composition and Review of Divisional Boundaries, Final Determinations for the following local governments—

Banana Shire Council
Bauhinia Shire Council
Beaudesert Shire Council
Belyando Shire Council
Boonah Shire Council
Bowen Shire Council
Broadsound Shire Council
Burdekin Shire Council
Caboolture Shire Council
Cairns City Council
Carpentaria Shire Council
Cooloola Shire Council
Crows Nest Shire Council
Dalrymple Shire Council
Duaringa Shire Council
Gold Coast City Council
Hervey Bay City Council
Ipswich City Council
Johnstone Shire Council
Kolan Shire Council
Livingstone Shire Council
Logan City Council
Mackay City Council
Maroochy Shire Council
Maryborough City Council
Nanango Shire Council
Nebo Shire Council
Perry Shire Council
Pine Rivers Shire Council
Redland Shire Council
Rockhampton City Council
Torres Shire Council
Townsville City Council
Warwick Shire Council

12 October 1999—

Surveyors Board of Queensland—Annual Report 1998-99

14 October 1999—

Supreme Court Library Committee—Annual Report 1998-99

15 October 1999—

Totalisator Administration Board of Queensland—Annual Report 1998-99

18 October 1999—

Queensland Investment Corporation—Annual Report 1998-99

Queensland Investment Corporation Investment Trusts Financial Statements 1998-99

Queensland Investment Corporation—Statement of Corporate Intent 1998-99

19 October 1999—

Queensland Rural Adjustment Authority—Annual Report 1998-99

25 October 1999—

Estimates Committee A—Report No. 1 October 1999

Estimates Committee A—Report No. 2 October 1999

Estimates Committee A—Additional Information volume

Estimates Committee B—Report October 1999

Estimates Committee B—Additional Information volume

Estimates Committee C—Report October 1999

Estimates Committee C—Additional Information volume

Estimates Committee D—Report October 1999

Estimates Committee D—Additional Information volume

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

Drugs Misuse Act 1986—

Drugs Misuse Amendment Regulation (No. 2) 1999, No. 235

Fisheries Act 1994—

Fisheries Amendment Regulation (No. 5) 1999, No. 217

Forestry Act 1959—

Forestry Legislation Amendment Regulation (No. 2) 1999, No. 236

Gaming Machine Act 1991—

Gaming Machine Amendment Regulation (No. 4) 1999, No. 232

Government Owned Corporations Act 1993—

Government Owned Corporations Legislation Amendment Regulation (No. 2) 1999, No. 215

Indy Car Grand Prix Act 1990—

Indy Car Grand Prix Amendment Regulation (No. 2) 1999, No. 223

Justices Act 1886, Traffic Act 1949, Transport Operations (Road Use Management) Act 1995—

Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999, No. 225

Local Government Act 1993—

Local Government (Internal Boundaries Review) Regulation 1999, No. 220

Local Government Legislation Amendment Regulation (No. 2) 1999, No. 234

Police Powers and Responsibilities Act 1997—

Police Powers and Responsibilities Amendment Regulation (No. 3) 1999, No. 222

Queensland Building Services Authority Act 1991—

Queensland Building Services Authority Amendment Regulation (No. 2) 1999, No. 227

Queensland Building Services Authority Amendment Act 1999—

Proclamation-certain provisions of the Act commence as stated in the schedule, No. 226

River Improvement Trust Act 1940, Surveyors Act 1977—

Natural Resources Legislation Amendment Regulation (No. 2) 1999, No. 228

Statutory Instruments Act 1992—

Statutory Instruments Amendment Regulation (No. 3) 1999, No. 219

Sugar Industry Act 1991—

Sugar Industry Amendment Regulation (No. 2) 1999, No. 230

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment Regulation (No. 3) 1999, No. 224

Superannuation (State Public Sector) Amendment Notice (No. 4) 1999, No. 231

Vocational Education, Training and Employment Act 1991—

Vocational Education, Training and Employment Amendment Regulation (No. 2) 1999, No. 221

Wagering Act 1998—

Wagering Amendment Rule (No. 1) 1999, No. 214

Water Resources Act 1989—

Water Resources (Drainage Areas) Legislation Amendment Regulation (No. 1) 1999, No. 237

Water Resources (Rates and Charges) Amendment Regulation (No. 1) 1999, No. 229

Workplace Health and Safety Act 1995—

Workplace Health and Safety (Advisory Standards) Amendment Notice (No. 2) 1999, No. 218

Workplace Health and Safety Amendment Regulation (No. 1) 1999, No. 216

Workplace Health and Safety Amendment Regulation (No. 2) 1999, No. 233

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 Report No. 45 of the Parliamentary Criminal Justice Committee entitled A report of a review of the activities of the Criminal Justice Commission pursuant to s.118(1)(f) of the Criminal Justice Act 1989

response from the Acting Premier (Mr Mackenroth) to Report No. 14 of the Legal, Constitutional and Administrative Review Committee entitled A review of the Report of the strategic review of the Queensland Ombudsman

response from the Minister for Police and Corrective Services (Mr Barton) to Report No. 27 of the Travelsafe Committee entitled Unlicensed, Unregistered and on the Road

interim response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to Report No. 27 of the Travelsafe Committee entitled Unlicensed, Unregistered and on the Road

MINISTERIAL RESPONSES TO PETITIONS

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

Response from the Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities (Mr Mackenroth) to a petition presented by Mrs E Cunningham from 37 petitioners, regarding an alleged noise nuisance occurring at the Toolooa Industrial Estate, Gladstone—

I refer to your letter of 27 August 1999 forwarding a copy of the petition received by the House on 25 August 1999 regarding an alleged noise nuisance occurring at the Toolooa Industrial Estate, Gladstone.

Please find enclosed a copy of my reply to the principal petitioner, Mr Ivan Johnson.

29 SEP 1999

Mr Ivan D Johnson 17 Dalrymple Drive GLADSTONE QLD 4680

Dear Mr Johnson

I refer to your petition to the Queensland Legislative Assembly on the matter of noise nuisance emanating from the Toolooa Industrial Estate at Gladstone. The petitioners request the Government to restrict the Gladstone City Council from issuing any further building approvals in the estate until the Nuisance Regulations 1999 become effective.

The approval of all development is subject to the Integrated Planning Act 1997 (IPA),

which is within my portfolio, and the petition has been referred to me for consideration and a response.

With the exception of some minor works, no new development can be commenced until a development permit has been obtained under the IPA. This includes many industrial activities which have the potential to create a noise nuisance. These are deemed to be environmentally relevant activities (ERAs). Local governments have a responsibility to consider noise impact when dealing with a development application involving an ERA.

Under the Environmental Protection Act 1994, the responsibility for the administration and enforcement of a number of ERAs has been devolved to local governments. Through this devolution local governments are required to consider environmental factors when dealing with applications for the establishment of a new ERA. These considerations are to include the impact of noise on the surrounding environment. This provides the Council with the opportunity to impose restrictions on the times of operation, and the level of noise, of new activities.

If the existing activities conducted on premises at Toolooa Estate come under the jurisdiction of local government, and it appears they would, it is appropriate to make complaints regarding unreasonable noise to the Council. The Council has an obligation to investigate the complaint under the Environmental Protection (Noise) Policy 1997, and to issue a show cause or noise abatement notice if considered appropriate. My Department has been advised by the Council you have lodged a complaint and a copy of the petition with the Council.

The system of local government in Queensland provides councils with autonomy in administering legislation to protect the interests of the community, which includes those of residents and industry. I am informed the Council is investigating the matter, and I am confident the Council will make an equitable decision after it has considered all the facts.

it is not appropriate to restrict the issue of all building permits as suggested in the petition, as the ultimate use established in the building may not result in any noise nuisance. It is the activity carried on within the building which needs to be controlled through a development permit for a material change of use, and if relevant, an ERA licence.

In relation to the proposed Nuisance Regulations, I am advised the purpose of these is to provide control over activities other than an ERA, which create a noise nuisance. ERAs are already controlled through the noise criteria they must comply with under the Environmental Protection Act, as I mentioned above.

I trust this information is helpful to you. If I can be of any further assistance, please do not hesitate to contact my office.

Response from the Minister for Health (Mrs Edmond) to a petition presented by Miss Simpson from 10,158 petitioners, regarding the regulation of dentistry—

Thank you for your letter of 27 August 1999 enclosing copies of the petitions received by the House on 25 August 1999 regarding the regulation of dentistry.

You may recall that I outlined the background and purpose of the current review of restrictions on the practice of dentistry in a previous letter dated 14 July 1999.

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.

Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Cooper from 20 petitioners, regarding the regulation of dentistry—

Thank you for your letter of 25 August 1999 enclosing a copy of a petition received by the House on 24 August 1999 regarding the regulation of dentistry.

You may recall that I outlined the background and purpose of the current review of restrictions on the practice of dentistry in a previous letter dated 14 July 1999.

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.

Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Slack from 670 petitioners, regarding the Bundaberg Hospital—

Thank you for your letter of 28 August 1999 concerning the petition received by the House on 26 August 1999 in relation to the Bundaberg Hospital.

The Acting District Manager, Bundaberg Health Service District has investigated the matter and the following information is provided.

The General Practice Outpatients Clinic at the Bundaberg Hospital is currently provided on a sessional basis by a private general practitioner for nine hours per week. The closure of the General Practice Clinic at the Bundaberg Base Hospital has been given a lead time of approximately five months and no new patients have been accepted since June. Current patients have been receiving advice on

alternatives for primary care and the present doctor has been preparing detailed health summaries for patients in order to provide continuity of care with a new general practitioner.

I am advised that there are several doctors/practices in Bundaberg willing to provide bulk billing services to accommodate these patients. Community general practice is the appropriate place for primary care and I have every confidence that the continuum of care available from a general practitioner, and not available in the hospital setting, will be beneficial to these patients.

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 Mr Slack from 370 petitioners, regarding the general practice outpatient facility at the Bundaberg Hospital—

I refer to your letter dated 20 September 1999 concerning a petition received by the Legislative Assembly about the general practice outpatient facility at the Bundaberg Base Hospital.

The outpatient department at the hospital has been expanded as part of the hospitals redevelopment program.

A general practice clinic, which has been operating from the outpatient facility nine hours per week, was phased out on 1 October 1999. The District Manager, Bundaberg Health Service District has outlined the recent history of the general practice clinic at the Bundaberg Base Hospital. He advises that in the early 1990's the clinic was open for 24 hours each week. It had reduced to 15 hours a week by 1997 and was then reduced 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 which bulk bills low income families has opened across from the hospital.

The Health Service District 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.

Health care continues to be provided at the accident and emergency department at the Bundaberg Base Hospital 24 hours a day seven 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 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 Environment and Heritage and Minister for Natural Resources (Mr Welford) to a petition presented by Mr Davidson from 519 petitioners, regarding the Tewantin and Ringtail State Forests—

Thank you for your letter of 17 September 1999 concerning a petition received by the Queensland Legislative Assembly.

Tewantin and Ringtail State Forests are included within areas to be exempted from timber harvesting under the Queensland Government Plan for the SEQ Regional Forest Agreement.

The future tenure of the 425 000 hectares to be exempted from logging will include a new tenure under the Forestry Act 1959 and national park or conservation park under the Nature Conservation Act 1992. Decisions on the most appropriate tenure will be made on a case by case basis.

Triunia robusta provides an interesting case history of how our knowledge of Queensland's biodiversity is constantly increasing. Ten years ago, the species was presumed extinct. It was rediscovered in a small local government reserve in the Blackall Range and is now known from a number of different sites in the Sunshine Coast hinterland. The site of the original discovery has been converted to a national park (Scientific) that is called Triunia National Park in honour of the species.

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

MINISTERIAL PAPERS TABLED BY THE CLERK

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

Premier (Mr Beattie)—

Misconduct Tribunals—First Annual Report 8 December 1997 to 30 June 1999

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

Report under section 56A(4) of the Statutory Instruments Act 1992

Additional information provided to the Scrutiny of Legislation Committee by Mr McGrady regarding the Mineral Resources Amendment Regulation (No. 2) 1999, SL No. 60 of 1999

Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford)—

Ministerial Direction, dated 20 September 1999, from the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) to the South-East Queensland Water Board under section 7 of the South East Queensland Water Board (Reform Facilitation) Act 1999

PARLIAMENTARY PAPER TABLED BY THE CLERK

The Clerk tabled the following paper—

Annual Report of Daily Travelling Allowance Claims by Members of the Legislative Assembly for 1998-99

MINISTERIAL PAPER

The following paper was tabled—

Minister for Health (Mrs Edmond)—

Joint response by Minister for Health, Minister for Transport and Minister for Main Roads and Attorney-General and Minister for Justice and Minister for the Arts to Report No. 16 of the Legal, Constitutional and Administrative Review Committee entitled Review of the Transplantation and Anatomy Amendment Bill.

MINISTERIAL STATEMENT

Trade with Japan

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (10.11 a.m.), by leave: Between 11 October and 14 October I completed 25 meetings, functions and inspections in Tsukuba, Saitama, Tokyo and Osaka to promote further trading opportunities with Japan for Queensland. Japan is by far our major trading partner, with nearly 20,000 Queenslanders' jobs dependent on this trade. Increased trade means, quite simply, increased jobs, which is why I opened Queensland's second trade and investment office in Japan on 14 October in Osaka, at the heart of the country's major manufacturing region. More than 100 business leaders attended a two-hour trade, investment and biotechnology seminar at Osaka, more than 50 attended the office opening ceremony and about 200 attended the reception for business and Government leaders.

We also need to form partnerships with the Japanese in our quest to create thousands of long-term, New Age jobs through biotechnology developments, both in terms of research and venture capital, as well as IT. To this end I met with the senior officials at the Institute of Physical and Chemical Research at Saitama; discussed with senior officials of the Australian National Beamline Facility at the Tsukuba Synchrotron the urgent need for Australia to build its own synchrotron, which my Government believes should be sited at Australia TradeCoast around the port of Brisbane; hosted a Queensland biotechnology seminar in Tokyo for Japan's leading biotechnology researchers and entrepreneurs; met with senior members of the Liberal Democratic Party Life Science Union to discuss the possibility of forming partnerships between Queensland and Japan in research and commercial development; and hosted a second biotechnology and trade seminar at Queensland's new trade and investment office in Osaka for about 100 business leaders and investors.

I also took the opportunity to meet with representatives from major commercial banks, trust banks, life insurance and asset management companies, and Queensland Treasury Corporation's global bond distribution group to promote the fact that Queensland is outperforming the rest of Australia and is an ideal place to invest. My message that Queensland Treasury Corporation securities represented an extremely good investment was very well received.

In renewing my strong personal relationships with the Governors of Saitama and Osaka I stressed the opportunities that exist for closer business links, especially in biotechnology and information technology, between their prefectures and Queensland.

The Queensland Government reception to mark the 20th anniversary of the establishment of our trade and investment office in Tokyo was attended by a record 230 leading Government, business and industry leaders. I talked with them about traditional areas of investment, such as mining, primary industries, tourism and so on, and about how strong they are. I am told that they were enormously impressed that new Foreign Minister Yohei Kono changed his official itinerary in order to attend and speak positively about Queensland at the function. I table for the information of the House and members

two copies of my full report on that visit to Japan.

MINISTERIAL STATEMENT

Government Owned Corporations, Executive Remuneration

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (10.15 a.m.), by leave: I am pleased to inform the House that State Cabinet yesterday approved tight new guidelines for the salary packages of senior executives employed by GOCs. The main point of the new guidelines is that from now on all GOCs will have to consult shareholding Ministers before any proposed change to the salary packages and any changes will need to be justified. Salary packages will also be included in each GOC's annual report and statement of corporate intent on a similar basis to that required of publicly listed companies by the Corporations Law.

These steps remove any real or imagined grey areas. The proper process is now spelled out clearly, in black and white. The guidelines also strike the correct balance between ensuring that GOCs attract the highest standard of senior staff and ensuring that the packages are public and transparent. After all, we are dealing with taxpayers' money here. It is not good enough to award large increases in senior executives' salaries on a nod and a wink.

I make it clear, however, that the spirit of corporatisation will not be tainted. My Government is not taking a step back towards central control by Ministers, nor does my Government intend to go down the path of privatisation. GOC boards will retain the right to appoint staff, including senior executives. What we are simply doing here is ensuring cooperation and transparency between GOCs and the Government on issues of remuneration.

The new guidelines can and will if necessary be enforced. For example, shareholding Ministers could provide a direction to a GOC board under section 124 of the Government Owned Corporations Act if they did not agree with the proposed salary package change. Such a direction would be issued in the public interest. But importantly, as part of the consultation process, the shareholding Ministers would only give such a direction if the GOC's commercial interests were not affected. In other words, if GOCs need to pay market salary rates to get the best executives and stop a poaching exercise by New South Wales, Victoria or overseas and therefore ensure that taxpayers' interests are protected, then they will. But shareholding Ministers will need to be convinced. GOC boards will have to justify the need for large salary or salary increases. I can assure the owners of these GOCs—that is, the taxpayers of Queensland—that we will not be setting new market rates for salaries.

Those witnessing the Opposition's hysterical reaction to the appropriate disclosure by the Minister for Mines and Energy on an unauthorised 40% increase for the Chief Executive Officer of Energex could be forgiven for thinking that the Borbidge Government was totally in control of GOC executive salaries. I regret to advise the House that any such assumption would be sadly misguided. During just over two years of the Borbidge Government there were no fewer than 10 separate instances in which CEOs' salaries increased, by between 22% and 58%. One of the largest increases was a $79,000 boost to the CEO of guess who: Energex. There was a 52% increase for the Energex CEO under the Borbidge Government. What did it do about it? Absolutely nothing. It took a Labor Government and Minister McGrady to do something about the unfettered escalation of executives' salaries, followed by the Cabinet decision I referred to.

Let us look at the facts. Between February 1996 and the middle of 1998, the following increases were approved for executive packages in Government owned corporations under the guidance of the Borbidge Government. For NORQEB it was up by $59,000. That is an increase of 34%. NORQEB was abolished by Labor. At Energex, there was an increase of $79,000. That is a 52% increase. At Capricornia Electricity there was an increase of $95,000. That is a 58% increase. It was abolished by Labor.

In relation to Wide Bay-Burnett electricity—up $48,000; that is a 34% increase. Again, that was abolished by Labor. Powerlink—up $72,000; that is a 37% increase. The wages and salaries have been stable under my Government. Queensland Rail—up $100,000; that is a 50% increase. It has been stable under my Government. The Ports Corporation—up $86,000; that is a 62% increase. The Port of Brisbane Authority—up $80,000; that is a 47% increase. It has been stable under my Government. The Gladstone Port Authority—up $66,000; that is a 41% increase. The Cairns Port Authority—up $30,000; that is a 22% increase. It has been stable under my Government.

Opposition members have now been exposed as hypocrites on this issue. Let us not let the issue rest there. In terms of these salaries, I table for the information of the House the GOC/CEO salary packages and movements. They highlight in detail what I have said. For example, in relation to NORQEB, if we look back to 1996-97, when the Borbidge Government was in office, we find that it was $146,278 plus $29,255.50 in bonuses. That was increased by 33% to $184,878, plus $50,000 in bonuses.

In relation to Capelec, the salary in 1996-97 under the Borbidge Government was $126,900, plus 30% bonuses. There was a 57.6% increase. It went to $200,000, plus 30% bonuses. We abolished it. In relation to Wide Bay-Burnett Electricity—the $130,751, plus $13,050 in bonuses, went after a 33.6% increase under the Borbidge Government to $170,000, plus $21,250 in bonuses. That has been abolished. In relation to Powerlink—$151,450 in 1996-97. The total with bonuses was $194,570. Under the Borbidge Government, that was increased by 37% to a total of $266,500. It is likely to be $251,000 under my Government.

The list goes on. Let me talk about QR. It was $200,000 in October 1996, and it was increased by 50% in April 1998. The chair of QR notified Ministers Sheldon and Johnson at that time, who had no objection. It went up by $100,000—

Mr JOHNSON: I rise to a point of order. At that time, that document came across my table—and I will also speak here on behalf of the Treasurer at the time—

Mr SPEAKER: Order! There is no point of order. The member will not debate the point.

Mr JOHNSON: We never signed off on that, and I ask that it be withdrawn. It was never agreed to. I find it offensive and ask that it be withdrawn.

Mr SPEAKER: Order! The member seeks a withdrawal.

Mr BEATTIE: Mr Speaker, I am quite happy to withdraw it. But let me assure the House that I will be providing material about that later. I think that is one of the worst points of order the member has ever taken.

In terms of QR—let me go back to what I was saying. In 1996-97, it was $200,000. There was an increase of $100,000—a 50% increase—to $300,000. That occurred in April 1998 under the Borbidge Government. In relation to the Ports Corporation Queensland—in January 1996 it was $139,214. There was a 62% increase, and it went up to $188,600 in May 1998, with a bonus of $40,500 in addition to that. In relation to the Port of Brisbane Authority—in May 1996-97 it was $171,868. There was a 47% increase. In September 1997 it was $211,463, plus a $40,000 bonus. Under my Government, it is exactly the same, except the bonus has gone down.

In terms of Gladstone—the increase goes on. It was $159,487 in 1996-97. It went up to $166,478, plus a bonus. Prior to the change of Government they approved a 15% rise from 1 April 1998 and from 1 April 1999 by another 15% to $220,000, plus $4,925 in bonuses,. That was another increase. In relation to Cairns—it went from $139,000 up to $170,000, a 22% increase. The list goes on.

Mr Borbidge: Where's your list?

Mr BEATTIE: I will answer the Leader of the Opposition's question, because I am keen to do that. I table this detailed list. The amount for 1996-97—when the Borbidge Government was in office—was the first figure I referred to. The second figure was the dramatic increase, without any controls—absolutely out of control. Gay abandon, it was. Then we go across to 1998-99, when there was a change of Government. Then I have got in the column 1999-2000 what happens under my Government. So there is nothing hidden here at all. I table this for the information of the House.

Let me conclude by saying this: the Queensland people have never seen such openness or transparency ever on these issues. My Government is open and transparent. There is only one Government that had absolutely no control when it came to GOCs, and it was the Borbidge/Sheldon Government.

MINISTERIAL STATEMENT

Regional Forest Agreement

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (10.25 a.m.), by leave: Honourable members would be aware of the very positive reaction within the community to the Queensland Government's proposal for a Regional Forest Agreement. The list of groups which support the proposal includes the Queensland Timber Board, the Australian Workers Union, the Queensland Conservation Council, the Wilderness Society and the Australian Rainforest Conservation Society. In addition to these peak bodies, there has been significant support for the proposal from the wider community, especially those areas generally

recognised as timber towns. This is because they realise that this proposal offers them 25 years' security, then a solid, long-term future—a considerably brighter future than is on offer in any other State through the RFA process, which I remind honourable members is a joint Federal/State process.

We are, however, acutely aware that some timberworkers will be disadvantaged by the proposal, particularly those at the Boral mills at Nandroya and Cooroy, which will close between October next year and the end of March 2001. This is necessary to preserve the high-conservation areas of the Mapleton State Forest and the Conondale ranges. This Government is committed to providing jobs for those people who currently work at the mill. Currently, Boral employs 30 people at its mill at Nandroya and 24 at its board plant at Cooroy, while a further 26 individuals will be impacted on to varying degrees by the Boral exit. I stress that, in the last category, some of the affected individuals do not live in the Cooroy region, but they still will be affected by the closure of the two mills.

The day after we announced the Queensland Government's proposal for the RFA, the Government opened an office in Cooroy to assist the workers there to gain further employment. Since that time, officers of my department have held meetings with the Australian Workers Union and management representatives from Boral Ltd regarding redundancy payouts and a joint approach to finding jobs for the displaced workers. We have also been working closely with the key stakeholders at Cooroy, including the Noosa Shire Council, the Cooroy Chamber of Commerce, Boral Ltd and timberworkers themselves, to investigate further new job and economic development opportunities in the timber industry and other sectors. This includes two public workshops on 5 and 19 October 1999 respectively to identify local development initiatives in eco-tourism, education and timber recycling. The Cooroy office has also been contacted by several investors with both timber and non-timber-related proposals for the current mill sites at Cooroy and Nandroya, which is a further positive indication of the strong support our RFA proposal is receiving in the business community.

We are also working closely with the Noosa Shire Council and the Cooroy Chamber of Commerce in the development of a strategic plan for Cooroy. But the main work of the Cooroy office is in placing individuals currently employed by Boral in alternative work. This involves the hard slog of talking to all those affected workers. So far, 14 have been interviewed, while 54 local businesses have also been interviewed. The office has liaised with all local financial institutions to arrange free personal finance seminars on 3 and 17 November 1999 for all of those workers.

In the light of all this activity, the appearance of the Leader of the Opposition at Cooroy, in a cynical attempt to cash in on the fate of those displaced workers, was about as predictable as Fatty Vautin tipping Manly in the match of the round. Given that the member for Surfers Paradise wants to scrap our RFA if he wins back office, could he also tell the people of Queensland if he also proposes to scrap the 471 new jobs that come with it? Could he also tell us if he proposes to log the Conondale ranges and Mapleton State Forest? And could he also tell the timber industry if he proposes to wind back the 25 years' security for the timber industry? I doubt it. He could have had a bipartisan approach, but he has gone after a destructive approach.

NOTICE OF MOTION

Censure of Minister for Mines and Energy

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.30 a.m.): I give notice that I shall move—

> "That this House censures the Minister for Mines and Energy over his handling of the massive unauthorised pay rise and associated benefits for ENERGEX Chief Executive Officer Mr Brian Blinco, including free power and big bonuses, and for his mismanagement of the Queensland electricity supply industry in general—particularly—
>
> - His lack of transparency in relation to crucial decisions on major power generation projects;
> - His lack of transparency on the future of tariff equalisation based community service obligation payments;
> - His lack of transparency in relation to the future of billions of dollars in taxpayer funded generation assets; and
> - Rampant Labor Party cronyism in regard to appointments to power industry boards."

QUESTIONS WITHOUT NOTICE

Government Owned Corporations, Executive Remuneration

Dr WATSON (10.31 a.m.): My question is directed to the Treasurer. As the granting of

remuneration packages for Government owned corporations requires the approval of both shareholding Ministers, when did Treasury advise the Treasurer of the remuneration packages for the Chief Executive Officers of Energex and Ergon? As advice to the Treasurer on these matters is standard practice in Treasury, if the Treasurer was not informed, why was he not informed?

Mr HAMILL: I received formal advice through Treasury as to the remuneration packages in respect of those two Government owned corporations upon my return from a recent QTC investor bond trade mission. I arrived back in Australia on Sunday.

Government Owned Corporations, Executive Remuneration

Mr SULLIVAN: My question is directed to the Premier. I refer to State Cabinet's decision to introduce tough new guidelines in relation to salaries for senior executives employed by Government owned corporations, and I ask: what system of monitoring and approving such salaries did this State Government inherit from the coalition Government?

Mr BEATTIE: The answer is that the previous Government simply had no system. As with many aspects of the former Borbidge Government, that Government was in the driving seat but its hands were off the wheel. I have already revealed to the House the executive salary blow-out that occurred under the Borbidge Government. The Leader of the Opposition has had the audacity to move a motion which will be debated in this House later today. Under his Government we saw a 52% increase in salaries in Energex. He has the audacity to come in here and move a motion.

It does not end there. When the Labor Party entered Government, the sharing of information about salary movements was patchy and inconsistent because the former Government had no policy and no program. Some boards advised the shareholding Ministers; others simply ratcheted up the executive salaries. That is what happened.

Whose fault is that? Is it the fault of the Government of the day or of the respective boards? I have a Borbidge Government letter that answers that question. The former Minister for Transport took an interjection earlier this morning—

Mr Elder: He said he had none—no responsibility.

Mr BEATTIE: No responsibility! Let me come to the letter—

Mr JOHNSON: I rise to a point of order. I did not say "no responsibility" at all; I said that we did not sign off on those salary increases before the last election.

Mr SPEAKER: Order! We will not debate the matter during question time.

Mr BEATTIE: Let me show honourable members how business was done under the Borbidge Government. The Chair of the Port of Brisbane Corporation, Ms Nosworthy, wrote a letter dated 10 July 1997. Honourable members might recall that the Borbidge Government was in office at this time. A letter signed by Vaughan Johnson and Joan Sheldon was written in response to Ms Nosworthy's letter. The letter reads as follows—

> "We refer to your recent discussions with our Departments regarding executive remuneration arrangements for senior staff of the Port of Brisbane Corporation.
>
> This letter is to confirm that we see this issue as primarily a matter for determination by your Board."

In comes a letter suggesting significant pay increases, and what do the Ministers say? They say, "Heavens above, I don't know what I'm doing here. What do I do about this?" They say, "This is your decision." I table that letter for the information of the House. Is it any wonder that my Government inherited a mess?

What great words they are—"This letter is to confirm that we see this issue as primarily a matter for determination by your Board." It virtually says, "If you want to pay your CEO a couple of million dollars, you go right ahead, just as long as you fit into some commercial reality." What are those realities? Are they those of the corporate sector? What happened in this case was that salary increases of $80,000—40%—were granted.

Ergon Energy, Executive Remuneration

Mr BORBIDGE: My question is directed to the Treasurer. I refer the Treasurer to the substantial superannuation payout to former State Treasurer Keith De Lacy, who was appointed by the Treasurer to the board of the QIC and to chair the board of Ergon Energy. I also refer the Treasurer, as a shareholding Minister, to his appointment of Labor Party Treasurer John Bird to the board of Ergon Energy (Retail), in addition to the appointment of Mr Bird, by the Treasurer, to the board of the TAB. I ask: can the Treasurer inform the House as to how much is being paid to Mr De Lacy and how much is being paid to Mr Bird, including air fares and other entitlements?

Mr HAMILL: The Beattie Government has put in place standard guidelines for the remuneration of directors of all Government owned corporations. Whilst I do not carry the details around with me in respect of all GOC board members, including the amount of travel they have undertaken, I am more than happy to provide the appropriate information to the Leader of the Opposition.

Government Owned Corporations, Executive Remuneration; Ergon Energy

Mr BORBIDGE: I direct a question to the Minister for Mines and Energy. I refer to his appointment of Labor mates to taxpayer-funded positions in the electricity industry, and in particular to the appointment of Labor's candidate for Hervey Bay, Andrew McNamara, to the board of Ergon Energy (Retail) where he joins the Labor Party State Treasurer, John Bird, and former State Labor Treasurer, Keith De Lacy. I ask: does the Minister consider it appropriate that Queensland taxpayers fund a Labor candidate in a marginal seat? Can he advise the House as to how much Mr McNamara is being paid?

Mr McGRADY: Let me say this: I believe that the appointments we made to the electricity industry as a result of the restructure were excellent. May I add that what we tried to do was to bring expertise to these boards. We tried to get regional representation—which we have achieved. The gentleman who was named in the question would receive payments as per the decisions of the Queensland Cabinet.

Defence Force Reservists, Job Security

Mr PURCELL: I direct a question to the Premier. I refer to the many Australian Defence Force reservists who work in the Queensland Public Service, and I ask: can the Queensland Government guarantee their job security as these reservists volunteer to serve in East Timor?

Mr BEATTIE: I take this question very seriously, as do other members, I am sure. The answer is yes, the Queensland Government does guarantee the public service jobs of reservists who volunteer to serve in East Timor. The Government has received a number of inquiries about leave arrangements from Government agencies and from individuals in Government departments, as well as other agencies. These people wanted to know what would happen to their jobs if they were accepted as volunteers for the Interfet multinational force.

My Government believes that if people are prepared to put up their hands to serve their country and help others in need we should support them in any way that we can—and we have. The best way in which we can do that is to guarantee that their jobs will be there when they return. That means that reservists can serve their country safe in the knowledge that their job in a Queensland Government department or agency will be there when they return. That is important, because they can then focus on the job at hand. All Australian defence force personnel will be in a situation where there is some risk and they need to be able to focus on the job at hand and not worry about job security.

So that everyone understands the Government's position, the Department of Employment, Training and Industrial Relations has issued a directive to all Government agencies that spells out the conditions for leave. Once recruited, a volunteer would be employed as a full-time worker of the Australian defence force. There are special arrangements to ensure that those volunteers who are Queensland Government employees will have access to paid leave for any training that they may need to undertake before their full induction. The directive also covers leave provisions and superannuation arrangements.

The Queensland Government is doing its bit to back the men and woman who want to serve their country and I urge the private sector to follow suit. I am confident that private employers will support our reservists. On behalf of all members of this House, I take this opportunity to wish those Australian servicemen and women in East Timor all the best. We know that they are doing a great job in protecting democracy and serving their country. We know that it is difficult. In fact, we know that it will get even more difficult than it is now, but our thoughts are with each and every one of them and we wish them well.

Ergon Energy, Executive Remuneration

Mr ROWELL: I ask the Minister for Mines and Energy: can he detail to the House the total remuneration package for the Chief Executive Officer of Ergon in addition to his base salary of $275,000, detailing each of the extra benefits within the package, including any coverage of personal electricity charges?

Mr McGRADY: I thank the member for the question. Today, this debate is all about accountability. I would hope that every person who enters this Chamber comes in with a determination to make this Government and previous Governments accountable.

This is all about a process. Let me make it perfectly clear that the rules are quite clear and spelt out on paper that the chair will consult with the two shareholding Ministers regarding the remuneration for the chief executive officer. It has been established without any doubt at all that at no time was the Treasurer, who in this instance was the other shareholding Minister, ever consulted. He was never, ever consulted.

I make it clear that I have had enough from the Opposition. We have had the Geronimo of Queensland politics running around trying to get every scalp he can. He has been calling for the chief executive to be removed, he has been calling for the chairman to be removed, he has been calling for the Minister to be removed. The shadow Minister has asked a question about the remuneration for the Chief Executive Officer of Ergon. The crux of the matter is that, back in October last year, I made inquiries to find out what the packages were for the executives and the chief executives of all the Government owned corporations in my portfolio.

An Opposition member interjected.

Mr McGRADY: I will come to it. I received a list. Members have to understand that, in recent times, six of the corporations were amalgamated into one.

Dr Watson: You did that.

Mr McGRADY: That is right; I did that—this Government did that—and it was a very sensible and a very wise decision. We called for applications—

Interruption.

PRIVILEGE

Tabling of Electricity Authority Documents

Hon. R. E. BORBIDGE (Surfers Paradise— NPA) (Leader of the Opposition) (10.44 a.m.): I rise on a matter of privilege. Mr Speaker, I seek the Premier's advice as to whether certain information that he referred to was not tabled. He has tabled documents relating to electricity bodies that were abolished but he has not tabled documents relating to the replacement bodies that the Minister introduced. So the information that has been provided by the Premier is a shonky, deceitful and selective piece of information.

Mr SPEAKER: That is debating the issue. The Leader of the Opposition will have the opportunity tonight to do that.

Mr BEATTIE: I rise to a point of order. They are included. The document is in the process of being photocopied. If the Leader of the Opposition would relax, he will get it. I referred to it in some detail. The young man should just relax.

Mr BORBIDGE: The simple fact is that we have been advised that this is all that the Premier tabled. It does not include Ergon, it does not include CS Energy and it does not include Tarong. Once again, it is a massively deceitful exercise.

Mr BEATTIE: Tut-tut. It includes all of those things.

Mr BORBIDGE: Table them.

Mr BEATTIE: I have. I am getting it photocopied. The Leader of the Opposition should just relax and take it easy. I said that I would table them.

Mr SPEAKER: Order! I call the honourable member for Mansfield.

Mr REEVES: My question without notice is to the Premier—

Mr BORBIDGE: I again rise on a matter of privilege. For the information of the House, I table the document tabled by the Premier. It is at odds, my friend.

Mr SPEAKER: There is no point of order.

A Government member interjected.

Mr Borbidge: The ministerial statement.

Mr BEATTIE: I rise to a point of order. Before the Leader of the Opposition has a heart attack, I will clarify that this document, which I read from at some length and which I said that I would table, is being photocopied. I have advised the attendant. It will be tabled in a minute.

Mr Borbidge interjected.

Mr BEATTIE: Yes. In fact, that is true.

Mr Borbidge interjected.

Mr BEATTIE: Yes. This is a waste of time.

Mr Beanland interjected.

Mr SPEAKER: Order! The Leader of the Opposition and the member for Indooroopilly will have plenty of time to debate this matter tonight.

QUESTIONS WITHOUT NOTICE

The Strand Redevelopment, Townsville

Mr REEVES: I refer the Premier to the successful opening last Saturday night of the redeveloped Strand in Townsville, and I ask: what does this project mean for the people of Townsville?

Mr BEATTIE: I thank the honourable member for his question, because last Saturday night Townsville turned into a——

Opposition members interjected.

Mr SPEAKER: Order!

Mr BEATTIE: Mr Speaker, I am interested to hear that the Opposition do not like Townsville. I will have a lot of fun telling the people of Townsville that. Last Saturday night, Townsville turned on a spectacular official opening of a truly great project. The Strand looks magnificent. As somebody said—and it was a great speech—the Strand is grand.

Last week, I was in Townsville twice and both times I went out early in the morning and walked along the Strand admiring the changes. For those members who have not been lucky enough to visit Townsville lately, I will try to draw them a word picture. There are beautiful beaches, children's playing areas, barbecue spots, a pier, great locally produced artwork, beautiful landscaping and a walking and cycling track with fantastic views out to Magnetic Island. All of that came about because of the vision of this Government and the Townsville City Council. The beaches, retaining walls and roads along the Strand were severely damaged by—

Mr Cooper: Did you have a few drinks while you were there?

Mr BEATTIE: I know that the member is going to have a few drinks. I wish him well in that retirement paddock.

In March 1997, the beaches, retaining walls and roads along the Strand were significantly damaged by Cyclone Justin and then again in January 1998 by ex-Cyclone Sid. Townsville Mayor Tony Mooney came to me and said that this was an opportunity to do more than just build a new rock wall, and I agreed. I thought that it was a great idea. What has emerged is a partnership between the State Government and the Townsville City Council. As a result, the Queensland Government contributed $15m for the redevelopment in addition to another amount of just less than $5m, which was part of the usual disaster relief funding. So the State Government contributed around $20m.

As I said, $4.9m was made available under the natural disaster relief arrangements to fix the damage caused by the cyclone. As well, the Queensland Government provided $100,000 under the security improvement program to help the council install closed-circuit security cameras along the Strand.

As a result of the redevelopment, the Strand is now a world-class family recreation area and tourist attraction. However, it also means much more to the Townsville region. An economic impact statement reveals that the redevelopment and the project that it generates will provide more than 900 jobs. The immediate benefit was 190 jobs directly involved in construction and another 200 positions through associated work and supply activity. The gross output of the redevelopment project is worth more than $190m. Construction generated more that $63m for the local economy, directly and indirectly. There is another $59m in associated development arising from the Strand redevelopment, including residential and tourism accommodation and shops.

There is only one way to sum it up: the Strand is indeed grand. That is the sort of result one receives from a can-do Government such as mine that not only gets out and delivers on the Strand but also opens the extension of the Convention Centre in Cairns.

Mr BEANLAND: I rise to a point of order. The Premier indicated some minutes ago that he tabled another document. Where is the document?

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

Mr BEATTIE: Let the record show that the member for Indooroopilly, a Liberal, is attacking Townsville and the Strand. Let the record show that Opposition members are anti-Townsville, anti-Cairns and they do not care about anything unless it is in Indooroopilly. What a despicable performance!

Mr BEANLAND: I rise to a point of order.

Mr SPEAKER: Order! The Premier has just indicated that he will be tabling that document in a few moments.

Mr BEATTIE: I rise to a point of order. I have just been handed a photocopy by the attendant, which I now table for the information of the House. They can relax; the excitement is not good for their health.

Tarong Energy Corporation Limited, Executive Remuneration

Mr SPRINGBORG: This morning the Minister for Mines and Energy outlined in Parliament his professed interest in openness, honesty and accountability. I ask: can he continue on from that commitment and detail to the House the total remuneration package for the Chief Executive Officer of Tarong Energy Corporation Limited, including detail on all elements of the package?

Mr McGRADY: As some members of this House would know, shareholding Ministers have input into some corporations and not into others. I have not been informed of any

increases to the GOCs under my portfolio. I will make clear what happened. As I said before, in October of last year I wrote to all the corporations under my portfolio. I asked them all for a copy of the packages for their chief executive officer and senior executives. Some of those corporations gave me the information immediately; some of them were somewhat slow. Those packages had already been agreed to. I cannot recall approving any increases for any of the corporations under my jurisdiction.

Just prior to taking the contract for the new Chief Executive Officer of Ergon to Executive Council, I wanted to double-check because the figure that was being suggested—

Mr Springborg: The question was simply to provide the detail.

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

When I saw the base salary of the proposed Chief Executive of Ergon, I was somewhat concerned. I wanted to make sure that I was fairly even Stephen with Energex. I asked my staff to double-check what the Chief Executive Officer of Energex was receiving. Lo and behold, what did I find out? I found out that from the time that I had received the information from Energex the Chief Executive Officer had been given a $95,000 a year pay rise. I had never, ever, ever been consulted on this matter. I will be more than happy to tell the Opposition what the salary is; however, like the Treasurer, I do not carry that information around in my pocket.

Mr ROWELL: I rise to a point of order. I asked about Ergon Energy a minute ago, yet the Minister is now referring back to that and using it as a benchmark.

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

Attraction of High Technology Companies

Dr CLARK: I ask the Minister for State Development and Trade: can he outline the results of efforts by the Government to attract high technology companies to Queensland?

Mr ELDER: I thank the member for the question. She is one member who has an ongoing, significant interest in the high-tech opportunities in the IT cluster in the Cairns region.

Members would be aware of our commitment to putting Queenslanders in jobs. That means consolidating existing industries and looking for new sectors through which we can broaden the economy and in which we can create new opportunities. One of those sectors is high technology. That means sitting down with businesses and working through their expansion plans and considering opportunities for them to develop new industry opportunities. I am delighted to inform the House that Australia's second-largest pay TV operator, Austar Entertainment, will employ an extra 1,000 people on the Gold Coast over the next five years as that company expands its operations into new high-tech fields that include video and voice and data services and Internet service. That means putting more Queenslanders into highly paid, long-term future jobs. About half of those that will come into this expansion will be in the Internet support field. New job opportunities will be created in IT support services, customer support services and accounting services.

Another implication for the Gold Coast is that IT graduates—and a significant number of them are coming through the two universities on the Gold Coast—will not have to leave the Gold Coast to advance their careers in high-tech fields in which they have developed their skills and have the formal education. They will be able to stay on the coast, because this company will be absorbing people with the types of skills that are required to drive their businesses in that high-tech field. That will provide new fields of opportunities for the Gold Coast and new opportunities for the young graduates who will be coming through the universities.

Austar is the biggest operator of pay TV in regional Australia. Currently it employs about 400 people at Bundall. By the time we finish this, it will employ 1,400 at a new, purpose-built building in Robina. One can imagine the spin-offs for the small business sector and those in the business community in Robina.

The acting Leader of the Opposition crows long and loud about bringing Boeing to Queensland. That was his crowning achievement. Boeing provided 200 jobs. I am pleased Boeing is here, because we will take job creation with Boeing to new limits with its defence contracts. His most glowing moment has always been the time of the provision of the 200 jobs with Boeing. Here are 1,000 jobs being provided in his own electorate. What he did towards that was nothing, not a brass razoo. One thousand jobs will be provided over the next five years in Surfers Paradise on the Gold Coast. That is a significant achievement.

Mr Connor interjected.

Mr ELDER: It is probably in the member for Merrimac's electorate.

That is a significant commitment from this Government. It is a significant job opportunity for the Gold Coast and what was done by the Leader of the Opposition pales into insignificance.

Stanwell Corporation Limited, Executive Remuneration

Mr QUINN: I ask the Minister for Mines and Energy: can he detail to the House the total remuneration package for the Chief Executive Officer of Stanwell Corporation Limited, including details of all elements of the package?

Mr McGRADY: I thank the member for the question. It is interesting that this discussion is taking place now. Anybody would have thought that during the Estimates committee process perhaps the Opposition would have been asking these searching questions, perhaps some journalist would have been asking these questions or perhaps a secret document might have been flying around that was asking these questions. Who asked the question and who answered the question?

An Opposition member: From me.

Mr McGRADY: No, it did not come from the member. It came from this side of the Chamber. We were the ones who informed the Parliament what was going on. We were the ones who informed the Parliament that one chief executive officer had received a $95,000 a year pay rise. As the deal was being done, some of the people affected wanted to go to the Industrial Commission and fight against a lousy 80c an hour for the blue-collar workers. That was the hypocrisy of it all. This information did not come from a searching Opposition. Members opposite had all the opportunities in the world, but they did not pick it up. They did not ask one single question about the salaries of chief executive officers.

Mr ROWELL: I rise to a point of order. On numerous occasions we asked questions of the Minister. He went back to the commercial-in-confidence side of what the GOCs were all about.

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

Mr ROWELL: We were not able to get the type of information we were talking about—

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

Mr McGRADY: When we discovered the massive pay rises, what did we do? The first thing I did was to seek a meeting with Dr Head. I then went to Cabinet and reported what I had found out. As a result, we now have rules and regulations in this place that will stop this sort of nonsense happening again. As I said before, there is massive public support for what this Government has done.

I conclude by saying this: someone who held a senior position in the Bjelke-Petersen Government rang me just last week and said, "I want to congratulate you for what you're doing. You're doing an excellent job and don't let those people on the other side wear you down." That person held the second or third most important job in the previous coalition Government.

Compulsory Third-Party Insurance

Mrs NITA CUNNINGHAM: I ask the Treasurer to inform the House of the progress of the review of the State's compulsory third-party insurance scheme.

Mr HAMILL: On 22 April this year, amid widespread public concern at the increasing costs of compulsory third-party insurance, I announced a wide-ranging review of the scheme's design and affordability and the appropriate role of the Queensland Government in its operation. I am pleased to report to the House today that the review team, headed by former Suncorp Insurance Chief Executive Bernard Rowley, has delivered the final draft of its report. The report identifies a number of ways in which CTP in Queensland can be made more affordable while at the same time ensuring that the scheme remains fully funded.

The key recommendations of the review committee include the introduction of an affordability index that pegs annual CTP premiums at approximately 40% of average weekly earnings. Limited deregulation of premiums would see the Motor Accident Insurance Commission set a range for premiums within which CTP insurers could offer their own prices. This floor and ceiling pricing system would introduce price competition among insurers and lead to better claims management. Such a competitive premium system would also reduce the super profits enjoyed by some insurers under the existing regulated pricing scheme.

The report recommends the establishment of long-term targets for payments as a percentage of premiums to injured parties. The ratio of payouts to premiums over the past five years has averaged just 63%. The rest of the premium income has largely gone to insurance

companies and the legal profession. This is simply not good enough. The committee is of the view that payout ratios can be improved to at least 72%, with 75% as an appropriate long-term target. Other changes relate to the processing of claims and should lead to lower legal costs and a reduced frequency of claims for minor or temporary injuries.

The recommendations in this review are aimed at making CTP more affordable and ensuring that the maximum amount of CTP premium money goes to where it belongs, that is, to the victims of road trauma. While this report will be subject to a final round of public comment over the next two weeks, I am determined to act quickly to ensure that any reforms to CTP are implemented as a matter of priority.

Let there be no doubt: CTP does not exist to underwrite insurance company profits and it does not exist to feed the legal profession. CTP was conceived to provide reasonable compensation for victims of road trauma. I am determined to restore that as the focus of CTP through the maintenance of an affordable and fully funded scheme. The review committee's report, which I table today, is very thorough and I commend it to the attention of all members of the House.

Queensland Rail, Executive Remuneration

Mr JOHNSON: My question is to the Honourable Minister for Transport and Minister for Main Roads. As he is aware of a request that was made just prior to the last election by the Chairman of the Queensland Rail board for an annual salary increase of $74,500 for the Chief Executive of Queensland Rail which would have taken his salary to more than $300,000, and as I did not sign off on that increase, can the Minister now advise the House whether he subsequently approved such an increase and whether he signed off on it? Has he recently approved additional salary bonuses and benefits for the chief executive? What is the current salary package of the Chief Executive of QR?

Mr BREDHAUER: I thank the honourable member for Gregory for that question because, of all people, he should not stand in this House and criticise me or anybody else on this side for the largess that has been displayed by chief executive officers of Government owned corporations through the salary increases that they enjoyed during the time that the member for Gregory was the Minister for Transport. The former chair of the Queensland Rail board wrote to the member for Gregory when he was the Minister and the member for Caloundra when she was the Treasurer on 27 April last year, in the dying days of their Government, and advised that the board had approved a salary increase of $74,500 for the Chief Executive of Queensland Rail, that is, a 33% increase in his base salary. That meant that there was a 50% increase in that salary during the time of the previous Government. Do members know what he did about it? Nothing. There is nothing in the departmental records which tracks—

Mr JOHNSON: I rise to a point of order. I will have the Minister know that an application came through for that approval to be signed off by me and I would not sign it—end of story.

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

Mr BREDHAUER: There is no record in the department of any response from the member for Gregory, who was the Minister at the time, indicating that he did not approve it. So the salary increase was effective—

Mr JOHNSON: I rise to a point of order. If the Minister says I have signed off on it, I ask him to table the document that I signed off on.

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

Mr BREDHAUER: The salary increase became effective during his time—

Mr JOHNSON: I ask that the Minister table the document of May 1998.

Mr BREDHAUER: I have the letter that was sent to him in April 1998 and I can tell—

Mr JOHNSON: I want that document tabled.

Mr SPEAKER: Order!

Mr BREDHAUER: The salary increase became effective in his time as Minister. In his time as Minister, the member for Gregory wrote to the chair of the Port of Brisbane Authority and said that he did not care what salary standard they set—

Mr JOHNSON: I rise to a point of order. We are not talking about the chair of the Port of Brisbane Authority; we are talking about the salary of the Chief Executive of Queensland Rail.

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

Mr JOHNSON: I ask the Minister to table the document that he is saying I signed off on.

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

Mr BREDHAUER: What about the increases down at the Ports Corporation of

Queensland? What about the increase that was given to the Chief Executive of the Ports Corporation? What about the fact—

Mr JOHNSON: Mr Speaker, I move that the Minister table the document that he is alleging I signed off on.

Mr SPEAKER: The member cannot move that.

Mr BORBIDGE: I rise to a point of order. The member for Gregory has moved that the document that the Minister alleges the member for Gregory had signed off on be tabled. The Minister was referring to it. Mr Speaker, under the Standing Orders, the member for Gregory has moved a procedural motion and you are bound to put the motion to the House.

Mr SPEAKER: No, I am not. This is question time and the member for Gregory is alluding to a document that he says he signed off on. The Minister has not remarked on it. He is only alluding to a document.

Mr Johnson: He said I signed off on it.

Mr SPEAKER: Order! The Minister cannot table something that he does not have.

Mr JOHNSON: I rise to a point of order. I believe that it is my turn to be heard. The situation is that the Minister is misleading the House.

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

Mr JOHNSON: I ask that the document be tabled.

Mr SPEAKER: I warn the member for Gregory. I have made a ruling that the member is alluding to a document that the Minister has not said that he has and—

Opposition members: He has.

Mr SPEAKER: I will finish. Under that ruling, I will not accept the motion.

Automobile Importers

Mr PITT: I refer the Minister for Tourism, Sport and Racing to an advertisement in the motor vehicles section of Saturday's Courier-Mail in which a Mount Gravatt car dealership offers people $1,400 worth of TAB shares with any car purchased, and I ask: can the Minister advise whether this offer is legal and, if not, what steps is the Government taking to stop this promotion?

Mr GIBBS: The Government does not intend to allow TAB shares to be used to sell cars—and the cars certainly were not ministerial ones. The advertisements placed by Automobile Importers of 1339 Logan Road, Mount Gravatt, were brought to my attention yesterday and I instructed Treasury officers to seek legal advice about the legality of such a promotion. Legal advice was obtained from Clayton Utz to the effect that the advertisements breached the Corporations Law because, firstly, it is arguably an invitation to acquire shares that may be issued only pursuant to a prospectus or alternatively by a person who holds an appropriate securities licence and, secondly, the activity may well amount to share hawking as that term is used in the Corporations Law.

Lawyers for the Government contacted the car dealership yesterday and were informed that the company intended to advertise the share offer again on Wednesday. The car company also stated that there had never been any intention to breach any laws or to cause any difficulty; the company had simply seen it as a means of attracting more business. I accept that, but the Government will not tolerate TAB shares being used as a gimmick to sell cars. Accordingly, Government solicitors have informed the car company that we require that the advertisement be withdrawn on Wednesday and that the company desist in its TAB share promotion. In the event that the company does not comply, the Government has instructed its lawyers to take appropriate action to stop the advertisement and the promotion.

Dairy Industry

Dr PRENZLER: Given the critical threat posed to Queensland's dairy farmers and consumers, as is evident by the latest milk price rise, if the dairy industry deregulation were to proceed, I ask the Minister for Primary Industries: will he assure the House that he will lobby strenuously his Victorian counterpart to honour the Victorian Labor Party's pre-election pledge to oppose deregulation of the dairy industry in that State?

Mr PALASZCZUK: The honourable member has raised a very important issue, namely, the deregulation of the dairy industry in Victoria. It is important to our Queensland dairy farmers simply because, if Victoria does deregulate, given that Victoria controls 63% of the milk market in Queensland, the stresses that would be placed on New South Wales and Queensland would be enormous. The Government would have to consult very closely with the dairy industry in Queensland and the national leadership of the dairy industry before it made up its mind. However, I am pleased to say that dairy farmers in Queensland are

pleased with the election of a Labor Government in Victoria for the first time in a number of years and the demise of the Kennett coalition Government. It was the Kennett Government in Victoria which announced this year that it would fully deregulate that State's dairy industry from 1 July next year. With the unanimous support of honourable members opposite, the Beattie Government in Queensland decided to regulate the farm gate price in Queensland for five years. As the Minister for Primary Industries, I have stuck to that decision. I will not walk away from that decision. I will do everything in my power to see that the farmers get a fair go.

We are doing this for one reason: we do not want to see upheaval within the dairy industry in Queensland and we do not wish to see the demise of small rural communities. A new Labor Government in Victoria is giving dairy farmers that voice. The large anti-Kennett swings in country Victoria, and especially in dairy seats, sent a very powerful message that the dairy industry in Victoria should be kept regulated. There is no doubt that the uncaring economic rationalism of the Kennett Government hurt rural people badly in Victoria, especially in the rural and regional areas. Dairy deregulation is the perfect example of that.

Labor in Victoria, as it is in Queensland and New South Wales, has been profoundly sceptical of the alleged benefits of complete deregulation of the dairy industry. This approach has been supported by farmers throughout those three States. Dairy farmers in Queensland, New South Wales, Tasmania and now Victoria can be thankful that their interests are being looked after by Labor Governments. The Labor Government in Victoria will give dairy farmers a choice. It will conduct a poll to see whether the dairy farmers there want deregulation. At the end of the day, is that not what democracy is all about?

Rural Health Services

Mr PEARCE: I refer the Minister for Health to recent reports of difficulties in retaining GPs in many rural and remote areas of Queensland, and I ask: what impact is this having on Queensland public hospitals?

Mrs EDMOND: I thank the member for his question. We know that he represents a rural area. This is an issue that is bubbling away, because we do have a shortage of GPs in a number of areas. As you and I know, Mr Speaker, the Commonwealth Government is responsible for GPs. That would seem to be something that members opposite do not understand, because they are constantly calling on me to force GPs to go to places to which they may not wish to go and asking me to provide provider numbers. That is not something that I have the ability to do. The Commonwealth Government provides provider numbers.

Miss Simpson: Where's the legislation?

Mrs EDMOND: The member for Maroochydore still does not understand that.

Miss SIMPSON: I rise to a point of order. That is not what I said. I said, "Where's the legislation?" Western Australia is already poaching our overseas trained doctors, because the Minister has done nothing.

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

Mrs EDMOND: Clearly, the member does not understand.

Miss SIMPSON: There is Queensland legislation which the Minister has not introduced yet as part of the Doctors for the Bush program.

Mr SPEAKER: Order! That is a frivolous point of order.

Mrs EDMOND: For the benefit of those opposite, I repeat that provider numbers are provided by the Commonwealth Government. I do not know what legislation the member wants me to introduce to have provider numbers issued by the State. They are not provided by the State.

Miss SIMPSON: I rise to a point of order. The Minister has to address the registration issues which are part of the Doctors for the Bush program. She has not done that.

Mr SPEAKER: Order! I warn the member for Maroochydore for making frivolous interjections.

Mrs EDMOND: Queensland's public hospitals, especially in the remote areas of the State, are providing services that should currently be provided by general practitioners under the Commonwealth's Medicare scheme, which funds GPs. However, because there are no GPs in many of our remote areas, the Commonwealth gains at the expense of the State's public hospitals. This is cost shifting. This is part of the submission that I gave last week to the inquiry by the Senate Community Affairs References Committee into public hospital funding. The Commonwealth Government is short-changing the Queensland public hospital system by up to $100m a year. We would expect members opposite to stand up for Queenslanders and fight for that funding. It is time that Queensland stopped

being punished for running the most geographically dispersed and efficient health system in the country. The same applies to pharmaceuticals. Because there are no pharmacies in many rural areas, our State hospitals have to pick up the cost of drugs, as opposed to the Commonwealth, under the Pharmaceutical Benefits Scheme. Queensland Health is the provider of health services. The Commonwealth should honour its role as the funder under the Australian Health Care Agreement. Queensland Health should continue to provide primary health care services to Queenslanders in remote parts of the State where there are no GP services. However, the Commonwealth should be paying fair compensation. We estimated that it costs us—

Time expired.

Interruption.

PRIVILEGE

Queensland Rail, Executive Remuneration

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (11.19 a.m.): I rise on a matter of privilege. For the information of the House, I table a letter from the former chair of the QR board to the Chief Executive of QR dated 15 April 1998, which indicates that as the effective date for the new contract amount of $300,000. The former shareholding Ministers, the members for Gregory and Caloundra, were advised of that increase and did nothing about it.

Mr JOHNSON: I rise to a point of order. In relation to the document that the Minister has just tabled and made reference to, the application for the approval of a $74,500 increase in remuneration for the Chief Executive Officer of Queensland Rail was on my desk prior to the last election. I would not sign off on it; it was inappropriate for me to do so at that time, because our Government was in caretaker mode.

Mr SPEAKER: Order! The honourable member is debating the issue.

Mr BREDHAUER: How was his Government in caretaker mode on 15 April, before the election was announced? You were in caretaker mode for two and a half years; that is your trouble.

Mr JOHNSON: I rise to a point of order.

Mr SPEAKER: Order! This is turning into a debate.

Mr JOHNSON: I have got all day.

Mr SPEAKER: Order! This is question time. The member will resume his seat.

Mr JOHNSON: I have a right here to reply.

Mr SPEAKER: No, the member does not.

Mr JOHNSON: The situation here was that that letter that came through to me in May 1998.

QUESTIONS WITHOUT NOTICE

Queensland Commercial Fishermen's Organisation

Mr GRICE: I ask the Minister for Primary Industries: will he confirm a plan to disband the Queensland Commercial Fishermen's Organisation because of advice that it is illegal to collect levies from members?

Mr PALASZCZUK: The Government does not collect levies for the Queensland Commercial Fishermen's Organisation. I do not know where the honourable member has picked up that rumour, but nothing could be further from the truth.

A Government member: That's all we expect.

Mr PALASZCZUK: That is right. At the end of the day that is all we can expect from the honourable member for Broadwater.

Townsville Women's Infolink

Ms NELSON-CARR: I ask the Minister for Women's Policy: can she explain how the Townsville Women's Infolink office is assisting the families of those Army personnel located in East Timor as part of Australia's peacekeeping force?

Ms SPENCE: I thank the member for Mundingburra for the question and I would like to acknowledge in the House the member's ongoing commitment to the families of the servicemen and women who are over in East Timor. I understand that the member for Mundingburra has formed a network of soldiers' wives and is also hosting a number of morning teas in her office as well as making regular contributions to the Northern Services Courier advertising that fact. The Women's Infolink in Townsville is also doing its bit for the families of those servicemen and women in East Timor. The vital role that Townsville-based service personnel are playing in East Timor is a source of pride for all Queenslanders and I am sure all members would join with me when I express my hopes for their safe and timely homecoming.

While many of us wonder what kind of contribution we can make, the Women's Infolink office is making a real contribution. They are offering free Internet training and services to the families of those service people. I understand that women particularly are appreciating the anonymity that is provided in that Women's Infolink office and they are also taking advantage of the fact that they can go there and share their anxieties and distress. I understand that some of them are understandably experiencing behavioural problems with their children—all the kinds of strains and stresses that any family would experience when a parent is away for a long period.

It is important, I think, to acknowledge that Women's Infolink services provide free Internet access also in Brisbane and on the Sunshine Coast. But the Townsville service, I am pleased to say, has extended this service in accepting the messages of love and support from the wives, husbands, children and friends of the service personnel in East Timor. This, I understand, is an important morale booster for those people who are serving overseas, and I would particularly like to commend the staff of the Townsville Infolink office for the support that they are offering these families. I also commend the member for Mundingburra for her efforts in this regard.

Sugar Industry Bill

Mr KNUTH: I ask the Minister for Primary Industries: could he please tell members how long the Sugar Industry Bill currently before the House will last in any substantially recognisable form, given that the Minister—

Mr SPEAKER: Order! The member cannot talk about a Bill that is before the House—that is being debated. The member will have to leave that for another time. It is out of order, I am sorry.

Casual School Cleaners

Mr WILSON: I ask the Honourable Minister for Education: what is he doing to ensure the permanent appointment of long-term casual cleaners?

Mr WELLS: I thank the honourable member for the question that he has asked and I compliment the cleaners in his schools, which I visited recently, for the immaculate way in which they are kept. I would also draw the attention of honourable members to the presence in the gallery of Year 7 students from Woodridge State School and Redlands college.

The honourable member for Merrimac and other honourable members opposite will be particularly interested in the future and the career path of the cleaners whom they tried to sack while they were in Government. A total of 673 continuous long-term cleaners have been appointed to permanent positions since June this year. The ancillary services unit within Education Queensland is currently processing and validating applications for a further 106 appointments of this nature.

A Government member interjected.

Mr WELLS: I thank the Honourable Minister. My department advises me that principals, registrars and cleaners have been very happy with the process to date. Many schools were experiencing difficulties in retaining their staff on a casual basis and many cleaners were unable to obtain loans from banking facilities. The failure to provide permanent employment for the cleaners made it impossible for them to plan their long-term future.

This is yet another example of the Beattie Labor Government's commitment to education. Honourable members may remember that in March this year I announced that State school cleaners won a 4% pay rise. In a departure from the tactics employed by the previous Government, which was intent on sacking all the cleaners when it was in office, I have instructed my department to adopt a cooperative approach. The day when the jobs of cleaners were under threat is a thing of the past and the role of school cleaners is acknowledged by this Government. Their contribution to the social capital of our schools and of our society is acknowledged and recognised by this Government.

Our agreement with the cleaners not only addresses the concerns of the union about employment security; it also ensures that priorities for Education Queensland, such as the extension of the spread of hours, are addressed. Unlike the coalition Government, which was more interested in union bashing than proper negotiation, this is a Government which aims for equity. The role of the school cleaners is the role of a group of people who are an integral part of the school community and are part of the total process of providing a good education for our children.

Mr SPEAKER: Order! Before calling the next question, I would like to welcome in the public gallery staff, parents and students of Year 7 at Redlands college in the Cleveland electorate.

CS Energy Limited, Executive Remuneration

Mr BEANLAND: I ask the Minister for Mines and Energy: can he detail to the House the total remuneration package for the Chief Executive Officer of CS Energy Limited, including details on all elements of the package?

Mr McGRADY: I am delighted to receive the question from the member. It is interesting that these people talk about packages and salaries. I have here a letter, which I am prepared to table, from Mr Don Anderson. He was the chair of the Electricity Reform Unit who was appointed—

Mr Schwarten: How much did he get paid?

Mr McGRADY: I am glad the member asked that question, because he was paid $400,000 a year.

Mr Schwarten: What!

Mr McGRADY: $400,000 a year. That is not this year; that is a couple of years ago.

This letter is written to the chairman of Energex. This is during the Borbidge years. He was assisting the board of Energex in determining the salary of its chief executive officer. In fairness to Mr Anderson, he puts down a number of consultancies whom they should refer to. Of course, the one that he refers to is Hughes and Associates. He suggests that they should take this one on board. Of course, there is a range of recommendations for payment which go from $220,000 to $260,000. Honourable members should bear in mind that this is in October 1997—not 1998, not 1999, but 1997. But, of course, in its wisdom the board of Energex decided that it would not accept this one; it would go for the other one, which I understand is Hay Consultants, which means an extra $40,000 or $50,000 a year.

From the tone of these questions that I am receiving here now and have been receiving for the last hour from the Opposition, anyone would think that they were the misers of Queensland politics. Of course, when they were in Government, it was open season, and the Premier and the Minister for Transport outlined that today. We were the Government and we were the Ministers who have exposed this.

Mr Schwarten: Ask and you shall receive.

Mr McGRADY: Ask and I shall receive—I do not know about that. We are happy to defend our policy any time against that of the Opposition.

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

MATTERS OF PUBLIC INTEREST

Public Service Appointments

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (11.30 a.m.): I rise today to speak about the corruption of due process in relation to senior Public Service appointments by the Beattie Labor Government. When in Opposition the Labor Party made much of its commitment to merit and equity and to ensuring that in Government it would uphold the principles of a traditional Westminster Public Service. Sadly, what we are witnessing is a Government that is undermining the core values of the Public Service and misusing public moneys in a wanton and baseless fashion.

It is with some concern that I bring to the attention of this Parliament and the community two high-profile examples of how Public Service appointments are being dealt with by this Government. In both cases the fingerprints of the Premier are all over the process and I believe that the honourable member has a lot of explaining to do.

Before outlining the facts, I want to make one or two points clear. People appointed to the senior ranks of the Public Service are paid a lot of money by taxpayers, and taxpayers want and expect value for money. They want value in performance and they expect and demand that people are paid a fair day's pay for a fair day's effort—no more, no less. They expect that if a job is worth a certain salary, the person holding that position will be paid that amount. Any fair-minded person also would appreciate that if a job is advertised as having a specified salary, the applicant will be paid the publicly disclosed salary. For many years our consumer and commercial laws have mandated truth in advertising and I am sure that these basic ethical considerations would be anticipated to be applied by the very Government that enforces these standards for the rest of the community.

The first appointment I bring to the attention of the House is that of Ms Helen Ringrose as Deputy Director-General, Government and Executive Services, Department of the Premier and Cabinet. This position fell vacant on the retirement earlier this year of Mr Eric Bigby, a longstanding and respected bureaucrat. The position was advertised in the Government Gazette as well as in newspapers, including the Courier-Mail. The advertisement that appeared in the

Courier-Mail of 26 June states in part "total remuneration value $122,906 to $142,235 per annum (SES 3)". It is explained in the advertisement that the total remuneration value includes private use of a motor vehicle, employer superannuation contributions and a 17.5% leave loading. It was advertised as an SES3 position. In other words, the deputy director-general's job had been independently evaluated by Cullen, Egan and Dell as being worth no more and no less than that.

At the moment, the salary component of an SES3 ranges from $100,612 at the bottom end to $117,276 at the top of the scale. I am advised that this particular position was evaluated as an SES3 low, for which the maximum amount payable is around $105,000. After this job was publicly advertised, a selection panel was convened and Ms Ringrose was nominated. She was then appointed by Executive Council on 29 July and the Director-General of the Premier's Department, Dr Davis, announced her appointment to staff. So far so good.

However, just a few short weeks later the appointment was revoked, but Ms Ringrose was appointed to the very same position under special contractual arrangements which are very unusual. In response to questioning at the Estimates committee the Premier confirmed this series of events and disclosed that this was to ensure that Ms Ringrose could be paid the same amount as she was receiving from the Brisbane City Council, her former employer. The Premier also disclosed that, instead of an SES3 salary of up to $117,276, her special contract provides that she will be paid $140,000 salary, $11,000 market allowance, a performance bonus of up to 15% of her salary and all other benefits as if she had been appointed as an SES3 officer. In short, she will be receiving a salary of up to $55,000 more than all other public servants doing equivalent SES3 jobs in every other Government department. She will be receiving a total remuneration package worth $193,000—a package almost the same as that of most directors-general. This is quite extraordinary.

First, I am not aware of any other Queensland public servant being paid a "market allowance", whatever that may be. Second, with the exception of some directors-general, I am aware of no other senior Queensland public servant who is being paid a salary bonus. To randomly select Ms Ringrose for special attention in this regard creates a precedent which I am sure other public servants will be most interested in. Third, Ms Ringrose's remuneration is equivalent to that of most chief executives. The Government parrots on about principles of relativity and equity in the industrial sphere, but this is a very odd arrangement.

Fourth, the deputy director-general's position was independently evaluated as being worth an SES3 pay level, yet the Government is now paying a person up to $55,000 a year more than the position is evaluated to be worth. Finally, this position was advertised to the world as one that would be paid a salary of up to but not exceeding $142,235, yet Ms Ringrose will be paid up to $193,000. People either applied or did not apply based on the information that was disclosed. It is now clear that the information that was disclosed was misleading and incorrect.

Any fair-minded person would have no option but to conclude that the whole concept of an open, fair and accountable merit selection process was totally subverted. If the public were alerted that a successful applicant could have negotiated a special pay deal far in excess of what was advertised, who knows who may have applied. Serious questions arise as to why Ms Ringrose has received a special pay deal involving $55,000 more than the job she is doing is worth. Likewise, serious questions arise as to why Ms Ringrose applied for this job in the first place when it was advertised at a certain pay scale if she did not intend to accept it at that pay scale.

Very serious ethical and industrial questions are at issue. The Premier has said that if this special deal were not struck, the State would not have got the services of Ms Ringrose; but the State did get those services. She applied for the job on a certain basis and was selected and appointed. In those circumstances, why was a special deal struck which puts her at an advantage over all other senior officers in the Public Service?

The second worrying appointment is that of Mr Barry Carbon, the Director-General of the Environmental Protection Agency. Mr Carbon had been acting in this job for around six months before it was advertised, without having gone through a merit selection process. The job was advertised in the press and the Gazette as being CEO2, which would have paid up to $198,393 each year. Yet the Government Gazette of 9 July discloses that he was appointed not on a CEO2 pay scale but on a CEO3 scale, with a maximum remuneration package of $227,391.

Here we have another example of a position evaluated as being worth a certain amount and advertised to the world as one for which the successful applicant would be paid

that amount. Yet we see that the Government has subsequently rewarded the successful applicant with a pay deal far in excess of the advertised amount and in excess of what the position is worth. In this case, Mr Carbon can be paid almost $30,000 per year more than the position was advertised for.

These are two examples of how this Government is operating, and it leaves much to be desired. It has struck one deal giving a person up to $55,000 more than the job is worth and what it was advertised for. It has struck another deal giving a person a remuneration deal of around $29,000 more than the job was publicly advertised for. Why? When will it end? What other special pay deals will be struck and just how far into the public coffers will this Government delve?

The Criminal Justice Commission has just completed an 18-month investigation into the circumstances in which the Fire Commissioner created a job and appointed a person. On the precedent set by the Criminal Justice Commission in regard to the circumstances relating to the Fire Commissioner, there is an obligation on the Criminal Justice Commission to investigate the rigged appointment of the Deputy Director-General of the Department of the Premier and Cabinet and the rigged appointment of the Director-General of the Environmental Protection Agency. Due process has not been followed. Special deals have been done for special people.

Time expired.

RP Data Pty Ltd

Mr REEVES (Mansfield—ALP) (11.40 a.m.): RP Data Pty Ltd's actions over the past few weeks have been nothing short of disgraceful. RP Data, an information services company, has been taking photos of every single house in Brisbane to use in a database. The plan is to do this Australiawide. Their actions put into question a number of factors. One is the credibility and ethics of the company in question. Another is the need for privacy legislation Australiawide to cover this obvious attack on people's individual privacy. The final factor is: when public authorities sell information, what restrictions do they have on how this information is used?

In relation to the first issue, one would hope that companies in the late nineties realise that clients are not prepared to accept unscrupulous and unethical behaviour. Obviously, RP Data has not woken up to this fact. For if it has nothing to hide, I ask it some simple questions. However, I am under no illusions that it will truthfully answer these questions, as it has failed to do so up to this point. The first question is: if the company believes that there is nothing wrong with what it is doing, why not ask householders for permission first? Why is it now saying that it is not taking photos for profit when this is a blatant exercise to add value to its commercially leased database? Why is it telling people now that it is doing this for historical reasons, or for the council, when this is just another untruth?

Why has RP Data failed to answer the media questions? Why did it make statements on 4QR on Thursday that people could ring and get their house photos taken off the database but, when people rang, it would not confirm or deny whether this would happen? The only reasonable answer that one can give to these questions is that the company obviously has something to hide and believes in achieving profits by using other people's property and taking individuals' privacy and rights away from them.

Mr Musgrove: Shame!

Mr REEVES: It is very shameful. I have received over 400 calls about this issue. This is an amazing response from the people within my electorate. It illustrates the concern and disgust amongst the general community in relation to this company's actions. But at this stage it does not appear to get the message. Some of those calls have indicated a concern about the way in which RP Data does business generally. In fact, some examples were given of intimidation and threats made to people who showed an interest in becoming a competitor in the same line of business as RP Data. If RP Data's actions on this particular issue are an example, one might believe that there may be some element of truth in these allegations. I call on Ray Catelan, managing director of RP Data, to immediately cease this process of taking photos of every house in the country. While Ray Catelan has, I believe, a chequered business career, I think that he should demonstrate some ethical standards here.

This issue also highlights the need for privacy legislation in Australia which regulates the handling and the accessing of personal information in the private sector. The Federal Government promised legislation in its first term and now it is saying that it is set to introduce that legislation before Christmas. However, I am not holding my breath.

The office of the Privacy Commissioner of Australia released, in January this year, the National Principles for the Fair Handling of

Personal Information. It was an initiative to focus the attention of businesses and other private sector organisations on information privacy issues. The Federal Privacy Commissioner encouraged Australian businesses to take up and adopt the guidelines. I question whether businesses actually knew of its existence. I doubt it. However, even if they did, it is a toothless tiger.

Time and time again—and RP Data is a prime example—without some teeth, companies will continue to access and use a person's private information for profit without regard to the privacy of the individual. What we need is legislation which covers these principles and sets hefty fines if a company chooses to disregard it. It is also vital that any privacy legislation covers not only personal information but also a person's image and property. Without doing so, when can we really ensure that a person's privacy is protected? This may have major consequences in the media, but so be it. Why should a person's photo or a photo of their private property be placed on a database—or in the media, for that matter—without their permission? Just ask Ray Martin about when someone tried to turn the tables on him.

The final issue is that we must ensure that when public authorities, including local, State and Federal Government departments and Government owned corporations, sell or give information to other parties, they should initiate a practice for how this is handled. This practice should include alerting the public to what kind of information is publicly available, whether it is at a cost or whether it is free. They should examine, if an individual or a business obtains this information, what they should be allowed to do with this information, including a restriction on what can or cannot be added or deleted to the personal information gained from public authorities—in other words, whether the information can be used for marketing purposes or, for example, if photos of houses can be added to property information gained from the councils or the State Government.

While it looks like the only alternative to ensure that people's privacy is maintained is to pass legislation and put stronger restrictions on publicly available information, it is a shame that this is the case. If companies would follow just a few simple ethical principles—and ones that are of a community standard—then such legislation would not be needed. Maybe it is not too late for RP Data to redress this shortcoming. I call on RP Data to cease forthwith this practice and to delete all photos previously taken. I am not confident that RP Data will do this, so I would encourage all members of this House to notify their electorates and get people to send letters asking for their photos not to be on the database. By getting as many people as possible to do this, we will ensure that RP Data's database will become worthless because of the gaps in its areas of coverage.

It is also vital to get the clients of RP Data—real estate agents, solicitors and valuers who access RP Data's services—to put commercial pressure on the company to cease this practice. The people of Queensland should ensure that these real estate agents, solicitors and valuers are informed of their feelings on this matter. I should add, however, that the majority of real estate agency owners to whom I have spoken cannot understand what RP Data is up to. Only one of them actually supported its actions, and I will let him justify his own views.

The actions of RP Data need to be stopped long term by legislation for privacy, but short term it will be people power. And if the community of the Mansfield electorate is an example, I will back the people. Ray Catelan of RP Data should apologise to the people of Brisbane and immediately stop these actions. Failure to do so will ensure that the community pressure will continue and that more questions about its business practices will be asked.

Today I also call on the Minister for Natural Resources to review the contract that RP Data has with his department and, in doing so, call into question the way in which the information provided is handled. RP Data continues not to answer the questions that have been asked by me and by others, especially those within the media. One would have to think that it has something to hide. It is my understanding that it has already done two-thirds of Brisbane. It is continuing to do areas in my electorate. Just yesterday, there was a feature on Brisbane Extra about RP Data photographing the Tingalpa region. It is my understanding that its plan is to go throughout the whole of Queensland and then on to other parts of Australia.

The concerns that have been expressed by me and others within my electorate are based on safety issues. How will people know whether they are goodies or baddies who are taking photos of their houses? The major concern is what will happen when the company links the photos with the database, which contains information such as who owns a property and for how much that property was sold. We do not know who could access this

information. RP Data says that it screens its clients, but it has provided no evidence of how it does that.

As I said, I call on the Minister for Natural Resources to review the contract with RP Data, and I call on all members of this House to inform their electorates of what is occurring and try to stop this company by people power. I also call on the Federal Government to introduce privacy legislation for this country that covers these particular companies and stops their unscrupulous actions.

Mrs L. Mackenzie; Battered Women Syndrome

Mrs SHELDON (Caloundra—LP) (11.50 a.m.): Today, I would like to speak about Lorna Mackenzie, a woman who has recently been sentenced to eight years' imprisonment after pleading guilty to the manslaughter of her husband, Bill. She shot her husband at their Sunshine Coast hinterland property. Mrs Mackenzie will not be eligible for parole until she has served three years' imprisonment.

I welcome the announcement yesterday by Mrs Mackenzie's solicitors that there will be an appeal against her conviction and sentence. Her new lawyers intend to withdraw her plea of guilty. Her lawyers obviously feel that great injustice was done to this woman who endured 40 years of severe domestic violence—I will not go into the details of that—and that she does not deserve to be in prison.

I have written to the Attorney-General and to the Minister for Police. I wrote to the Attorney-General and asked him to consider an appeal if no appeal was instituted on behalf of Mrs Mackenzie. I have asked the Minister for Police if Mrs Mackenzie could be removed from the high security prison, where she is currently detained, to a lower security prison. I have also asked whether she could receive adequate psychiatric treatment in whichever facility she is placed.

Mrs Mackenzie's current place of imprisonment does not have adequate facilities to enable her to continue with her psychiatric treatment. She is trying to self-manage her treatment and this is causing her some difficulty. As part of the prison regulations, certain drugs which she was taking are not allowed to be distributed to prisoners. She is trying to organise her treatment with the drugs that are available to her. Anyone who has been involved with treating severely depressed people will understand that this is totally inadequate.

Mrs Mackenzie's family, as well as the general public, speak very highly of this woman. I have received an enormous number of letters in support of Mrs Mackenzie. These letters outline her good character and stress how well she was regarded as a teacher. Reference is made to her compassion and her kindness towards others, whether they be fellow workers or ordinary people in the community. I have received a number of phone calls in which people have asked whether it is possible to set up support groups to help Mrs Mackenzie. Media interest confirms that people in general feel that a grave injustice has occurred.

With the current situation in the courts, it is unlikely that any appeal in this case would be heard until next year. I believe this woman would be better cared for if she could be released until her appeal is heard and decided. This would enable her to receive support within the security of her family. She would also receive adequate medical treatment. I ask the Attorney-General to consider whether Mrs Mackenzie could be released until her appeal has been heard.

I would like to address the issue of the battered women syndrome and the existing state of the law in Queensland. Battered women syndrome—BWS—is not in itself a codified defence or an excuse for the offence of murder or other offences against the person. There has been great expectation that battered women syndrome would be adopted as a defence in its own right in Australian courts. Over the past 30 years, there have been incremental developments in the acceptance of evidence given to substantiate the heightened sense of awareness and of the accused's inability to escape a violent relationship.

Unfortunately, this expectation was dashed by the recent High Court decision of Osland v. The Queen. In a 3-2 decision, the High Court held that there was no separate defence of battered women syndrome in Australia which would exonerate an accused for the murder of a spouse, even if that person had been subjected to years of physical and psychological abuse. In the minority judgment of Justices Gaudron and Gummow, their honours found that, at the very least, BWS should be accepted by the courts as a condition that is best explained to a jury by expert evidence. It was argued in paragraph 57 that it was only through such expert

evidence that a jury would be able to understand the mental state of the accused.

The majority decision of the court must now be considered to be an Australian authority until legislation replaces it. While the majority of the court said that battered women syndrome could not be used as a defence, nevertheless they agreed with a minority that it should be accepted via expert evidence where it relates directly to the issues in the case.

I would like to mention international law as it relates to Australia. Apart from the broad and sweeping International Convention on Civil and Political Rights, which Australia has ratified, there appears to be only one other international instrument that could potentially affect the area of violence towards women. In 1993, the United Nations established the Convention on the Elimination of Violence against Women. Australia played a pivotal role in the formation of this convention but failed to adopt its resolution until 25 April 1996. The Australian Government is yet to ratify the convention. As a consequence, the convention's articles are not binding on domestic law. Should they become binding, however, the Australian Government will need to legislate domestically for the protection of women from violence.

I have written to the Prime Minister asking whether he will ratify the convention and, after having done so, whether he would consider introducing legislation to protect women from violence. I also ask the Queensland Attorney-General to introduce legislation which will allow battered women syndrome to be used as a defence. As we know, statute law overrides case law and it is very important that we in Queensland show that we consider that years and years of gross domestic violence against women should be an adequate defence.

Much of the criticism of the current law claims that it perpetuates the legal reality that women are second-class citizens. Some men can successfully argue provocation after killing their spouses in a fit of jealous rage. This is accepted. Some are able to walk free from a murder charge after arguing self-defence in a bar room fight, whilst women continue to be sentenced to long prison terms for the killing of their violent and abusive partners. That is a criticism of the current State law and is not without justification.

To the uninitiated, many women accused of murdering their partners had ample opportunity to escape the dangers. It has been said that in many of these instances all they needed to do in their partner's absence was walk out the door. People who make such statements do not understand the intense psychological and physical pressure suffered by these women. In many cases, the accused has to plan action for the safety of herself and her family. As a result, she will not react simply as an individual but will look towards what is best for her family. Many times women cannot just walk out the door because of economic circumstances. All these matters are taken into consideration and that is why women often stay in very abusive relationships. People might ask, "Why on earth do they stay?" They stay because of the position in which they find themselves.

There are key arguments for reform of the law. I believe there should be sexual equality before the law. We should satisfy international obligations under the Convention on the Elimination of All Forms of Discrimination Against Women. Adequate defences of this kind would counter power imbalances, be they physical, psychological, financial or legal.

The case of Lorna Mackenzie has shown that women in Queensland are defenceless when it comes to endeavouring to defend themselves after years of domestic violence. When they take action, as victims, they again become the persecuted. Surely this is not just. I hope that we can see justice prevail in Lorna Mackenzie's situation because she needs justice.

She has asked me to visit her in prison. I am seeking advice from her lawyers on this matter because I do not wish to jeopardise any avenue that she may have for appeal. If her lawyers agree, I will ask the Minister for Police, Mr Barton, for permission to see Mrs Mackenzie in prison. I believe that any support she can receive is vital.

Marsden

Mr MICKEL (Logan—ALP) (11.59 a.m.): I want to correct for the public record the fallacies in the Sunday Mail article dated 12 September 1999 under the headline, "Queensland's most burgled street, top of the hit parade". I do so because I want to praise the work that is being undertaken in the suburb. I also want to call upon the newspaper to correct the distortions in its article. The suburb under the cloud is Marsden, which has a very active Neighbourhood Watch group, and I want to commend the work being done by them. Mrs Cheryl Jobling and her team do a tremendous job and are supported by officers from the Browns Plains Police District and the Logan Central Police District. I also want to commend highly the community work being done and achieved by the police

community liaison officer for the area, Sergeant Ted Dale of the Browns Plains police.

The Sunday Mail article was offensive to all residents along Browns Plains Road, because it left the reader with the impression that all the offences had been committed in recent months. In that respect, the article was misleading. When members of this House have been found to have misled the House, either deliberately or inadvertently, the first thing that they must do is get up and apologise for their words at the first opportunity. When they do not, it is quite right that the media highlights that and it is also quite right that the House takes action against the member. All I am asking is that, when the paper realises what it has done to these people, in its next article it apologises and sets the record straight, just as it would require us to do. This at least would be a sign of decency for the people who have been maligned and damaged.

The newspaper article refers to a section of Browns Plains Road in Marsden between house numbers 567 to 643 inclusive. Although a number of offences have been committed in that area, I am reliably informed that most of them relate to business premises, especially the Shell service station. Most honourable members would be aware that service stations attract a particularly high number of crimes, especially with the incidence of petrol drive offs. I know that the police in Logan Central have been working on a new initiative for reporting procedures for such offences.

However, the galling part of the article was that it identified the house numbers and listed beside them the number of burglaries that each house had suffered. The Sunday Mail has helped potential thieves identify so-called soft targets. The paper has allowed itself to become a street directory for criminals who want to come to the Marsden area. The article states, "No. 624, one hit." The reality is that this place was burgled, but it was burgled six years ago. The article also states, "643, one hit". The residents there have told a reliable source that there has never been an offence committed against them in the nine years that they have lived there. The article says further, "641, one hit." The residents have said that they have never had an offence committed against them in the seven years they have lived there. The article says, "No. 623, two hits." Yes, there was a burglary committed at that address, but it was done five years ago. The article says, "No. 625, one hit." The burglary that was committed there was committed eight or nine years ago. The article says, "577, three hits and one attempt." According to reliable sources, a burglary occurred there five years ago. The article says, "575, one hit." Again, according to informed sources, a burglary occurred there eight years ago.

The residents are furious with the way in which the newspaper simply took an axe to their property values. The resident of No. 575 has been trying to sell his house. The unwarranted negative publicity that the street has attracted has meant that it is very difficult for this resident to sell his house, because the article blackens everyone and has a negative impact on the property market in the whole area. The case of the resident at No. 611 is well worth mentioning to this Parliament. He stated that he had had reported only one offence, which was committed in 1991. The article gave the impression that he had experienced a recent burglary. These residents told other people that they were approached or telephoned by someone. That someone did not identify themselves clearly and the residents were under the impression that it was a survey of some kind. The person at No. 611 has since told other people that he is quite happy with the Marsden area. Another matter that was referred to in the article related to an incident that occurred at No. 609. It was actually a burglary that was committed in November 1991. On that occasion, a person was arrested and that person, although this was not stated in the article, had a personal knowledge of that family. So it was not a classic case of a stranger breaking in; I am told by reliable sources that the burglar was someone who was known to the family.

I refer to Trulson Drive, which will be the new boundary between my electorate and the electorate of Woodridge, and which runs off Browns Plains Road. The residents there were very upset and concerned about the article, because no-one had contacted them before the article went to print. They stated that they had had suffered only one offence, which had occurred in 1998. They stated also that they had been attempting to call the reporter who wrote the article to complain. In other words, even though the record was wrong and people have been trying to contact the newspaper to correct it, so far their efforts have been ignored.

If this was a person's character instead of their property, I believe that it would represent a very good case for defamation of character. This article has defamed the whole area. I believe that it is time the newspaper set the

record straight. I believe that the newspaper article is without valid or acceptable recording methodology and, as such, the data contained in it is of little use. The article is factually incorrect and delivers a false impression, which will have an adverse effect and an adverse impact on this community. I call on the editor of the Sunday Mail and the journalists concerned to correct the record in the interests of the people of Marsden.

The article negates the excellent work being done, for example, by the Marsden State High School, which provides an outstanding Jobs Pathway group and which recently, under the Community Jobs Plan, received $140,000 to help upgrade the school grounds and provide jobs for the long-term unemployed. It has a first-rate school principal in Don Whitehouse and is served excellently by an active P & C. I want to mention also the excellent work being done at the local schools, the great work being done by the Positive Parenting Program, the school nurses who have just been introduced into the high school and the Logan industry network training program, in which the Marsden State High School had the highest number of students involved. On Thursday, the Jobs Pathway project will be launched in the suburb of Marsden.

This is a great community—a hard-working community and one with a great spirit. It does not need a newspaper article to sledge it and put it down. One of the things that we are trying to do is give the area pride—pride in itself so that it can stand on its own feet. It does that because it has excellent volunteers and excellent people living in it. To make restitution, the paper should give consideration to a number of options to uplift the community. It could pay to upgrade the security in the houses that it has identified as vulnerable to break-ins. It could do something positive for the district by funding renovations for the Marsden Aussie Rules Club to help that hardworking community. Instead of running down the area, the Sunday Mail could also help fund a youth worker for the area. That would be a positive contribution to the area as the youth worker who was there was pulled away by the previous coalition Government. The paper could also chip in and help the Burrowes State School fund a community hall, which is needed so urgently in this fast-growing area. The community in that area is working hard. The paper should give something back to the community after it has taken away its dignity.

Time expired.

Republic

Mr FELDMAN(Caboolture—ONP) (Leader of the One Nation Party) (12.09 p.m.): I raise in the Parliament a matter of national importance. Honourable members will be aware—and after looking around the Chamber today I know that they are aware—that the Federal Government proposes to conduct a referendum on 6 November 1999 relating to the transformation of the Government of the Commonwealth into a republic. As I looked around this morning, I saw a relatively small number of members wearing a "Yes" badge. I acknowledge the majority support of this Parliament for the "No" case.

I have to inform the Parliament that the brochure issued by the Federal Government to the people of Australia summarising the case for and against forming a republic is a fraud. If not, it is a deliberate misrepresentation of the facts and known to be so by those people. Federal Parliament should be aware of an appeal by the Government of the principality of Camside against the Government of the Commonwealth of Australia, which is to be tendered to the United Nations Security Council and then the International Court of Justice. Although I will leave the principality of Camside to fight its own international battle, I point out that the appeal raises some matters of concern for me constitutionally. The appeal states that the Government of the Commonwealth of Australia has abdicated Government because the Parliament of the Commonwealth purported to enact the Australia Act 1986 and thereby takes the citizens of Australia outside the protection of the Sovereign, in contravention of Magna Carta and the Bill of Rights.

I remind all honourable members that in 1839 in ex parte Nichols, the Supreme Court of New South Wales—which at that time included Queensland—held that by virtue of section 24 of the Australia Courts Act 1828, Magna Carta, the Habeas Corpus Act, the Bill of Rights and the Act of Settlement comprise part of the constitutional birthright of the people of Australia. The Queensland Parliament also later recognised them as inherited enactments in the Imperial Acts Application Act.

The Constitution of the Commonwealth requires the Federal Government to give full faith and credit to those laws. That means that in 1986 the Hawke Federal Government breached its trust to the people of Australia by stripping them of constitutional rights as citizens of the States. The Federal Government has no power to govern and no

power to conduct a referendum. The appeal goes on to draw attention to the status of the coronation oath sworn by the monarch as an express constitutional compact by the monarch to uphold the constitutional heritage of the people of Australia and the related constitutional enactments, all part of the Constitution of Queensland. This binds the members of Parliament, Ministers of the State, justices, and other officers of the Crown to observe and perform the coronation oath in their discharge of public office.

The path of constitutional power is supported by the proper appointed decrees, namely—

> Lord Bracton wrote that the King is the representative of Jesus Christ.
>
> Lord Coke wrote that the King derives his royal authority from Jesus Christ.
>
> Lord Fortescue wrote that the royal Government of the King must be by divine grace.
>
> The Coronation Oaths Act 1688 requires the King to swear an oath to maintain in his royal Government the laws of God, the true profession of the gospel and the law and justice in mercy.
>
> Sir William Blackstone wrote that the coronation oath is an express fundamental contract between the King and all his subjects.

Therefore, the justice of God is represented by the King in his royal Government, the mercy of God is represented by the House of Peers or Lords comprising the most noble and most spiritual members of society, and the law of God is represented by the House of Commons or Senate comprising the elected representatives who discover the Word of God as the public consensus.

The brochure suggests that the role of the monarch is limited to appointing the Governor-General, who in turn must govern strictly in accordance with the advice of the Prime Minister. The appeal refers to constitutional cases that render that statement false, a fraudulent misrepresentation of constitutional law. Any legislative enactment, ministerial act or judicial order repugnant to the coronation oath is unconstitutional and null and void. The brochure conceals these matters of law and is deceitful. The referendum brochure issued by the Howard Government in October 1999 fails to disclose the real issue that each elector is being asked to decide upon, that is, whether they want a head of state who is bound by the Constitution to preserve their constitutional heritage and rights or whether they want a head of state who may very well have his or her own political agenda.

If the people of Australia are deprived of the protection of a constitutional monarchy, they may well be stripped of their lands and their livelihood without due process of law. They may be deprived of their right to keep and bear arms in their own defence, be subjected to crippling taxes and be enslaved to bankers. Those who are already victims of such abuses may be stripped of any means of redress. Crisis in Australia Pty Ltd has put out a position paper that was, I believe, constructed by constitutional lawyers outlining at great length the legal implications of this matter. I intend to table all papers at the end of this speech. Under the existing Constitution of the Commonwealth any proposed law that is repugnant to the laws of God and the true profession of the gospel or the laws and enactments comprising the constitutional birthright of the people of Australia cannot pass into law. Our ancestors fought and died on the field of battle to preserve and defend our constitutional birthrights, and we should now honour that sacrifice and preserve our Christian heritage at all costs. As Crisis in Australia put it in the final piece of their position paper—

> "It is our view that the government of the day does not have the constitutional right to call this referendum.
>
> Crisis in Australia has no vested interest in either the Yes or No Vote."

However, it states—

> "If one had to make a call, a No vote would be more acceptable given it would retain the status quo. This would then allow informed and educational distribution of information that would give every Australian the opportunity to understand the ramifications of any decision prior to the electors being asked to vote on it. This is something we contend should be at the heart of any democratic decision."

I concur that this information as supplied gives more impetus to the "No" case and should be available to the people to enable them to make a more informed choice.

It is the Christian basis of our heritage that makes us the tolerant nation we are. Losing the constitutional basis in law for that would be intolerable. I urge all thinking Australians, and especially Queenslanders, to think very carefully about their decision in this referendum, should it go ahead. I remind all honourable members that it is their heritage,

too, and that they, too, should be considering how they vote.

Sir William Blackstone wrote that the natural law applies to all nations at all times and any purported law to the contrary is void. The judges in Calvin's case upheld that any purported law of Parliament that was repugnant to the natural law would also be void. The Supreme Court of New South Wales in ex parte the Reverend George King held that the natural law is the voice of God through natural reason and the law within Australia. The Australian Courts Act 1828 incorporated that birthright into the law of Australia, and by the Australian Constitution Act 1842 that birthright became entrenched in the law of Australia forever. I remind all honourable members to vote the right way come 6 November. I urge all thinking Australians to consider these matters when they go to the polls on 6 November.

The Strand Redevelopment, Townsville

Mr REYNOLDS (Townsville—ALP) (12.18 p.m.): Townsville's award winning $29.8m redevelopment of the Strand has been hailed as a spectacular environmental and recreational success. It beat 50 other nominations to win the national 1999 Case Earth Awards announced recently in Sydney and also took honours in the above $10m category. That is a fantastic coup for Townsville and a great credit to all those involved in the project's design and construction.

However, equal credit must go to the Beattie Government for its tremendous support in turning a foreshore that was vulnerable to storms and cyclones into a national showpiece that is able to withstand a one in 100 year severe weather event. Without the Government's generous $15m contribution, Townsville would not have this magnificent attraction, nor would it have won the prestigious Case Earth environmental award. In addition to its impressive national achievement, the new look Strand has also been voted a winner at a local and regional level. This has been a great partnership between the Beattie Labor Government and the Labor Townsville City Council. There has been great vision and great leadership at both State and local levels.

Public support for the opening celebrations, which ran from 18 to 25 October, was overwhelming and the universal opinion is that the project is a world-class one. Damage inflicted by Cyclone Justin in 1997 and further damage caused by Cyclone Sid in 1998 prompted the redevelopment project. Essentially it is all about coastal protection, but the bonus is a beautiful environment that guarantees its status as a tremendous drawcard for the City of Townsville.

As a showpiece and recreational area, with a broad range of facilities and attractions to cater for all age groups from the elderly to toddlers, as well as families, locals and business alike, the Strand is in a definite class of its own. Attractions include three large headlands—one with a pier—cafes, restaurants, sandy beaches, numerous playgrounds including a water and equal-access playground for children with disabilities, shade shelters and picnic spots. In addition, youth and recreational facilities include a half basketball court.

The benefits are by no means limited to recreation and aesthetics. Australian Economic Consultants has identified a number of features that add up to a multi-million dollar economic impact that will flow from this redevelopment. For example, in terms of gross output, the construction phase generated $127.48m in the value of goods and services transacted during the period. The value added aspect, which refers to the value of gross output after deducting the costs of goods and services used in the construction process, totalled $64.71m and, according to AEC, defines the true contribution made to the economy. A sum of $26.32m was paid in incomes for the 522 full-time and part-time staff involved over the duration of the project. The sum total represents a significant economic and employment boost for the Townsville region. We do not see the benefits stopping, even though construction is now complete. There is no doubt that the Strand will be a significant tourist drawcard which, along with the almost-completed Pandora Museum—another great State Government initiative—and the region's numerous existing attractions, gives Townsville real clout in the tourism stakes.

The two-kilometre Strand redevelopment has been designed and landscaped on a spectacular tropical scale. It has the capacity and facilities to accommodate over 70,000 people for massive events such as fireworks displays. It can provide seating for 1,200 people for a glamorous outdoor dinner, as occurred last Thursday night. In addition to those large-scale capabilities, the Strand is an idyllic place for individual or small group activities. The three and a half metre wide paths—twice the width of the old ones—are wide enough to stroll along in comfort and there are any number of inviting spots where

visitors can relax and enjoy the superb surroundings. Three headlands add character and definition to the shoreline profile, while facilities such as restaurants, coffee shops and playgrounds are proving very popular. The Strand has always been a popular swimming spot and this fact has been given substantial consideration in the redevelopment. An additional stinger-proof enclosure and the $400,000 Picnic Bay lifesavers club are both prominent aspects of the spectacular overall plan.

Our fantastic Townsville climate and relaxed lifestyle lend themselves to casual outdoor activities and people have realised very quickly that the Strand is the perfect venue for such pursuits. Even before the official opening interest was very keen, but since then the crowds have poured in and interest does not look like abating. The redevelopment has always had very strong public approval, but I think few people envisaged how spectacular and how incredibly successful it was going to be. In all my years in political and public life, I cannot remember a project that has captured the public imagination to such an extent or that has been embraced so wholeheartedly. It comes back to the vision and leadership of the Beattie Labor Government and the Labor Townsville City Council.

The statistics for the project are impressive: 400,000 tonnes of beach sand, 250,000 tonnes of armour rock and 390,000 tonnes of general fill were used in the construction process. The landscaping component included almost 16,000 trees and shrubs, 70,000 square metres of turf and 22,500 native ground cover plants, which were planted at the top of the beach. Up to 40,000 trucks went through the weighbridge and jobs peaked at 240 on site. However, this figure does not include the many workers engaged in off-site construction and other aspects of the project.

As Treasurer David Hamill said in Townsville just last week, while important as a stand-alone development, the Strand redevelopment was compiled in synergy with the central business district plan, with water as the common aesthetic ingredient. I join the Treasurer in saying that I have no doubt that the incredible success of the Strand redevelopment will have an enormous economic impact on the Townsville CBD. It will add impetus to the CBD development, which is also exciting.

In addition to the Beattie Government's $15m contribution, the Townsville City Council contributed $5m and the Townsville/Thuringowa Water Supply Board contributed $4m to the project. The remaining $4m to $5m came from disaster relief arrangements. I can proudly say in this Chamber today that everyone involved has done a tremendous job. This has been a signature partnership between the Government and the Townsville City Council. MacNorth was appointed project manager following its successful reconstruction of the Crystal Creek water supply infrastructure, which was severely damaged in the January 1998 floods. Sinclair Knight Mertz monitored and documented the environmental process in consultation with the Townsville City Council, the Department of Environment and Heritage, the Department of Primary Industries, the Townsville Port Authority and the Great Barrier Reef Marine Park Authority.

In conclusion, I thank the Ministers of this Government who so wholeheartedly got behind the very important redevelopment of the Strand. As Premier Peter Beattie said in Townsville just last Wednesday, this was a very important investment for the Government and for north Queensland as a whole. We can compare the Strand development with the South Bank development in Brisbane. However, what we have in Townsville is different from the South Bank development as we have a fantastic breeze coming from the sea, and we have a fantastic environment where tens of thousands of people can enjoy—

Mr McGrady: And all the way from Mount Isa and the other side.

Mr REYNOLDS: I can tell the House that a lot of people will come from Mount Isa and the western part of Queensland to enjoy this tourist attraction, which will stand us in good stead for many years to come. This is a signature development for Townsville. I invite all members to visit Townsville and see the spectacular development that has been provided by the Beattie Labor Government and the Labor Townsville City Council.

REVENUE LAWS AMENDMENT BILL

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (12.29 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend certain legislation administered by the Treasurer."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (12.30 p.m.): I move—

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

The Revenue Laws Amendment Bill 1999 effects a number of important changes to the State's revenue legislation, including those necessary to implement the revenue initiatives announced in the State's 1999-2000 Budget. Over a number of years, changing trends in labour market salary and wage arrangements have increasingly seen employer superannuation contributions make up a significant component of remuneration packages, often replacing wage rises. This trend has primarily been driven by the Commonwealth's requirement under the Superannuation Guarantee (Administration) Act 1992 that employers pay a certain level of superannuation contributions on behalf of their employees.

Queensland is the only State not to include all superannuation contributions in its payroll base, with payroll tax currently only applying to superannuation contributions made on behalf of an employee as part of salary sacrifice arrangements. To ensure equity in the treatment of arrangements offered by employers and to address salary structuring arrangements designed to avoid payroll tax, the 1999-2000 State Budget announced that employer superannuation contributions would be included in the payroll tax base from 1 January 2000. To ensure that payroll tax applies to all contributions made for services performed or rendered from 1 January 2000, any payments made between the Budget announcement on 14 September 1999 and 1 January 2000 for services on or after 1 January 2000 will also be liable.

In accordance with this Government's commitment to maintaining Queensland's low tax status, the Budget announced reductions in the payroll tax rate from 5% to 4.9% on and from 1 July 2000, with a further reduction to 4.8% on and from 1 July 2001. These initiatives ensure that Queensland continues to have the lowest payroll tax rate of any State. For example, the New South Wales and Victorian rates are 6.7% and 5.75% respectively. Queensland also continues to have the highest exemption threshold of any State, being $850,000 compared with $600,000 and $515,000 in New South Wales and Victoria respectively. The Government will review the impact of these changes and the rate of payroll tax in future Budgets.

In addition, the 1999-2000 State Budget announced that a stamp duty exemption would be provided for trades in Queensland company shares or share rights on foreign approved exchanges to foreign residents. This exemption will remove the impediment that currently exists for Queensland companies which may wish to list on those exchanges in an attempt to gain access to larger capital markets which currently do not exist in Australia. Access to these markets will provide greater investment and development opportunities for Queensland companies, particularly new and emerging high technology industries such as biotechnology.

Amendments are also to be made to the Stamp Act 1894 to address an avoidance opportunity, ensure the proper operation of a stamp duty concession and ensure that refunds are made only in appropriate cases. Equity requires that all taxpayers pay the same amount of tax where their situations are the same and that any opportunities for avoidance of tax be eliminated. If it were otherwise, complying taxpayers would be at a clear disadvantage compared with their non-compliant counterparts. For this reason, the early closure of avoidance opportunities is essential. Under section 49C of the Stamp Act 1894, an exemption from stamp duty may be provided for property transfers to implement corporate reconstructions, subject to the satisfaction of certain conditions. One condition requires that, where an exemption is obtained for transfers between associated companies, those companies must remain associated for five years from the date of the transfer unless the companies are liquidated during that time. This condition ensures that companies are not able to take advantage of the stamp duty concession simply to package assets for sale outside the group.

An avoidance scheme has been identified which relies upon interposing a company between the transferor and the ultimate transferee, and assets being transferred through this interposed company, with it then being liquidated. The interposed company serves no commercial purpose and is unnecessary to ensure entitlement to the stamp duty exemption. The only reason for interposing the company is to seek to break the association between the transferor and ultimate transferee by an artificial and contrived arrangement which could then allow assets to be transferred between group

companies free of stamp duty. Interests in those companies could then be sold outside the group without there being any obligation for payment of the duty which would otherwise have been payable on the intragroup asset transfers had the arrangement not been adopted.

Amendments are therefore to be made to section 49C of the Stamp Act 1894 to clarify the circumstances in which the corporate reconstruction concession will apply. At the same time, some minor amendments are to be made to the corporate reconstruction provisions to give effect to administrative practices beneficial to taxpayers and which currently facilitate the operation of the provisions. The existing arrangements provide that statutory corporations are also eligible for the exemption and ensure that instruments which are executed in connection with a conveyance, transfer or assignment of a beneficial interest in property also qualify for exemption. There are many circumstances where a person seeking a refund of stamp duty has recovered an amount for the duty from another person.

For instance, in the case of the sale of a used motor vehicle, stamp duty on the transfer of registration is usually paid by the purchaser but collected and remitted for payment by the motor vehicle dealer. It would be inappropriate, where a refund is made, for the motor vehicle dealer to retain the benefit of the refund where the liability was actually met by the purchaser. The Stamp Act 1894 is therefore to be amended to include a windfall gains provision which will ensure that, where a refund of stamp duty is made for any reason, the benefit of the refund is passed on to the person who ultimately bore the incidence of the duty.

Finally, amendments are being made to the Land Tax Act 1915 to ensure that port authorities which own and operate commercial airport facilities are no longer at a competitive disadvantage compared with private corporations which lease airport land from the Commonwealth. Under the terms of the airport leases with the Commonwealth, a land tax equivalent amount is payable for those parts of the leased land which are used for commercial purposes. Areas occupied by the airport operator for runways, taxiways and the like are excluded. The Land Tax Act 1915 is to be amended to provide an exemption for port authorities which own commercial airport facilities to place them on a similar footing.

This Bill demonstrates the Government's commitment to addressing taxation avoidance opportunities at the earliest opportunity and to ensuring that taxation arrangements operate as efficiently as possible so that Queenslanders do not pay more than they should. Importantly, this Bill also delivers payroll tax and stamp duty concessions which further enhance Queensland's justifiable claim to being the most attractive place in which to do business. I commend the Bill to the House.

Debate, on motion of Dr Watson, adjourned.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs LAVARCH (Kurwongbah—ALP) (12.37 p.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 12 of 1999 and move that it be printed.

Ordered to be printed.

ESTIMATES COMMITTEE E

Report

Mr MULHERIN (Mackay—ALP) (12.37 p.m.): I lay upon the table of the House Report No. 1 of 1999 of Estimates Committee E and move that it be printed. I table also a folder of additional information relating to Estimates Committee E.

ESTIMATES COMMITTEE F

Report

Mr ROBERTS (Nudgee—ALP) (12.38 p.m.): I table Report No. 1 of Estimates Committee F relating to Estimates of expenditure referred to it and contained in the Appropriation Bill, together with additional information provided to the committee.

ESTIMATES COMMITTEE G

Report

Mr MUSGROVE (Springwood—ALP) (12.38 p.m.): I table the 1999 report of Estimates Committee G relating to the Estimates of expenditure referred to it and contained in the Appropriation Bill, together with additional information provided to the committee, and I move that those be printed.

OVERSEAS VISIT

Report

Mr BRISKEY (Cleveland—ALP) (12.38 p.m.): I lay upon the table of the House a report on a recent overseas trip to North America by the member for Fitzroy and me.

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL (No. 2)

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities) (12.40 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend certain local government legislation, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities) (12.40 p.m.): I move—

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

This Bill seeks to achieve a number of improvements to the legislative frameworks for both the local government and planning and development systems. Firstly, it amends the Local Government Act 1993 and the City of Brisbane Act 1924 to introduce four-year terms of office for councillors. This will occur from the March 2000 local government elections. Secondly, it amends the Local Government Act 1993 to consolidate and enhance the way councils report on implementation of equal opportunity in employment, or EEO, in their annual reports.

The opportunity has also been taken in this Bill to amend the Integrated Planning Act 1997, the environmental protection legislation and the transport legislation to prevent the premature expiry or commencement of provisions. The Bill also amends the Integrated Planning Act 1997 to better align the Act with corresponding provisions in other legislation and the Coastal Protection and Management Act 1995 to expedite the preparation of coastal plans.

Four Year Terms

I first raised the issue of four-year terms at the Urban Local Government Association Conference in May of this year to initiate public debate on this matter. While this issue did not form part of the Government's election policy on local government, there are obvious benefits which would flow from extending council terms to four years, and I wanted there to be an informed debate on the matter. I subsequently wrote to mayors and members of Parliament on 2 July 1999 asking them to consult with their communities and report back to me within six weeks. A survey sponsored by the Local Government Association of Queensland was also conducted to gauge community attitudes to four-year terms for councillors. The survey showed that 57% of respondents supported four-year terms for councillors. A majority of the councils which considered the issue were supportive of the change.

During the recent LGAQ annual conference in Toowoomba, some delegates suggested that a longer term may make it harder to attract quality candidates for election in rural and remote councils. I pointed out at the time that, in my experience, more councillors in these areas tended to serve for longer periods—and often received long service awards—than councillors from larger regional and urban local governments. Members would be aware that the Government's decision on four-year terms for councillors was endorsed at the Local Government Association of Queensland annual conference in Toowoomba last month.

For consistency purposes, the Bill also introduces four-year terms for community councils, through consequential amendments to the Community Services (Aborigines) Act 1984 and the Community Services (Torres Strait) Act 1984. Currently, elections for community councils are held on the same day as the triennial elections for local governments. Administratively, there are obvious benefits in keeping the timing of the community council elections the same as those under the Local Government Act 1993. The Government has consulted widely with these communities to allow them to decide on whether to move to four-year terms. The Department of Aboriginal and Torres Strait Islander Policy and Development consulted with the community councils and community residents prior to this Bill being finalised and has reported broad support for this proposal.

In moving to four-year terms for councillors, consideration also needed to be given to the current appointment arrangements for the Gladstone Area Water Board and the Townsville/Thuringowa Water Supply Board. Currently, the term of appointment for the local government members must end no later than six months

following the date of the next triennial local government elections. These arrangements would clearly be inconsistent with four-year electoral terms for councillors. Accordingly, this Bill amends the Gladstone Area Water Board Act 1984 and the Townsville/Thuringowa Water Supply Board Act 1987 to change the maximum terms of appointment for the members on those boards to reflect the change to four-year local government terms.

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

Leave granted.

Equal Employment Opportunity

Requirements in relation to EEO management reporting were applied to local government in 1995 by the Local Government Amendment Regulation 1995, otherwise referred to as the EEO regulation.

At that time, a provision was inserted in the regulation to require a review of the requirements by 30 June 1999, with a view to amending the provisions as appropriate.

This review was conducted earlier this year.

The current EEO regime requires local governments to prepare and implement EEO management plans, prepare EEO annual reports and forward plans and submit these to the department for assessment.

In addition, councils must provide a statement about their activities to implement their EEO management plans in their general annual reports which are available to the public.

The review of the EEO provisions generally agreed there needed to be some streamlining of councils' reporting requirements.

As a result, it is intended to remove the requirement for councils to prepare separate EEO annual reports and submit them to my department.

At the same time, the requirements in relation to EEO reporting in councils' general annual reports will be enhanced.

The amendment to the Local Government Act 1993 provides for a regulation to prescribe the activities and information on which councils will be required to report in their general annual reports.

This will provide for a greater level of information to be disclosed to the general public on the EEO activities of councils than is currently the case.

Following passage of this Bill, an amendment will be made to the EEO regulation to remove the requirement for councils to submit to my department separate EEO annual plans and reports.

However, councils will still be required to prepare forward plans each year about implementation of their EEO management plans.

The intention is to link the timing for preparation of these plans to councils' annual corporate and operational planning cycle.

At the present time, there is no intention to remove the power in the EEO regulation for the chief executive of the department to refer a matter about a council's implementation of EEO to either the Minister or to the Anti-Discrimination Tribunal.

Some adjustments to these powers will be necessary however, as a consequence of EEO plans and reports no longer being submitted to my department.

Consultation has revealed broad support for, and no opposition to this change to councils' EEO reporting requirements.

Further consultation with stakeholders will occur during preparation of the amendments to the EEO regulation.

Other minor amendments to the Local Government Act 1993 are included in this Bill to correct a cross referencing error that occurred as a result of the Local Government and Other Legislation Amendment Bill 1999 being amended in Committee and to correct a drafting inconsistency.

Integrated Planning Act 1997

The amendments to the Integrated Planning Act 1997 (IPA) are minor, and for the most part prevent the premature expiry or commencement of certain provisions.

Amendments are included in the Bill to delay the commencement of provisions for independent review of planning schemes, and provisions relating to development approval arrangements for public housing.

The need for the independent review provisions will be reassessed as part of the Act's review.

The commencement date for the public housing provisions has been extended so they do not commence prior to the expiry of the general exemption provisions for development carried out by or on behalf of the State.

This is to avoid any inconsistencies occurring within the Act.

The Act also currently contains a number of uncommenced provisions which were included in schedule 8 of the Act to indicate the scope of development proposed to be assessable under the integrated development approval system (IDAS).

As these provisions tend to cause confusion, they are to be removed.

They will be replaced progressively with appropriate triggers for assessable development as the Act Consequential Amendments Program continues.

Amendments to the designation provisions are also included in this Bill to take account of recent changes to the State Development and Public Works Organisation Act 1971.

In addition, the definition of "local government area" in the Act will be amended to achieve consistency with amendments to the Community Services (Aborigines) Act 1984, and the Community Services (Torres Strait) Act 1984—which are currently before this House.

This amendment will clarify that Aboriginal and Torres Strait Islander councils (community councils) have the same status under the Act as other local governments.

Provisions for the zoning of closed roads—which are presently residing in a transitional regulation as a temporary measure—are included in this Bill for incorporation within the Act itself.

Environmental Protection Legislation and Transport Infrastructure Act Amendments

The amendments to the environmental protection legislation and the Transport Infrastructure Act 1994 are similar in nature to many of the amendments to the Act, in that they need to be made to prevent the premature expiry or commencement of other provisions.

Coastal Protection and Management Act 1995

This Bill will also amend the Coastal Protection and Management Act 1995 to facilitate the delivery of coastal management plans.

A key component of this is to achieve compatibility between the status of coastal management plans and the Act's planning schemes.

Planning schemes prepared under the Act are statutory instruments, but not subordinate legislation.

This Bill amends the Coastal Protection and Management Act to provide that coastal management plans are also statutory instruments, but not subordinate legislation.

This change will enable plans to be drafted in a format consistent and compatible with local government planning schemes.

The Bill also clarifies the relationship between coastal plans and IDAS.

Relevant parts of the State and regional coastal management plans will be deemed State planning policies under the Integrated Planning Act 1997.

This will require local governments and other agencies acting as an assessment manager or referral agency under IDAS to have regard to coastal plans as they would other State planning policies prepared under the Integrated Planning Act 1997.

Overall, the changes will further the objectives of the coastal protection legislation for effective coastal management by ensuring coordinated and integrated planning and decision making for the coast.

Consultation on these proposals occurred with a range of Government agencies as well as the Local Government Association of Queensland, the Institute of Municipal Management and the Brisbane City Council.

The proposals have received broad support, and the Local Government Association of Queensland is satisfied that the Bill should proceed.

I commend the Bill to the House.

Debate, on motion of Mr Beanland, adjourned.

PUBLIC RECORDS BILL

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities) (12.44 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act about making, managing, keeping and preserving public records in Queensland, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities) (12.44 p.m.): I move—

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

The Public Records Bill provides a contemporary framework for the management of the public records of State and local government. Public records are the corporate memory of the Government and the State. As such, the legislative framework for public records must strengthen accountability for the management of public records, support equitable access to these records and provide the opportunity to respond to challenges presented by a rapidly changing technological environment. The Bill achieves these objectives.

The Public Records Bill is the culmination of an extensive body of work undertaken in the last few years in response to the Electoral and Administrative Review Commission's 1992

report on a review of archives legislation. Central to the EARC report was a recommendation for new legislation for the management of public records. This recommendation was supported by the Parliamentary Committee for Electoral and Administrative Review and, more recently, by the Legal, Constitutional and Administrative Review Committee in its 1998 report on privacy in Queensland.

The Public Records Bill implements this recommendation by replacing those sections of the Libraries and Archives Act 1988 with a new statute devoted specifically to the management of public records. It is also worth noting that this is not the first time a Labor Government has sought to implement dedicated legislation for managing public records. The former Archives Bill 1995 was introduced in this House in November 1995, but it lapsed when the Parliament was prorogued following the change of Government in early 1996. I am therefore very pleased to be proposing this legislation and, in doing so, demonstrating this Government's recognition of the key role that records and record keeping play in supporting public accountability.

Mr Speaker, I seek leave for the remainder of the speech to be incorporated in Hansard.

Leave granted.

Public interest and comment about the management of public records has not diminished in the intervening years.

Neither has the need to strengthen accountability in the management of public records and improve access to this information.

The reasons for creating dedicated legislation for the management of public records are now, if anything, even more compelling.

As we enter the new millennium, the challenges and opportunities for maintaining the public record have changed, and continue to evolve.

Not the least of the challenge is an increasingly diverse technological environment for Government record keeping.

Advances in technology provide new opportunities for managing information.

Government agencies are increasingly conducting business and providing services to the community and communicating in the electronic environment.

The Queensland Communication and Information Strategic Plan which I launched last month recognises this and puts forward a range of strategies to promote better service through electronic delivery.

The legislative framework for the management of public records needs to provide the mechanisms to respond to this environment.

New public records legislation is also needed to meet changing community expectations regarding accountability and accessibility in the management of official records.

Community expectations are that Government information should be maintained and be more accessible.

Mr Speaker, while the Bill is modelled on the current provisions of the Libraries and Archives Act, it :

- strengthens the provisions for accountability in the decision making process on disposal of records;
- makes access provisions consistent with the Freedom of Information Act 1992;
- strengthens the role of the State Archives in setting standards for the management of the public records of State and local government; and
- provides for the establishment of a State Archives Board.

Special emphasis has been placed on the identification and retention in a usable form of records of longer term and permanent value.

In addition, the Bill establishes the role of Queensland State Archives as the body which will develop the policy framework and set standards for the management of current records in the custody of public authorities.

The move to electronic record keeping has necessitated new ways of capturing, managing and accessing information.

The Bill also ensures the independence of the State Archivist in making decisions on the retention of public records.

The State Archivist will not be subject to direction by any person or agency in making decisions on the retention of records.

The terms of the appointment of the State Archivist contained in the legislation further support the independence of the position.

A State Archives Board will be established to ensure stakeholders can have a voice in the ongoing administration of public records.

The board will advise the Minister and the State Archivist on matters relating to the management of public sector records and to the administration of this Act.

Representation will be drawn from State and local government, the judiciary, the Parliament, and the clients of the State Archives.

The Public Records Bill is, in one sense, companion legislation to the Freedom of Information Act, introduced by the Goss Labor Government in 1992.

The Public Records Bill will ensure that records of enduring value are retained and are potentially accessible by the public.

At the same time, and consistent with the Freedom of Information legislation, the Bill recognises that sensitive information in official records, in particular personal information, must be protected from access by a third party while that sensitivity remains.

The need for a balance between these legitimate public interests is recognised in the Bill, through the access regime which it establishes.

For example, a restricted access period of up to 100 years may apply for matters affecting personal affairs information.

An extension of the restricted access period beyond that will only be possible where a public interest test applies.

Persons wishing to access public records within the restricted access period will be able to apply under the freedom of information provisions.

This protects the applicant's rights and provides for appeal procedures.

Mr Speaker, the Bill will also support efficient record keeping in the public sector, particularly in the electronic environment.

Good electronic record keeping helps to improve the delivery of its services, and supports accountability.

The Bill provides the basis for the State Archives to develop and implement a framework of policies, strategies and standards for record keeping within the Queensland public sector.

This framework will reflect progressive national and international best practice in electronic record keeping and will be developed in consultation with stakeholders within and outside the Queensland Government.

The challenge for Government is to take full advantage of the business opportunities which the new technology offers, while at the same time maintaining high accountability standards.

The Public Records Bill ensures essential public records are managed and retained in a usable form for the appropriate period of time.

In so doing, the Bill ensures Government records in all media, are managed appropriately for the benefit of all Queenslanders.

I commend the Bill to the House.

Debate, on motion of Dr Watson, adjourned.

HEALTH LEGISLATION AMENDMENT BILL

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) (12.48 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Health Services Act 1991, Medical Act 1939 and Tobacco Products (Prevention of Supply to Children) Act 1998."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) (12.49 p.m.): I move—

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

I am pleased to bring this Bill to the House as it highlights three significant initiatives in Health undertaken by this Government. The Bill amends three separate Acts—the Tobacco Products (Prevention of Supply to Children) Act 1998, the Medical Act 1939, and the Health Services Act 1991.

The purpose of the amendments to the Tobacco Products (Prevention of Supply to Children) Act is to extend the application of this Act to non-tobacco smoking products such as herbal cigarettes and herbal loose smoking blends. By restricting children's access to these products, not only will their immediate health be protected, but the number of children who take up smoking will be reduced, thereby protecting their long-term health.

Herbal cigarettes have been available through a variety of retail outlets in Queensland for many years. However, the Queensland release of a new brand of tobacco-free cigarettes, Ecstasy, which has been targeted for sale to young people, has raised concerns regarding the health risks associated with young people smoking tobacco-free cigarettes as an alternative to conventional tobacco products.

There are a number of health concerns relating to herbal cigarettes. These concerns are—

- the direct impact of cigarette smoke on health;
- marketing claims that herbal cigarettes are a healthy alternative to tobacco products and are an aid to quitting tobacco cigarettes; and
- their appeal and accessibility to young people.

As a result of research conducted in Australia and overseas it has been established that—

- the deliberate inhalation of smoke from the combustion of any matter is injurious to health, whether or not the smoking compound contains addictive substances such as nicotine;
- combustion in any cigarette creates a variety of tars and other cancer-causing chemicals;
- the degree of exposure to carbon monoxide from smoking herbal cigarettes is similar to that of conventional cigarettes. Carbon monoxide is strongly linked with the development of coronary heart disease and may contribute to the development of cancer and other respiratory tract diseases;
- adolescents who smoke will have more asthma, respiratory tract infections and allergic symptoms than non-smokers of the same age due to the toxic chemicals in smoke; and
- some cigarettes contain psychoactive substances that can result in psychotic symptoms. There have been a number of cases documented overseas where young people have been hospitalised soon after smoking or ingesting herbal cigarettes.

The Office of Smoking and Health of the Federal Centre for Disease Control and Prevention in the US has provided warnings about herbal cigarettes. These warnings refer to the lack of clinical trials proving that smoking a tobacco substitute helps people to quit smoking permanently. The centre has highlighted the potential of alternative cigarettes to entice some young people to take up harmful smoking by offering the look of tobacco products, without restrictions on sales.

I gave a public undertaking earlier this year that the sale of products such as Ecstasy cigarettes to individuals under 18 years of age would be prohibited. This Government has responded quickly to bring the necessary legislative amendments to the House to protect the health of children. The Government's swift intervention to restrict access to these products will significantly help prevent short and long term disease and ill health in young Queenslanders.

I now turn to the amendments to the Medical Act. The shortage of doctors in rural and remote areas has been a longstanding problem for Queensland and this Government has taken positive steps to remedy the situation. In June this year, I announced that Queensland Health had developed the Doctors for the Bush scheme in collaboration with the Commonwealth and peak medical professional bodies. This scheme, which is scheduled to start in January next year, is aimed at recruiting and retaining increased numbers of overseas trained doctors and Australian medical graduates in rural and remote areas of the State by removing the barriers that prevent doctors practising in the bush.

In the case of overseas trained general practitioners wanting to practise in the bush, there are considerable obstacles. For example, they are unable to be registered to practise without geographical restrictions or to obtain permanent residency status unless they pass the examinations set by the Australian Medical Council. In addition, they cannot obtain an unrestricted Medicare provider number until 10 years after they commence practice in Australia.

Under the scheme, these obstacles will be largely removed for overseas trained doctors with suitable qualifications in general practice who agree to work in specified rural or remote communities for five years. During this period, post graduate training opportunities and support will be provided to assist those doctors to obtain an Australian qualification in general practice. For overseas trained doctors who have worked in rural or remote communities for a period prior to the scheme commencing, I am hopeful that the Commonwealth will agree to the recognition of this time.

Doctors who fulfil their contractual obligations under the scheme and obtain a relevant Australian qualification in general practice will be able to continue in general practice with no geographical restrictions and will not need to pass the Australian Medical Council examinations. In addition, they will be eligible to be granted permanent residency status and an unrestricted Medicare provider number. The requirement to hold a relevant Australian qualification in general practice ensures that standards in general practice will not be eroded under the scheme.

I must emphasise that this scheme is for the bush. The Commonwealth has made it clear that unrestricted provider numbers will not be granted under the scheme to overseas trained doctors in provincial centres and that other strategies will need to be developed to address shortages of general practitioners in those centres.

For the scheme to be implemented, amendments to the Medical Act are needed to allow overseas trained doctors recruited under the scheme to be registered under the Act. Practitioners will only be able to be registered by the Medical Board if registration is for the purpose of enabling the requirements of an "unmet area of need" to be met. The Medical Board currently has the responsibility for deciding if an "unmet area of need" exists.

If the board retained this responsibility, the Act would not be able to effectively operate to allow the registration of doctors recruited under the scheme. This is because the Minister, rather than the board, will have responsibility for deciding which rural or remote communities are covered by the scheme and where an "unmet area of need" will therefore exist.

To overcome this problem, the Act is to be amended to provide that the Minister may decide there is an "unmet area of need". The amendments clarify in what circumstances the Minister may make such a decision. The Bill also inserts a new ground for registration under the Act which will enable the ongoing registration of practitioners recruited under the scheme who obtain the relevant Australian qualification in general practice.

I now turn to the amendments to the Health Services Act 1991 contained in the Bill. The undertaking of quality assurance activities is fundamental to improving health service delivery and outcomes. It involves collecting data about operations of a service, analysing the data and developing recommendations for changes to systems, procedures and clinical practices to improve services for consumers. It can have a direct impact on outcomes for consumers—in reduced mortality and morbidity.

The provisions on quality assurance in the Health Services Act impose restrictions on the disclosure of information from approved quality assurance committees and provide immunity for committee members against legal actions or claims. The eligibility criteria for approval of committees ensures that only those committees that can demonstrate that the strict protections are necessary for their effective operation are approved. Due to oversights in its initial drafting, the legislation has never been applied. This situation has restricted the operation and establishment of a number of significant quality assurance initiatives.

The amendments in this Bill will resolve three specific problems in the current legislation. Firstly, the amendments in this Bill expressly provide for private hospitals and the Chief Executive of Queensland Health to establish quality assurance committees. This will ensure private hospitals are not disadvantaged in relation to their quality assurance activities and will provide for circumstances where a joint public/private sector quality assurance committee is sought. It will also facilitate the application of the legislation to Statewide projects conducted by Queensland Health. These projects have the potential to improve clinical practices and diminish adverse outcomes to the benefit of all Queenslanders.

Secondly, the Act currently specifies the functions that quality assurance committees must have to be eligible for approval. The mandatory inclusion of the specific function of "reviewing clinical privileges" limits the eligibility of many committees that would otherwise benefit from the application of the statutory protections available under the Act. In practice, clinical privileges committees comprise peers from a specific discipline. In Queensland Health facilities, the functions and operations of clinical privileges committees are set out in a policy and procedures document. These committees, in practice, are separate from other quality assurance activities and structures within health facilities. To only be able to approve committees that have clinical privilege review as one of their functions is cumbersome and unnecessary. The Bill removes this mandatory requirement, thus allowing greater scope for committees to be approved under the Act.

I seek leave to have the remainder of the second-reading speech incorporated in Hansard

Leave granted.

Thirdly, the Act currently places a duty of confidentiality on employees, officers and agents of the department in relation to information about persons who have received a public sector health service. This duty effectively prevents staff from providing patient identifying information to a quality assurance committee or to a person preparing information or reports for a committee.

This creates an unnecessary obstacle to the effective functioning of quality assurance committees. It needs to be remedied to ensure adequate information is available to a committee to perform its functions. The existing provisions, which restrict disclosure and use of quality assurance committee information, ensure that the confidentiality of patient identifying information is safeguarded.

The immediate benefits of these amendments to the Health Services Act will be that relevant bodies will be able to apply for

approval for their quality assurance committees. Where the committees meet the strict eligibility criteria, approval will trigger the necessary protections to ensure practitioners feel secure in providing sensitive treatment data to such committees and committee members feel secure in making open and objective recommendations about service improvements, without reservation. The health of all Queenslanders will benefit in the long term. I commend the Bill to the House.

Debate, on motion of Miss Simpson, adjourned.

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

PRIVILEGE

Public Service Appointments

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (2.30 p.m.): I rise on a matter of privilege suddenly arising. The Leader of the Opposition today raised a number of inaccurate statements in relation to a number of public servants in my department and in other departments, including Helen Ringrose, Peter Bridgman and Barry Carbon. I am advised as follows.

In terms of Helen Ringrose, the new Deputy Director-General of the Department of the Premier and Cabinet, the position of Deputy Director-General of the Department of the Premier and Cabinet was advertised as a Senior Executive Service Level 3 in the Government Gazette, the Courier-Mail and the Australian. Helen Ringrose was appointed to this position on 29 July 1999 following an open merit recruitment and selection exercise. To facilitate remuneration arrangements similar to the terms and conditions that Ms Ringrose received in her former position with the Brisbane City Council, it was necessary to appoint Ms Ringrose by way of a contract of employment under section 70 of the Public Service Act 1996. It is worth noting that Ms Ringrose gained no financial advantage by moving to the State sector. I have to ask: what does the Leader of the Opposition, Mr Borbidge, have against women?

In terms of the second position—Peter Bridgman—the position of Executive Director of the Legal Policy Directorate of the Policy Co-ordination Division was advertised in the Queensland Government Gazette on 5, 12 and 19 February 1999 and in the Courier-Mail on 6 February 1999. Applications closed on 22 February 1999. Peter Bridgman was the only applicant for the position. The selection committee consisted of the Deputy Director-General, Policy Co-ordination Division; the Parliamentary Counsel, Office of the Queensland Parliamentary Counsel; and an officer of the Department of Employment, Training and Industrial Relations. Mr Bridgman was interviewed by the selection committee and assessed against the selection criteria and, based on the assessment of his application and interview, Mr Bridgman was recommended for appointment to the position.

The Director-General of my department, Dr Glyn Davis, had no role in the selection of Mr Bridgman, who was seconded and subsequently appointed according to standard Public Service procedures. I note that Mr Bridgman held a highly sensitive role as legal counsel and head of legal policy within the Department of Primary Industries during the Borbidge Government. He served in that role, as in his present role, with professionalism.

The third and final point is in relation to Barry Carbon. The position of Director-General, Environmental Protection Agency was advertised nationally in April 1999 with a closing date of 10 May 1999. The selection panel consisted of the Minister, that is, the Honourable Rod Welford, MLA; the Public Service Commissioner; the President of the Australian Industry Group, Mr Ken Porter; and the coordinator of the Queensland Conservation Council. They were industry representatives. The panel unanimously recommended that Mr Barry Carbon be appointed to the position. Mr Carbon had previously occupied this position on a short-term basis for eight months from October 1998. Mr Carbon had been a chief executive in various other jurisdictions since 1985. In other words, he is a very senior and experienced chief executive. He was CEO of the Western Australian EPA from 1985 to 1993. He was then CEO of the Commonwealth EPA from 1993 to 1996.

It has been the practice in Queensland for certain senior CEOs to be paid at a salary point that would not have been available to a less experienced appointee to the same position. Other examples include Mr Tom Fenwick, paid at a CEO3 rate while working in DPI and DNR; Mr Bruce Wilson, paid at a CEO3 rate while working in Queensland Transport following the split in the Transport and Main Roads portfolios; and Dr Rob Stable, who has been paid a "market allowance" on top of the CEO3 salary. They were all directors-general under the Borbidge Government, even though Dr Stable was the Director-General of Health when I was Health Minister. It is therefore quite reasonable for another senior

CEO to be paid at a higher pay point to reflect his personal standing and experience.

The facts about CEO pay points are well known. The full range of 11 CEO pay points is published in the Government Gazette. But the decision on the actual amount payable to an individual CEO should always be a matter on which the Premier must form a judgment and recommend an appropriate amount to Governor in Council, which I think is appropriate for the Premier to do. This is simply good management practice. It is only appropriate that Queensland CEOs are paid what they are worth—no more and no less. These people have been appropriately appointed following due process, and I urge the Leader of the Opposition to stop this character assassination of decent public servants in this State.

SUGAR INDUSTRY BILL

Second Reading

Resumed from 15 September (see p. 3905).

Mr ROWELL (Hinchinbrook—NPA) (2.35 p.m.), continuing: The sugar industry focuses on commercial decisions. The Queensland industry is a robust industry made up of achievers. It has led the world with change. Back in the late sixties, it realised it had no alternative but to address mechanisation. The level of migration from Europe was drying up, and there was no alternative but to develop a mechanical cane harvesting system to remove the crop.

Farming is never straightforward. Seasonal conditions vary so much and can impact in many ways on farmers' income. At present, the Moreton and Rocky Point areas are experiencing similar weather conditions to those experienced in north Queensland last season. It is hoped that this legislation does not unduly affect them, as it may be the end of the year before they are able to remove the crop. If there is any mechanism that needs to be considered so far as a repeal of the legislation is concerned, and it can be deferred, this should happen to alleviate any concern that those mills might have because of their very tenuous situation in trying to remove that crop.

The far-north Queensland area suffered as a result of the extreme wet weather last year. Many mills now have almost completed their crushing. The light crop will impact on the towns as mill workers get paid off and the disposable income from the growing industry becomes scant. There are many areas right throughout the north that are going to experience this in the very near future.

The low world price has impacted heavily on the returns to farmers and millers, restricting a range of expenditure on maintenance and improvements. I recognise that this region was facing difficulties over the past few seasons, when world prices were reasonably high. But nobody would have envisaged the rapid demise of the industry income during this last season. We have had the combination of a shocking 1998 crushing season, with cane left for standover because it was low in sugar content, and wet weather, which made it impossible to harvest the crop. Then we had the substantial drop in world price, which is below the cost of production for some mill areas.

The Government, after taking the initiative from the coalition, indicated that it would address the low sugar content issue and the reduction in returns from that group of growers in far-north Queensland. But in accordance with what I have heard, unfortunately, not a great deal has occurred. I make a request to the Minister to ensure that the commitment made is realised.

Both mills and growers will face a difficult period if the returns do not improve. There is nothing that they can do with low world prices. The industry is a price taker; it is not a price maker. Many farms are small and landlocked. If they wanted to increase their production and stay competitive, they often had to go outside their district to remain viable. This is fraught with problems, because they find that they have to take their equipment from point A to point B, sometimes along highways. And of course, the cost of registration of vehicles and the time involved in transport is quite prohibitive for those people who are in that particular situation. Today in the Courier-Mail, concern was expressed within the industry—

Time expired.

Mr BLACK (Whitsunday—ONP) (2.40 p.m.): I have great pleasure in rising to speak on the Sugar Industry Bill—a Bill which is very important to the sugar industry. The Government claims to have consulted widely during the preparation of this Bill. I do not wish to doubt that claim, but it is patently obvious that either the Government has consulted the wrong people or there has been a major communication breakdown. The amount of negative feedback that we have been receiving from grassroots canegrowers indicates massive concern and discontent.

The only other possible explanation is that, given the feedback from the various

stakeholders, the Government has chosen to ignore that input. This is something that many Ministers tend to do, but I would not include the Minister for Primary Industries in that category. I can only assume, therefore, that in this instance the confusion and concerns, of which there are many, arise from communication problems.

We have a situation where both peak industry bodies were strongly opposed to several aspects of this proposed legislation. In addition, I have consulted extensively with canegrowers in my area and our office has been receiving an avalanche of calls from throughout the canegrowing areas.

The verdict is unanimous. This Bill, in its original form, is not what the industry wants. It is seen as defective legislation—legislation which is not in the best interests of the industry, which is not in the best interests of the stakeholders and which is definitely not in the best interests of the communities which have formed around the sugar industry. In fact, this Bill threatens the viability of Queensland's 7,000 canegrowers and, in turn, threatens the very existence of the sugar towns and the thousands of Queensland families who make up those towns.

The main concern with this Bill is the fact that it is strongly biased towards the mill owners—mostly multinationals—and against the growers. I might add that the growers, as well as comprising the biggest interest group numerically, are also responsible for approximately 66% of the total capital investment in the industry. For the growers to receive minimum consideration is inequitable; it contravenes democratic principles and indicates a disregard of the Government's responsibility to look after the interests of grassroots Queenslanders.

This Bill goes beyond the recommendations of the Sugar Industry Review Working Party in some areas, whilst ignoring or falling short of those recommendations in other areas. For example, on the issue of the pricing formula, this Bill has removed the longstanding linkage between the price of sugar in cane and the actual selling price of sugar. The removal of section 122(5) creates the potential for enormous diversity in payment methods. Unfortunately, this increased flexibility would work against the grower's ability to negotiate the best possible price. In the absence of a mandatory formula, and with no mechanism for the grower to benchmark his price against either the average for the mill area or a standard such as average sale price for sugar, the grower would be negotiating blind. In this situation, the grower would be disadvantaged as compared with the mill owner, who has the obvious advantage of knowing all the determining factors. In the absence of any structured formula, this single buyer, negotiating with up to 300 competing sellers, would enjoy an enormous advantage. I am advised that this concern has now been addressed.

I am also concerned that mill owners are grossly and unjustly advantaged by the separation of individual and collective supply agreements. The grower, attempting to negotiate an individual agreement without any knowledge of other individual agreements or the collective agreement, is obviously at the mercy of the mill owner. I believe that the negotiating strength of the two parties should be equalised to the extent that all knowledge of the collective agreement should be available to both parties.

I also believe that it is unfair for individual growers to be bound by long-term collective agreements unless they have individually signed off on such agreements. To carry any legal weight, any collective agreement of more than one year's duration should be required to be signed by each and every grower who is party to it.

There is also strong disappointment amongst many growers that this Bill does not appear to give any encouragement to the stated objective of the corporation to "act competitively in pricing on sales to domestic customers". The introduction of a new sugar Act would have been an excellent opportunity to remove export parity pricing. This would have enabled the corporation to have some chance of achieving its objective and, provided a part of that increased return flowed back to growers, it would have had a beneficial effect on their viability.

In the current climate, where primary producers are being encouraged to take an interest in their product post farm gate, the concept proposed by this section of the original Bill is retrograde. Growers are being told, "You grow the cane, sell it for what you can get, and don't worry about what happens next." I believe growers are entitled to know, and in fact should be entitled to monitor, the progress, quality and pricing of their product all the way through to the consumer. This Bill seeks to minimise that downstream involvement.

Another example of the bias in favour of mill owners is evident in clause 49(2), which introduces a compulsion on growers to nominate, in a collective agreement, that they

must grow cane on a stated minimum percentage of their CPA. There is no reciprocal compulsion in regard to the responsibilities of the mill owner. Many growers were concerned that millers could time the crushing of their own cane to coincide with the optimum c.c.s. levels and other factors influencing the best economic return for their own cane. That would be a logical management reaction, but I believe, as do many growers, that if such scheduling results in inconvenience and decreased returns for growers, it would comprise a conflict of interest, which cannot be tolerated.

In the theoretical world of financial mathematics, vertical integration and all those other buzz words have a great ring to them. However, when they are translated into the real world, it becomes obvious that they present an enormous advantage to big business, to the monopolies and to the cartels. This is an intolerable situation. Governments must be about people and communities. Governments must be ever vigilant to ensure that the average Queensland battler receives a fair go and, in doing so, has an opportunity to benefit from his hard work. If the incentive is there for the individual, there are plenty of Queenslanders with the will to take up the challenge and, when they do, their communities benefit as well, thereby providing a better standard of living for all Queenslanders. I am advised that the Government will be monitoring this aspect of the industry. I can assure the Minister that if the Government is not diligent, and if it ignores the seriousness of this issue, it will do so at its peril.

Many growers were appalled by the proposed clause 49(1). This clause had the potential, with the inclusion of "growing of cane" into the parameters of the agreement between the mill and the grower, to allow the mill to dictate farming methods to the grower. The mill owner would be able to dictate such horticultural practices as plant density, fertiliser choices and rates and a whole host of other management decisions that should remain solely with the grower. This clause needed an adjustment to expressly exclude from agreements any ability for mill owners to override such basic farm management decisions, which must always remain the preserve of the growers. I am assured that this serious concern has now been addressed.

One Nation certainly supports the concept of single desk selling. The only problem we have with it is that it should not have been used as a trade-off for tariffs. Having lost the tariffs, though, we certainly would not countenance any moves away from single desk selling. Our travels throughout the sugar country, and our extensive discussions with growers, underline the terrible plight of the industry, which is suffering from higher input costs, declining commodity prices and extremes of weather conditions.

Growers have battled all these problems. They have tightened their belts in the face of reduced incomes. They have battled their bank managers to pay increased costs. I believe it is imperative that they do not have to battle against other hurdles which are legislated into their industry. It is my understanding that the Government will be bringing forward some amendments which we are hopeful will address some of our concerns.

We will not be supporting this Bill in its original form as we are convinced that it is not in the best interests of canefarmers. In recognition of the need to provide some certainty by the timely passage of a new sugarcane Act, we will be making every attempt to support the Bill as amended.

Mr PITT (Mulgrave—ALP) (2.48 p.m.): I rise to support the Sugar Industry Bill. The sugar industry is a mainstay of the economy within my electorate. The mills of Mulgrave, Babinda, South Johnstone and Mourilyan crush cane for the canegrowers in that district. The income generated by the growing of cane and the milling of sugar are vital to the prosperity of many small towns within the electorate of Mulgrave. Because of this, I take a strong interest in matters affecting the sugar industry.

In speaking to the Bill, I remind all members that it was the T. J. Ryan Labor Government which introduced regulatory measures which saved farmers from the predatory practices of large commercial organisations which were the mainstay of the plantation economy. Many individual growers would argue that companies such as Tate and Lyle and the Colonial Sugar Refining Company would revisit that set of circumstances without the protection of strong legislation.

When this Bill was introduced into the House, the Minister for Primary Industries asked members of the Scrutiny of Legislation Committee, of which I am a member, to go out and consult with people in the industry and seek their comments on the Bill. I did this; I spoke to both growers and millers in my district. I conducted meetings with local executive members of Canegrowers and the ACFA in Gordonvale, Babinda and Innisfail. I also visited the Mulgrave and Babinda mills.

As well, a number of growers visited my office, many made phone calls and others spoke to me on a one-to-one basis as I made my usual rounds of my electorate. It is fair to say that many individual growers were not kept fully informed by the industry organisation. This communication breakdown resulted in growers receiving misinformed comment as to the contents of the Bill. When I did my rounds, I identified a number of concerns held by growers about the Bill. These concerns were primarily about the balance between growers and millers contained in the Bill. I understand the growers' concerns and appreciate the strong arguments that they made. I made representations to the Minister on their behalf. I felt that the Bill needed clarification in parts, because some matters were left unsaid. These matters need to be cleared up so that growers could have certainty. I am pleased to see that the Minister has indicated that he will make a number of amendments that address the concerns of growers. One of the things that I have had made aware to me by growers is that the Minister is a very good listener. As a matter of fact, that is one of the hallmarks of his stewardship of the Primary Industries portfolio and will stand him, the Government and the industry in good stead in years to come.

Two key matters relate to the mutuality of obligations between growers and millers. Honourable members will understand that growers and millers are interdependent. Their prosperity is closely linked. It is important that this Bill reflects this mutual obligation. As currently framed, the Bill imposes an obligation on growers to supply cane to the mill. Of course, that obligation is qualified. For example, in the case of a natural disaster such as torrential rain, the growers are excused from supplying. The Bill lists some matters that must be included in supply agreements. One of those relates to the crushing of cane. However, growers are concerned that, although their obligations to supply were spelt out explicitly, the converse obligation of the mill to crush the cane that is supplied is left implicit. The Bill assumed that this would be a matter covered in the collective agreement. The Minister has agreed to amend clause 53 to provide that, where cane is supplied in accordance with the supply agreement, it must be accepted for crushing by the mill. This emphasises the mutual obligation. There are obvious exceptions to this obligation, for instance, where the cane is diseased. However, this mirrors exceptions to the growers' obligations.

The other important matter of mutual obligation relates to the linking of the cane price to the sugar price. This link was established in 1915 by Queensland's first Labor Government led by Thomas Joseph Ryan. This was meant to stop the exploitation of growers by millers and by the ruthless negotiations that took place in that time, in the popular legend, under the mango tree. By linking the price of cane with that of sugar, the two parts of the industry have their fates linked. If the world price of sugar increases, then both growers and millers share in the returns. If the world price drops, as unfortunately has been the case of late, then both sectors feel the pain. Because both share in the good times and the bad, a sense of mutual interest and benefit is promoted, leading to a much more cooperative relationship. The Minister has agreed to amend the Bill to provide for this important link. I congratulate him on this move and I know that it will be welcomed by growers.

As members would be aware, this Bill will allow for individual contracts between growers and the mill. This is an important part of encouraging flexibility in the industry. A safeguard is provided for the interests of growers who are part of the collective agreement. Where the terms of an individual contract would have a significant adverse impact on growers in the collective, the mill suppliers committee can go to the Magistrates Court to have the individual contract struck out. This is an important right for the collective, but the idea of going straight to court has caused some concern in my area. There is concern that challenges over individual contracts could, in fact, divide local communities. I realise the importance of cohesion in local communities and recognise the validity of this concern. I am pleased to see that the Minister has provided for compulsory mediation before such matters go to court. Mediation may help these issues be resolved without dividing the community and may, in fact, result in far fewer cases going to court in the first place. I believe this to be a very good move.

Another amendment will provide that notification to a grower by the mill of non-acceptance of cane may be included in agreements. I understand that such clauses exist in most current Queensland awards and it makes sense to allow them to be included in collective agreements under the Act. Again, this is a matter that could easily have been negotiated under the Bill as it stands, but I agree that it should be made plain so that everyone understands their position.

The Queensland Sugar Corporation has the power to negotiate with mills about what brand of sugar the mill produces. This power is essential for the QSC to meet customer demand on international markets and, certainly, is quite justified. However, where a mill changes the brand, this may impact on the amount of cane that can be crushed. Some brands take longer to produce. That has an impact on growers because of the potential to affect season length. It is only fair that the mill suppliers committee be notified by the QSC where there is to be a change in brand. Again, I am glad that the Minister is moving an amendment to this effect.

Another issue of concern was the presence of the word "growing" in clause 49, which lists the matters that must be provided for in the collective agreement. Growers were concerned that this may mean the management and growing of their cane might become issues in which the mill has a say. Although I do not believe that this is what the draftsman intended, that is how it could be interpreted. The Minister has indicated that he will remove the word from clause 49 to clarify this situation. The issue of how mills can deal with their own cane was a matter of some concern to growers. I am pleased to say that the Minister has ensured that mills will be able to supply their cane only in a way that does not have a significant adverse impact on the growers.

I note that the Minister has been advised that growers' interests will be adequately protected by clause 41(5), that is, they will be able to negotiate a collective agreement that provides for penalties to the mill if it proposes to supply in the peak season. I understand that the Minister will monitor the situation regarding the milled cane and act to amend. I urge him to look closely at this situation. I think that it is a very important issue for growers. Certainly, I will be talking with growers in my area to see if there is any local impact regarding the results of this Bill.

I have received a letter from one of my constituents. This gentleman is a prominent grower in my district. I refer to a couple of passages from the letter, which indicate the feeling regarding one of the aspects of the Bill. The letter states—

> "The passage of the Sugar Bill through the Queensland parliament seems a forgone conclusion. Contained therein is the discarding of the statutory structure of the canegrowers organisations, and its replacement as a body fund by voluntary levies.
>
> In a time of low sugar prices, many canegrowers will no doubt forgo the payment of levies, and the canegrowers organisation will at best be diminished, and at worst dismantled. Either way this will be good news for Tate and Lyle, as it will maim or remove the only credible caretaker of canegrowers interests."

This gentleman put his comments in a historical perspective when he states—

> "I find it depressing in the extreme that the Queensland component of the Australian Labor Party, who initiated the first measure of protection the canegrower ever had, in 1915, has now chosen to preside over the liquidation of what was created as a result of that legislation."

He argues that there are some difficulties. He states—

> "Even something as fundamental as the ability to gather canegrowers, statewide, and broker a pre and post-season insurance cover against cane fire destruction, will now be lost. Individual growers have to pay such a prohibitive premium that their crop will remain uninsured. And this is only a minor aspect of Canegrowers role, which operates at all levels of grower protection."

My constituent issues a warning—

> "There well may be a certain satisfaction in political party higher echelons, if a handsome donation comes in from a large company. The facts of political life are such, that a company has few ticks to put on the ballot paper, but the ordinary voters, have many."

I must say that I concur with the need for political parties to be in tune with the grassroots of these industries, not those at the peak end of the situation. I understand the feeling of many local people.

Mr Schwarten: You are in tune with them.

Mr PITT: I thank the Minister very much. This gentleman makes the following prediction—

> "I note CSR is buying sugar mills in Brazil, a vivid illustration of how hollow their old sop of 'corporate responsibility to the community,' has always been. Like any large company (e.g. BHP) theirs is now a stance of transparent opportunism, as they await a bidder for their Australian sugar interests."

Those comments, in the final analysis, reflect the true situation. However, I present them

here today to indicate to members of this House the depth of feeling that exists out there among some of the growers.

While discussing the sugar legislation, I need to place on record my concern over another round of industrial disputation that has arisen at the South Johnstone mill. Unfortunately, in recent years the management of that mill has engaged in planned confrontation with the work force. In May of last year, management deliberately set union against union and worker against worker in an unnecessary attack on employment conditions. The resulting lockout caused immense damage to the local economy and delivered personal hardship to workers, their families and local businesses that rely upon their custom. The upshot of this ill-conceived action by the management is that they were forced to back down by the Industrial Relations Commission.

One would have thought that, surely, management would have learned from that experience that their confrontationist tactics were out of step with modern industrial relations thinking; but no—here we are only 18 months later and the same management is up to the same old tricks. Owing to the downturn in the sugar industry, the company has decided to stand down its work force for a 10-week period during the slack. Workers accept that, when an enterprise is in strife, all involved must share some of the pain; however, that pain must be shared equally by both work force and management. Also, we have the reported prospect of outside contractors being brought in to carry out off-season work normally carried out by the permanent work force.

The management of the South Johnstone mill would be well advised to rethink that issue. The work force should not and will not tolerate this attack on their jobs. The business community will not support any action that will take local dollars out of the district to outside contractors who, historically, do not make any substantial contribution to the local economy. Management of the South Johnstone mill is set to once again place itself at odds with its own community. This is a cooperative mill and reasonably it could be expected to be more in tune with the local work force and community than a proprietary mill responsible only to shareholders in Sydney, Melbourne or Edinburgh.

Overall, the amendments announced by the Minister clarify many aspects of the Bill that have caused concern among growers. This Bill provides a forward-looking framework in which the sugar industry can move forward. It would encourage local decision making and innovation, both of which are essential to the long-term competitiveness of the industry. I support the Bill.

Mr SLACK (Burnett—NPA) (3.02 p.m.): Although I rise to speak in favour of this Bill, I do so with a number of reservations. It is clear that, although the Bill adopts in the main the recommendations contained in the 1996 report of the Sugar Industry Review Working Party, there are quite a few areas where the Government has seen fit to move away from the working party's recommendations. In addition, nothing is ever set in stone. It is the role of any Government to develop legislation that reflects the economic and social circumstances confronting an industry at any given point of time.

Currently, the sugar industry is going through a very difficult period. Other speakers have highlighted these problems and I will not repeat them at length. However, the Minister and his advisers know full well that sugar prices have collapsed over the past 18 months. There is a surplus of sugar. Brazil, one of our main competitors, devalued its currency by 40% earlier this year. On top of that, climatic conditions have also been very unfavourable. So the industry has been confronted with declining prices and declining production at the very time when some of our competitors are increasing production and devaluing their currencies. It is not just the growers and the millers who are caught in this cycle of bad news, but machinery, chemical and fertiliser suppliers as well. Then there are the retailers, suppliers and workers in the many small and medium-sized towns up and down the coast who rely on the sugar industry for their survival. Many of these communities are also doing it tough at the moment.

In this context the decision of the Queensland Industrial Relations Commission last month to reject an application by Canegrowers to defer a general wage increase was extremely disappointing. The General Manager of Canegrowers, Ian Ballantyne, said that the decision was—

> "... another financial setback for cane growers struggling to keep their heads above water in the face of low sugar prices and poor yields resulting from adverse weather conditions."

I could not agree more. Yet, at a time when some canegrowers' financial viability is now being called into question, from 1 September they have to pay their employees under the field sector award an extra $12 a week up to

and including $510 per week and $10 a week extra for those paid more than $510 per week. On top of that, the weekly superannuation contribution for each worker increased to $34.90.

The Canegrowers' submission was in no way anti-worker—I stress: it was in no way anti-worker—but a reflection of the desperate conditions that sugar producers are facing, many of whom are just keeping their heads above the water. The fact that Canegrowers was the only body given permission by the commission to argue for exclusion from the flow-on of the national wage decision on the basis of economic incapacity to pay is a good indication of just how serious the situation is.

In fairness, since this Bill was last debated the Minister has announced publicly his intention to introduce a series of amendments to the Bill at the Committee stage. It would seem from the Minister's press statement that at least those will go some way towards addressing the legitimate concerns of sugar growers. Without a doubt, the fact that the Minister has accepted the arguments that the coalition and the industry put forward about linking the price of cane to the price of sugar unless local areas otherwise decide is a very important and very welcome move. Reinserting that nexus in the Bill will go a long way towards reassuring growers and make this Bill a fairer legislative vehicle for regulating the industry. When this Bill was last debated, the member for Crows Nest set out at length just why the nexus needed to be in the Bill and highlighted the thrust of the coalition's amendment. In that regard I note that, in a press release of 16 September, the Australian Cane Farmers Association said that it was commendable that the linking of the price of cane and sugar will proceed even though the Minister's amendment did not go entirely in the way that the ACFA had suggested. I join with the ACFA in these sentiments.

Also, I welcome the amendment to clause 49, which will delete the mandatory requirement for all supply agreements, both individual and collective, to have provisions dealing with the growing of cane. The type of problems that this would have resulted in were explained very clearly by my colleague the member for Crows Nest. The Opposition has an amendment along those same lines. The Minister's recognition in his press release that "matters relating to management and growing of sugarcane will be for growers to decide" is a very positive move and one that I endorse and welcome.

Another amendment that goes some way towards meeting the legitimate submissions of the industry is the requirement for the Queensland Sugar Corporation to notify the local mill suppliers' committee when it makes a direction to a mill on a specific raw sugar brand. I deliberately said "goes some way" as I do not believe that the amendment goes far enough. The Opposition has circulated an amendment to clause 94 that places an obligation on the Queensland Sugar Corporation, before issuing a direction to a mill to produce a particular brand of raw sugar, to have regard to the impact that that direction will have on growers' costs including, for example, an increase in the length of the mill's crushing season.

The amendment the Minister has foreshadowed places on the corporation only a notification obligation of a decision already made. As I said, that is a step forward; however, there is still no positive obligation placed on the corporation before a decision is made to take into account the impact that it may have on growers. This is a matter that will be debated further at the Committee stage. For my own part, I do not think the amendment focuses on the real problem but simply requires possibly a bad and poorly made decision to be circulated in a better fashion.

Another amendment the Minister has foreshadowed which goes some, but not all, of the way towards meeting the concerns of growers relates to nonacceptance by a mill of cane supplied for crushing. On 15 September, the Minister announced an amendment to the effect that notification to a grower by a mill of nonacceptance of cane may be included in supply agreements. The key word is "may". As I understand what the Minister is suggesting, the issue of notification of nonacceptance will not be obligatory, and it will be up to the parties to agree to such a clause being inserted. In comparison, the amendment the coalition has circulated provides clearly that every supply agreement is taken to include a provision that if cane is not accepted by a mill for crushing, the owner must notify the grower as soon as possible.

The coalition's amendment makes notification mandatory in all supply agreements. It does not leave the matter up in the air and subject to negotiations, which may, in some cases, prove fruitless. Although the Minister's amendment according to his release of 15 September does improve the Bill, in my opinion it does not go far enough. Surely it would be better to recognise that notification of nonacceptance is a basic right of growers and

to reflect that basic right clearly and unambiguously in the Bill. On that note, I saw another release dated 21 September in which the word "may" was omitted. Although it is hard to comment further until we see exactly what the Minister has proposed in his amendments, I nevertheless reiterate the point that it is the grower's basic right that he must be notified by the owner of nonacceptance of cane as soon as possible. I trust the Minister's amendment reflects that.

So much for the positive or near-positive elements of the amendments foreshadowed by the Minister! As Harry Bonanno of the Canegrowers group said at the time, the amendments fell far short of what is required. Canegrowers criticised the Government for giving sugarmill owners the right to crush sugar grown on their own cane production areas ahead of cane grown by growers who have entered into supply agreements in good faith. Canegrowers believed that this would allow mill owners to maximise their own profitability at the expense of farmers. A press release from Canegrowers, dated 16 September, stated—

> "This is extremely disappointing and many growers will see it as a sell-out by the Government to multinational sugar milling groups at the expense of the family farm.
>
> This approach was never contemplated by the Sugar Industry Review Working Party report which is supposed to provide a blueprint for our industry's future operations. A further departure from SIRWP report restricts the ability of cane growers to seek to improve their situation by transferring from one sugar mill to another. The provisions within the Bill which do allow growers to transfer cane between mills are very restrictive and certainly do not offset the advantages gained by the mill owners by being able to determine when they can crush their own cane. It seems that growers' concerns have fallen on deaf ears on these important issues."

I have quoted Canegrowers at length, not because I endorse each and every point made but to highlight that the Bill contains a number of provisions that are strongly opposed by various elements in the industry and which, from my point of view, are flawed because they do not provide equality of treatment for all the major players in the sugar industry.

Despite the Bill being introduced into Parliament on 21 July, more than a year after the Beattie Government was sworn in and with only a few months to spare before key regulations expired, it is now becoming all too clear that this Bill contains major problems as a result of inadequate consultation with both sugar growers and other non-mill participants. I will turn to those in a moment.

Again, if the Minister had listened to the member for Crows Nest when he outlined the Opposition's approach to the Bill, he would have learnt that we intend to move an amendment to clause 6 which, amongst other things, will allow a mill owner to supply its own cane to the mill for crushing. The Minister would have learnt that we have an amendment that will enable this to continue, but only if the supply does not detrimentally impact on growers who have entered into a collective agreement with the mill.

Mr Palaszczuk: It's already been done.

Mr SLACK: I thank the Minister for that. The very concerns raised by canegrowers are succinctly and directly dealt with in the amendment foreshadowed by the member for Crows Nest. I understand that further discussions have been held between Canegrowers and the Australian Sugar Milling Council and that agreement was reached on provisions for the supply of mill-owned cane to the mill for crushing. The coalition will reserve judgment on whether the amendment now proposed by the Minister goes far enough.

Other Opposition speakers have highlighted various issues of concern with the Bill and I join with them in placing on the record my concern about those matters. However, I intend to use the remaining time to deal with other issues of concern that need to be recorded.

One group that is often overlooked in these debates is the cane harvesters. Cane harvesting stakeholders have a $1 billion investment in the sugar industry, yet their role is totally ignored in the Bill. This is potentially a serious omission because the sugar industry is reliant on significant capital investment by this sector. A new fulltrack harvester costs around $500,000 and haul outs cost about $200,000, with the total cost of a modern harvesting outfit sometimes reaching almost $1m. Despite this, neither the 1991 Act nor this Bill reflects the critical role that the cane harvesting sector plays and the need for this sector to continue to inject essential capital to ensure that our sugar industry maintains its leading edge when it comes to harvesting technology.

I draw the attention of honourable members to the following comments that appear at page 210 of the report of the Sugar Industry Review Working Party. These comments were made in the context of

savings from dealings from harvesting and transport inefficiencies. The report states—

> "... evidence was also presented that significant harvesting and transport efficiencies had been achieved in recent years.
>
> One group which contributes to the achievement of such gains, considered that they would play a more effective role if formally involved in cane grower-mill negotiations. The Queensland Caneharvesters Association sought a formal consultative, but not decision-making, role when cane-harvesting matters were being negotiated between a mill and its cane growers. Because of the potential benefits involved, the Working Party encourages the cane growers and mill owners for each mill area to consult with the operators of each mill area's cane harvesters on such matters."

As the Minister knows, cane harvesters have sought an amendment to the Bill to give them such a role—not a deliberative role but a recognition of the importance of cane harvesters and the positive impact that their involvement will bring. Correspondence from cane harvesters makes the following important point—

> "If (World's) Best Practice is to take place, the caneharvesting stakeholders must be involved on harvesting matters at the local level where decisions are made which can severely impact on their investment."

I would be pleased if the Minister would deal with the submissions of the cane harvesters in his response and inform the House what action the Government has taken or proposes to take to ensure that the recommendation of the working party that I quoted is reflected in this legislation.

The other matter that I wish to raise is the Minister's intention to scrap the current compulsory levies that are used to fund Canegrowers, the Bureau of Sugar Experimental Stations and other farm organisations. The industry's understanding is that the Government is proposing to retain the compulsory levies for three years and then phase them out. As I understand it, the Government is looking at legislation to change the structure of Canegrowers to provide for transitional membership and to facilitate the transfer of assets.

The Mackay Daily Mercury of 7 October quotes the Chairman of Canegrowers Mackay, Paul Schembri, who stated—

> "The principal point we're saying is that the timing is horrendous in the context of the new Sugar Bill to be proclaimed and the worst downturn in the sugar industry for 15 to 20 years. It has created a great deal of uncertainty and apprehension amongst growers at a time when the industry can't afford it.
>
> Obviously a lot of people look to Canegrowers to provide leadership and the government is trying to reduce our capacity to represent growers when they most need it."

I do not intend to go into the legalities of the current compulsory arrangements or what may or may not eventuate from the Government. I do intend to deal with the potential impact that altering the current arrangements may have on the Bill and the various procedures that it mandates. It is obvious that the very foundations of this Bill are based on the compulsory levy. I say that because very few aspects of this legislation are actually funded from consolidated revenue. The various parties in the industry have to fund the negotiation, mediation and review functions. I refer to negotiations teams.

As the Minister knows, a negotiating team is established for each mill. Two of the four members of each negotiating team are appointed by the relevant mill suppliers' committee. Each negotiating team is to make a collective agreement for a mill, decide all matters about the expansion of hectares included in cane production areas, develop and propose to the Sugar Industry Commissioner a cane analysis program, make a cane analysis program for each mill and perform any other function provided for under this Bill or any other legislation. The Bill requires each negotiating team to agree on a dispute resolution process and then, under clause 185, "employ the persons, and engage the consultants and service providers, it considers necessary". Does the Minister understand?

From the perspective of Canegrowers, all of those various duties have to be funded and the Minister knows that the compulsory levy is the bedrock in this regard. If the levy goes, who pays from the viewpoint of Canegrowers—the consultants or the service providers engaged to mediate the disputes?

If the Government takes away the levy and this Bill is left in its current state, the capacity for growers to be represented properly and for their interests other than at an individual level to be looked after will be degraded. It is no use setting out a fairly

complicated legislative scheme which is designed to ensure that the market power of mills is not used to force harsh agreements on growers when the legislation gives no cash to growers to back this up and when the Government announces moves which will actually undercut the capacity for growers' interests to be looked after in collective arrangements. We can have all of the protections in the world written into the Bill—and I might add that this Bill is far from that—but if those protections are based on a funding source which will be abolished or marginalised, those protections will be of very little value. That is my concern with this Bill—its sustainability and its capacity to provide ongoing justice to all sectors of the industry when there is so much uncertainty about how the Government will proceed on the question of compulsory levies.

On a number of occasions the Minister has evaded explaining to the Parliament and to his Estimates committee exactly how funding streams to the BSES will be maintained following the removal of the statutory levy collection. The Minister will appreciate the importance of research and development to all primary industries and particularly in the competitive sugar industry. It is certainly not in the interests of the sugar industry to threaten funding streams for research and development, which the Minister obviously agrees with. On that basis, once again I ask the Minister to explain how he will ensure that funding to the BSES is maintained.

In conclusion, I support the Bill with the amendments the Minister has foreshadowed. It will be improved, especially in the area of the nexus between cane and sugar prices. However, there are still many areas that need to be improved. I hope the Minister gives favourable consideration to the amendments that my friend the member for Crows Nest has indicated that the Opposition will be moving.

Mr Palaszczuk: He is also my friend.

Mr SLACK: I thank the Minister.

I ask the Minister to deal specifically with the future of compulsory levies, not from the viewpoint of the legality or desirability of them but from the viewpoint of how any tinkering with them will affect the operation of this Bill.

Mr NELSON (Tablelands—IND) (3.21 p.m.): The tablelands is an incredibly diverse agricultural area. We grow everything from tea, coffee, milk, cheese, sugar, mangoes, beef and red claw. You name it, we grow it.

An honourable member: Lychees.

Mr NELSON: Lychees—everything. I dare say it is the most diverse agricultural area in Australia.

Mr Lucas interjected.

Mr NELSON: They do grow cheese; cows make cheese; it is growing. The point remains that we have a large agricultural area. Any Bill that deals with agriculture or agricultural issues will affect the tablelands in some way. The Sugar Industry Bill is not without its influence. The sugar industry is relatively new to the Tablelands. Recently, the tablelands mill was opened, at which the Minister and the Premier attended. That was a very important step towards the sugar industry and sugar in general being a viable resource for this State well into the future. Again, I stress that this is a very new industry to me. I am not a canefarmer, nor have I ever been one. As I said, the sugar industry is a very new industry on the tablelands. I have been taking a lot of my lead from the industry heads on the tablelands.

Honourable members interjected.

Madam DEPUTY SPEAKER (Dr Clark): Order! There is too much audible conversation in the Chamber.

Mr NELSON: I have also been speaking to canefarmers in particular. It has been very encouraging to hear some of the speeches in the House today. Although I have had only a short amount of time to go through the amendments and I have not gone through them in incredible detail, I am encouraged by some of the directions taken in those amendments and I certainly look forward to going through them in a little more detail at the Committee stage.

Some concerns still remain. My concerns are specifically related to the tablelands area and its supply of sugarcane—the raw product—for crushing at the Mossman mill in particular and, to a lesser extent, the South Johnstone mill. At the moment, as I said, we have the tablelands mill situated just outside of Mareeba. Cane trucks will go past that mill to deliver cane to the Mossman mill, because the canefarmers have entered into an agreement with the Mossman mill. Although I do not have the exact figures, in some cases it is costing canefarmers on the tablelands around $2m per annum to supply that mill at a much lower price. This brings in the transferability issue. As I said, this is very specific to the tablelands. One farmer in particular—and again I do not have the exact figures—said that there was about a $17,000 difference in the same

tonnage of cane supplied to the Mossman mill and the tablelands mill, as he had two supply contracts. As honourable members can imagine, that is a large amount of money when dealing with small tonnages. The issue with respect to supply is that, as far as many farmers on the tablelands and I are concerned, the Mossman mill is not being competitive. This links to the issue of transferability.

I am told that transferability as an issue across the State would have very big ramifications, for example, in the Bundaberg area. I do not want to take away jobs from anyone in this State. My main concern is that, if a mill would be in danger of closing because of transferability and if farmers could take their contracts elsewhere and get a better price, that mill is doing something wrong and it would probably end up closing, anyway, because its farmers will go bankrupt and will not be able to supply it with cane in the long run. Again, I do not want to see the Mossman mill close. The tablelands supplies a third of Mossman's raw product and about 45% of its sugar, based on the content of the cane. I do not want to see the Mossman mill close, but there are a few things that I do want to see. At the moment there is no tablelands representative on the board for the Mossman mill, yet we supply a third of its cane and 45% of its sugar output, which makes the farmers of the tablelands a very important asset to the Mossman mill. As I said, there is no representation of tablelands farmers on the board. That links with the issue that I spoke about before. These farmers want to renegotiate a supply contract, but they are locked in. There is no transferability of which I know. That is what they are telling me.

Again, I do not want to repeat too much of what other members have stated. As I said, the speeches given in this House today and during the last session have been very encouraging and the issue is being addressed in the right manner. However, mill-owned cane is a very significant issue. I know that the Minister is looking at the issue and I know that other honourable members have also raised it. I am raising the issue again; it needs to be addressed at a high level. Rightly or wrongly, the National Competition Policy impacts on the whole process of farmers supplying a raw product to a mill. If a mill has the right to own its own cane supply, it can push out the small farmers. We would not like to see a mill removing any competition by supplying itself with cane.

Another issue that is specific to the tablelands is the right to purchase water. At the moment, water resources is a very big issue on the agenda. Soon we might see a decoupling of water from the land, which means that a mill could purchase water—and I am working merely on theory—and have water contracts supplying its own cane. If we wanted to grow sugarcane, we might then have to go to the mill to get our water. That is not something that I would like to see occurring. At the moment that does not happen, but given the proposed water resources amendments it could possibly become an issue in the future. Mill-owned cane is an issue that has to be addressed. Again, I will be looking forward to addressing the issue at the Committee stage.

Another issue raised with me by one of my constituents was that we have the dairy industry going through deregulation against its will and now we have the sugar industry going through regulation, although that might not be against its will. It seems to be a topsy-turvy world on the tablelands. In Mareeba, people speak to me about the regulation of the sugar industry. When I go to Malanda, people talk to me about the deregulation of the dairy industry. It is confusing. I have to go from saying at one meeting, "Deregulation of the milk and cheese industries is not what we would like on the tablelands", to saying at a meeting in Mareeba, "People are supporting the regulation of the sugar industry." We live in a mad world.

Another question put to me is: what public benefits have been highlighted to gain exemptions? A lot of people are asking what public benefits there will be in the long run if a mill can supply its own cane and put small farmers or family-owned farms out of business?

At the risk of going on for too long, in summing up I will shadow the words of the member for Burnett. If the Canegrowers association gets dismantled in the long run, to me it seems like a sort of a union-busting exercise. The workers in the mills have the unions to look after them against the mill operators while canegrowers, contrary to many people's belief, are not multimillionaires who can go around hiring and firing solicitors and lawyers to protect their interests against multinational corporations and against the general day-to-day runnings of the mill. They are ultimately affected. They have a raw product that needs to go through a value-adding process. If they do not have a conglomerated voice against the larger groups within the industry like CSR and Bundaberg Sugar, ultimately they will be relegated to the backbenches and will not be able to fight.

I say to the members of the Australian Labor Party here today: look at it from that point of view. It is almost as if the Canegrowers association is a union for the people who grow. If they take that away from them, they are robbing them of their right to have some legitimate bulwark against multinational corporations and big industry. Growers do not work on a massive profit margin. They do not have lots of money to throw around. They are effectively workers working their own land and they should not be penalised because of that.

Many canegrowers where I come from think that the Canegrowers association has not done the right thing by them. But ultimately people do need that sort of representation if they are going to play in the big game, which is what we are talking about here, and especially when we are talking about transnational corporations that have an abundance of money and have the ability to fight and win large battles and get their own way in the long run.

In summing up, I say that I look forward to the Committee stage. I am going to sit down and go through the Bill and listen to the arguments for and against it. I believe that the Minister has listened to some of the concerns and has certainly addressed some of the issues. I would like to state once more that the issues I have with the Mossman mill are very much related to the Tablelands. It is an issue which I think will be ongoing as tableland farmers seek to utilise the new tableland mill more effectively to get their product out at a better price. Ultimately, that is what we are talking about here: the ability to make more money and the ability to generate more wealth in an industry area that is incredibly diverse and has been working very well for many years.

I have one more point to make in relation to water. For the sugar industry to advance on the tableland, it needs water—and it was very encouraging to see in the Cairns Post very recently an article about the Nulinga dam. We do need that dam. I know that members on the other side of the Chamber agree. Cairns is an incredibly rapidly growing area. It still is.

Dr Clark interjected.

Mr NELSON: The member for Barron River certainly knows what I am talking about. I must applaud the member for Barron River. She has come up to my electorate many times and spoken to farmers in the area. They are very grateful that she has taken the time to do so.

I must say that that water issue there on the tableland—the building of the Nulinga dam—is of the utmost importance. I know that in this day and age we are partially against the building of dams. However, it is an issue not just for farmers on the tableland; it is an issue tied to the growth of Cairns and the Tinaroo Falls Dam being looked at as a possible natural supply point for water for Cairns down the Barron River. Eventually we are going to have to look at the issue of the sustainability of water supply to the MDIA. As far as I and up to 95% of irrigators and others who live on the tableland are concerned, that can be done only through Nulinga.

It is very important that the Minister takes into consideration at the moment the issues surrounding—and I am not sure if it is DPI or DNR I am talking to here—the tea-tree farmers and the fact that land has just gone up for auction. I am talking about the land actually contained within the Nulinga catchment. Now would be a perfect time to grab hold of that land so that we can have a bargaining chip in building that dam.

This industry will grow and will be very profitable in the near future, especially if the Federal Government has its way and puts that five kilometre environmental strip down the coast. We are going to have to look for somewhere to grow more sugarcane. There are arable plains in Dimbulah and Mareeba that are currently waiting for sugar supply contracts. Ultimately, with the flow-on effect, I think this Government would do itself a world of good not only in the Cairns area but also in the tableland area by looking very closely at this. I am encouraged by what I saw in the paper just recently that the Mayor of Mareeba and the member for Barron River were looking very closely at the issues surrounding Nulinga as opposed to the other issues that have been put up.

Dr Clark interjected.

Mr NELSON: I accept the interjection from the member for Barron River. She raises a very valid point about the Cairns Post. I honestly believe that the editor of the Cairns Post must be an undiagnosed schizophrenic—

Opposition members: Oh!

Mr NELSON: The Cairns Post has never done me any favours. I must say that the editorials in the Cairns Post certainly show that in some cases—not all cases—the editor does not know what he is talking about.

Dr Clark interjected.

Mr NELSON: I have no problem going up against the Cairns Post.

I return to the Bill. That Nulinga dam would supply the extra water needs for the

tableland and, in particular, the MDIA. It would address a whole list of concerns and, ultimately, it would guarantee water supply for the Cairns, Barron River and Mulgrave areas. I think it is a very important subject. It should go beyond party politics. It should go beyond everything and be looked at from a State development level to, as I said, guarantee supply for the growing of sugarcane and other products in the MDIA and guarantee water for Cairns. On that note, I would like to say that I will be looking forward to the Committee stage.

Mr MICKEL (Logan—ALP) (3.36 p.m.): The Sugar Industry Bill 1999 has been introduced against an international climate that is very difficult for Queensland sugar producers. The September quarter 1999 Australian Bureau of Agriculture Resource Economics indicated that world prices are forecast to fall for a third year in a row to average 20% lower in 1999-2000 at just 5.7 US cents a pound. This will severely impact again on growers' incomes but, just as importantly, it will adversely affect the people in those towns that are dependent on that industry.

This price fall reflects expectations of a further rise in sugar stocks as world production again exceeds consumption. That production is expected to rise in Brazil, India and Australia. The Australian production is forecast to increase in 1999-2000 largely as a result of improved yields. In fact, the area under production will increase by 1.2%, but production will increase by 10.2% and exports are set to rise by 11.8%. However, the value of those exports, as I have said, will decline, and decline by 6.8%. So it is a very difficult outlook for Australian producers.

In fact, the Courier-Mail today carries a story of further pressure from the US market, which has brought the US President, Bill Clinton, in to try to negotiate a settlement. But again we see that, when the US is under pressure, the knee-jerk reaction of their farmers is to go seeking protection from any competition. It seems to me to be a very one-sided argument. On the one hand in the nation that says it leads the world in free trade—the United States—the moment their farmers come under any sort of pressure at all, they seek protection as they did with lamb. If we are not very careful, they could do the same in relation to sugar.

Increased cane production in central and southern Queensland has resulted from increased area yields and that will offset decline, according to ABARE, in production in the northern Queensland region where growing conditions have been described as poor. Commercial cane sugar levels are expected to be greater from all the growing regions in Queensland compared with 1998-99, and the early 1999-2000 crush progress indicates increases in c.c.s. in north Queensland and the Burdekin region. Cane which was not harvested because of wet weather last year accounts for almost 8% of the total cane area in Queensland, despite expected lower c.c.s. levels for that cane of almost 12.3%, compared with an expected average of 13% for this season's cane. It is unlikely to have a significant impact in 1999-2000 on sugar production, despite the adverse world prices and what has been a very difficult year for people in the Mossman and Ingham areas, particularly after the heavy rainfall and flooding they experienced between August 1998 and March of this year.

Nevertheless, Australian cane producers know that they are price takers on the world scene, not price setters. Accordingly, they have done much over the years to improve their yield and to be at the forefront of technology when it comes to harvesting. It has to be remembered that over 80% of Australia's crop is exported. It is because exports are so important to us that Australian sugarcane growers will welcome Brazil's agreement to cooperate closely with Australia in the lead-up to the Seattle World Trade Organisation ministerial meeting to ensure that the barriers that the US growers seem to embark on in the sugar trade are fully on the table as part of the upcoming agricultural negotiations. Only by joining with other nations in these world forums can Australian and Queensland sugar producers be shielded from protectionism, particularly in the United States.

I note that the Australian sugar industry is driving the establishment of a global alliance of sugar producers and users, aiming to achieve major reforms to trade-distorting sugar policies at the World Trade Organisation negotiations in November. Australia is part of the global alliance for sugar trade reform which aims to eliminate export subsidies, reduce domestic price supports and increase market access for sugar. All of these things in other countries cost efficient producers such as Australia millions of dollars in lost opportunities. What is particularly pleasing is that sugar producers from Australia, Brazil, Thailand, India, the Philippines, Guatemala, Honduras, Europe and the United States have already expressed interest in joining the global alliance.

As I have said in this House previously, the Uruguay Round in 1994 did achieve positive outcomes for many Australian

commodities. Unfortunately, the sugar industry was one of those that escaped the reform needed on the world stage. We wish our negotiators every success in Seattle, because exports are so vital to so many Queensland regional centres, particularly those in north Queensland which previously were in danger of becoming monocultures.

As a direct result of a successful sugar industry, we are now able to establish a manufacturing base in some of the towns that benefit directly from our primary products. Whilst acknowledging the expansion of the sugar industry, I particularly acknowledge the work being carried out by Tate and Lyle, which is now established in Bundaberg, for the significant investment it has made on the Atherton Tableland, particularly in the new Tablelands mill which, I might say, is the first mill to be built in Queensland in over 70 years.

I now turn to some of the specific issues in the legislation which were raised with me when I, along with the member for Bundaberg, had discussions with canegrowers and also when I had discussions with some of the canegrowers in Maryborough. I believe that some of the issues they wanted resolved have been resolved in amendments that the Minister intends to move at the Committee stage of this Bill. I am pleased that the Minister has been able to listen to the concerns of the growers, because I undertook on their behalf to raise their concerns with the Government.

The first of these is that the millers will be contractually obliged to accept cane supplied for crushing by growers in accordance with the cane supply agreement. This matches the growers' obligation to supply. In the second of the amendments, in collective agreements the price for sugarcane will be linked to the price of sugar unless the negotiating team agrees otherwise. This reflects the risk sharing between growers and millers that is the basis of stability in the industry.

On the issue of individual agreements which may have some adverse effect on the collective agreement, the Government will legislate for compulsory mediation of such disputes before they go to court. This amendment results from concerns on the part of some communities that the immediate use of legal action could cause significant division. The mediation will lead, I believe, to such matters being resolved in a constructive way and to a reduction in the number of matters that have to go to court.

The other amendments that the Government intends to move are that notification to a grower by the mill of non-acceptance of cane may be included in agreements—this will reflect the current practice in awards—and, secondly, that the Queensland Sugar Corporation must now notify the local mill supply committee when it makes a direction to a mill on a specific raw sugar brand. Growers want to be notified about such decisions as they may impact on season length.

The other amendment which I think is important relates to the words "growing of cane". That has been removed from the matters which must be considered in collective agreements. Matters relating to management and growing of sugarcane will be for growers to decide. The Government is also moving to clarify the situation relating to the payment of costs of cane analysis and check chemists, which has been the subject of some criticism.

I mention the Government's willingness to negotiate, because I believe the Minister has had his patience tested in trying to bring all sides of the industry together in the lead-up to the introduction of this Bill. The fact is that the negotiations have been ongoing for more than two years. The ACFA, for its own reasons, decided to put out some alarmist statements about some of the changes. "Alarmist" is not my word; it is the word of the General Manager of the Canegrowers association, Mr Ian Ballantyne, who on 13 September 1999 said—

> "This Bill is not perfect but many of the issues raised by the ACFA are without foundation and inevitably create alarm and anxiety among growers—for example, the highly provocative reference to Chairman Mao and Joseph Stalin in relation to future collective negotiations by growers."

I now turn to the 30 August edition of the Australian Canegrower, in which the Deputy General Manager of Canegrowers, Mr Ross Chapman, said that he believed the biggest change would be for those growers who enter into individual contracts outside the collective agreement. He said that some growers may seek increased flexibility in their cane supply and processing arrangements by using the new provision which will allow individual contracts between growers or groups of growers and the mill. However, any agreement likely to have a significantly adverse impact on the collective can be challenged by the mill suppliers committee and may be cancelled. His point is that the new Sugar Industry Act 1999 will have, to use his words, little impact on the day-to-day farming operations of most canegrowers.

What we have seen in recent months has been an unedifying spectacle on the part of the ACFA trying to outbid Canegrowers either to retain existing membership or to poach other members. What has been lost in all of this is the truth in the information given to growers, and I think Mr Ballantyne was quite correct in pointing that out. Of course, what is at issue for Canegrowers is that it used to have compulsory membership and now, like other situations that exist, for example in the unions, it has to vie for membership.

The other issue arising from that is compulsory levies. It is fair enough when Canegrowers say to us that they would like the compulsory levy because it enables them to finance some of the research activities that they need to be involved with. I for one have a lot of sympathy for that argument, just as I have sympathy for the argument for compulsory unionism, which was so comprehensively rejected by those on the other side of the House.

I will close, however, by talking about the need to ensure that the industry is at the forefront when it comes to technology. I refer to a report into the impact of competition policy reforms which highlighted the need to continually upgrade our technology and productivity in agriculture. The commission found that estimates of farmers' terms of trade over the past 40 years show that, while there is significant year-to-year fluctuation, the long-term trend is clearly downward. In the mid-1950s, the ratio of the costs of production to prices received by farmers for their output was four times higher than it is today.

Growers have expressed interest in ensuring that funding is available for the introduction of NIR to ensure that the best quality sugar is maintained, because at a time when world prices are under pressure it is going to be the quality of the Australian product that wins through. What I would like to see is the Federal Government, particularly through its taxation reforms, giving incentives and funding to the Queensland Government and to farmer organisations to ensure that we maintain our leading edge. I am told by farmers quite forcefully that in the sugar industry the NIR is the best way of achieving this.

It is the same as what I said previously in another debate on the dairy industry. It is only the quality of the product that will, in the end, win through. In the end, it will win through for the canegrowers. And ultimately, it will win through for Australia. I congratulate the Minister on this Bill. It has been unnecessarily prolonged because of the activities of some elements within the ACFA and, as I have indicated before, by some alarmist elements. Nevertheless, this Bill takes the sugar industry much further down the road—

Mr Knuth interjected.

Mr MICKEL: We have heard the constant prattle of the leader of the Country Party—that man of rare intelligence. It is very rare when he shows any. We have listened to the changes—

Mr Knuth interjected.

Mr MICKEL: In a battle of wits with the honourable gentleman, he is completely unarmed, so I will leave him be. As I have indicated before, some very alarmist statements have been made. Nevertheless, this is a great Bill. The Minister has listened to the changes that have been suggested to him, and he should be commended for that.

Dr PRENZLER (Lockyer—ONP) (3.51 p.m.): The Sugar Industry Bill, although providing some positives to the sugar industry, does have many serious issues that need to be resolved prior to its passing through this House. The majority of these issues relate to the balance between the mill owner and the grower. The Bill, in many instances, favours the mill owner over the grower, posing a threat to the livelihood of canegrowers should it be passed in its current form. The industry already has an imbalance in this regard simply due to its structure and the economic viability for growers to switch mills should they be dissatisfied with the mill they currently supply. Regardless of that factor, though, cooperation between mill owners and growers appears to be satisfactory at the moment. In no way, however, should this be disturbed, as many of the provisions of this Bill do, by shifting the balance in favour of the mill owners.

I do have it on good authority that the Minister will be proposing amendments to the Bill during Committee to address many of my concerns. It is also known that the coalition intends to propose amendments, as the member for Crows Nest explained during the last sitting of Parliament, that will allay One Nation's main concerns. I have just received the amendments, and unless they overturn any attempt to undermine the viability of the canegrowers, we will not be supporting this Bill.

Since this Bill was introduced there has been widespread unhappiness with particular areas, mostly in relation to the imbalance between mill owners and growers and the obvious advantage that this Bill will give to mill owners themselves. I am pleased to hear that

the Minister apparently has listened to those cries and intends to address this imbalance. One only hopes that he does not shy away from doing a thorough overhaul of the Bill and that the amendments he proposes will address all of the concerns of the industry in this regard.

Albeit that amendments are to be proposed, I must make quick mention of a couple of the areas that were of major concern to me. I will be brief, as the member for Whitsunday has already mentioned these concerns, as have many of the coalition members who have spoken in this debate. The Bill gives mill owners an advantage when negotiating individual agreements, as the mill owner has access to information that the grower does not have. The information should be as accessible to the grower as it is to the mill owner to ensure fairness and an even negotiating base. I believe that amendments are to be made in this area, and they will receive my full support.

One of the major problems with the original Bill is the removal of the link between the sugar in cane price and the sugar sale price. This greatly advantages the mill owner over the grower—in other words, multinational companies over farmers. The grower is left with no benchmark with which to negotiate prices, whilst the miller has available all of the required information.

It is clear that the aim for this clause, section 122(5), is to diversify payment methods and provide choice. Unfortunately, this arrangement will only give the millers greater flexibility to negotiate prices down, to the disadvantage of the growers. I understand that this removal of the link between sugar in cane and the sale price of sugar was not a recommendation of the Sugar Industry Review Working Party, and I wonder then as to the Minister's reasoning for incorporating it into the Bill. Perhaps he will enlighten us at some stage.

Although there are several other issues of concern, I will not proceed to point them all out. Many have already been raised by other members on this side of the House. There are positive aspects to the Bill, the most important being the maintenance of single-desk selling, which is a must for the survival of the Queensland sugar industry. This is good to see and, I am sure, a relief to industry participants, although it is a very feeble palliative indeed for the trade-off of tariffs.

Primary industry has been hit hard by the push for globalisation in the last few decades. People in the Queensland sugar industry have been doing well; they have had their fair share of struggles, but they have survived and grown. They are not untouchable, however, and great care needs to be taken with any reforms to this industry, especially in the face of falling commodity prices and the threat of cheaper sugar from developing countries. The imbalance posed in this Bill is an assault upon, and a threat to, the growers and is highly unacceptable if the industry is to continue to function successfully. We have seen the devastation of economic rationalist theories upon other industries, and we have seen the removal of people from the land—honest, hardworking people who, through no fault of their own, have had to close up shop and see their livelihood slip away from them.

Economic rationalism has done immense damage to regional and rural Australia. One need look no further than the recent report titled Social Atlas of Rural and Regional Australia, compiled by the Bureau of Rural Sciences, to see the way in which rural Australia has been destroyed. The number of farmers has halved in the past 30 years, rural Australia has been depopulated, and the remaining regional communities have suffered a major decline in services and average incomes. Australian Governments have raced headlong into the arrant nonsense of the supposed level playing field. Australians, especially rural Australians, have acted as the guinea pigs of globalisation.

Let us put an end to the free market theory and wake up to reality. Do not support the multinational corporations over the farmers. Do not aim for global leadership and international mates at the expense of the Aussies who have worked the land for generations and developed the very industries that have been the backbone of our development and are now being slowly destroyed. Let us be sensible about reform and do all that can be done to help and encourage the grassroots end of the chain, rather than all that can be done to make their life more difficult.

There is no argument amongst industry participants that a change is necessary and that this Bill does create a less regulated market. In a less regulated market, however, adequate protection must be provided against the abuse of market power. The concerns I have highlighted most certainly need to be addressed. It has been said that the imbalance between the mill owner and the grower will be restored through amendments in Committee, and I trust that this will occur. The Queensland sugar industry itself depends on it. If our concerns are addressed, we will

support this Bill; but in its current form, we would be unable to do so.

One thing is certain, and that is that the sugar industry deserves some stability and support in maintaining its important role in our economy. I thank the members of the industry and interested public for their phone calls and information provided with regard to this Bill. Industry input is always welcomed and of benefit. One Nation will always fight for what is fair and for what will benefit the little bloke in industry, all Queenslanders and all Australians.

Mr KNUTH (Burdekin—IND) (3.57 p.m.): I rise today to speak on the Sugar Industry Bill 1999, which I consider to be totally biased—even to the point of being corruptible—in the fact that there seems to have been unseen outside influence in its manufacture and inconsistency in that it does not comply with a broad spectrum of national competition guidelines. Even blind Freddy can see that CSR has done a deal with the Queensland Government to make sure that big business and multinationals once again are assured that the competition policy will not encroach on its chances of making big dollars at the expense of battlers.

This Bill, under competition guidelines, cannot be binding. It seems that the minority vested interest groups which so heavily dominate and control the sugar industry in Queensland are prepared to sacrifice not only the interests of the vast majority of Queensland canegrowers but the interests of Queensland's population as a whole in their determination to preserve their own privilege and their financial rewarding positions within the sugar industry. In this, they are aided and abetted—to a degree which verges on the side of recklessness—by the Minister for Primary Industries and the Beattie Labor Government. No other explanation will serve to account for the actions of the Minister and his introduction into Parliament of the Sugar Industry Bill 1999 and his proposed introduction of the primary industries bodies reform Bill 1999, due to be presented this week. I believe that some changes have been made towards the transfer of assets. However, I am yet to be convinced on the success of these changes, and I will speak on this after thorough consultation with local growers.

One could be forgiven for concluding that the Minister has never read the sugar industry section of the NCC second tranche assessment of States and Territories with regard to implementing National Competition Policy and related reforms which was released in June of this year. Had the Minister done so, he would have been more aware of how perilously close Queensland is, under the sugar industry's present legislative set-up, to having hundreds of millions of dollars worth of Federal funding withdrawn under the NCC's third tranche. This money will be payable to Queensland provided that the Government honours its commitments under National Competition Policy.

Instead of acting upon the warning contained in the second tranche assessment to free up and liberalise the muddled regulations which characterise the sugar industry in Queensland at present, the Minister and his Government appear to be intent on adopting a confrontationist approach to the Commonwealth over sugar industry issues, no matter who gets hurt in the process. The people who will suffer most will be the ordinary men and women of Queensland.

The payment of the third tranche of NCC payments, which are due in the year 2001-02, will be dependent upon Queensland giving full effect to the National Competition Policy's intergovernmental agreements. So what did the Minister do? He introduced into Parliament the Sugar Industry Bill 1999 which contains no fewer than 27 provisions which are admitted within the Bill itself to be contrary to the National Competition Policy's intergovernmental agreements.

Since the introduction of the Bill, the Minister has announced that some of its provisions are to be amended but, incredibly, those amendments do not include the dropping of the provisions which offend against the National Competition Policy and which are likely to cost the people of Queensland hundreds of millions of dollars in lost Commonwealth payments. Thus, with one stroke, the Minister not only disadvantages in the most serious way the ordinary canegrowers of Queensland, but threatens the existence and progress of many of Queensland's schools, hospitals and law enforcement services.

The Minister may say that he has no responsibilities in these areas. The people of Queensland will say that he has achieved heights of irresponsibility seldom seen in a Minister of the Crown. Not content with having nailed down the lid of the coffin of Queensland's prospects of obtaining competition policy funds, the Minister now propose to bury such prospects as deep as is ministerially possible.

The Minister's primary industries bodies reform Bill 1999 is still to see the light of day, being due to be presented to the House this

week. Under this Bill, the Minister proposes, in the case of the sugar industry, to abolish the Queensland Canegrowers Council, the district canegrowers executives and the mill suppliers committees. In their place he intends that there shall be one private corporation which will hold all the assets so painfully acquired over many years by the various executives and committees. However, the Minister intends to legislate that all canegrowers will compulsorily be members of the new private corporation, thereby introducing into Queensland for the first time ever the discredited principle of civil conscription.

The current provisions of the Primary Producers' Organisation and Marketing Act provide that, upon the dissolution of the council and similar bodies, the excess of assets over liabilities of the body is to be distributed in accordance with regulations made in that regard. Canegrowers have always been assured that, upon the dissolution of their own organisation, the regulations would provide that the moneys to be distributed would be paid to those who had paid levies to the organisation. They would be paid on a fair basis which would be set out in the regulations. None of this is now to happen.

Growers are to be conscripted into a private organisation which is to own all the assets of the old body as well as those of the executive and the committees. Neither the growers nor the Government will have any say as to the new organisation's contribution as the Government's only action will be to abolish the old organisation, to make membership of the new private organisation compulsory for growers and to transfer the property of the old organisation to the new one.

It is proposed that the new organisation will be a company limited by guarantee. That means that each conscripted member will be liable to pay to the new organisation whatever sum of money is set for him by those who draw up the constitution of the new company. As if all of this were not bad enough, the Bill to be introduced by the Minister to accomplish this will itself offend against the principles of the National Competition Policy and result in Queenslanders being deprived of hundreds of millions of dollars.

The principles of the National Competition Policy clearly establish that the provision of services—in this case, economic and other services—should be made in a competitive environment. In other words, any organisation, either existing or yet to come into existence and which intends to provide services to canegrowers, is entitled to have the Government refrain from assisting one such organisation to the detriment of the other. The anti-competitive assistance to be provided by the Government under the present proposal is simply legislating in favour of one private organisation so as to prevent other organisations, which many growers might prefer to have acting for them, from competing in the field for the provision of services to growers.

Competing organisations which could offer cheaper services to growers will have no chance to do so in circumstances where the growers will have no choice as to where to spend their hard-to-get dollars on grower services until, inevitably, the National Competition Council forces the Minister to see the light by depriving Queenslanders of hundreds of millions of desperately needed dollars which would otherwise be payable to the State in the third tranche.

It seems that every section of the economy in Queensland, other than certain minority vested interests in the sugar industry, will have undergone the rigours of the competition policy and suffered losses on that account for nothing. The rules of the National Competition Policy are quite clear and the consequence of breaking them will be the loss of jobs and the reduction of services in the major public sectors of Queensland, namely, health, education and law enforcement.

The average Queenslander is not likely to forget—

A Government member interjected.

Mr KNUTH: Don't worry, buddy, I will be showing your speech to the mill workers. The public's impression will be that the whole of the sugar industry should be held accountable for this most unnecessary debacle. The Queensland public may then ask the question as to whether the sugar industry in Queensland is worth the price, both in the amount of Commonwealth money that will be forgone and in the cost of compliance with the National Competition Policy.

The Minister's actions in this matter are reported to be based on his receipt of legal advice—probably correct—that the present levy system is illegal, and has been illegal for many years. The sugar industry in New South Wales has existed for its entire and successful history under a system of voluntary agreements and arrangements. The growers receive their services from various organisations which are always called upon to prove themselves capable of the task at hand.

The Minister would not be acting in other than a responsible manner if he were to use the legislative powers of Parliament to follow the proven precedent in New South Wales and to legislate to simply refund the assets of all organisations to the canegrowers who had contributed to them. The growers, should they wish to do so, should then be permitted to form their own voluntary organisations—particularly at a local level—to provide such services as they require.

The requirements of the National Competition Policy would thereby be served and growers organisations would be revitalised by members who had control of and a say in their own destiny, unhampered by a plethora of regulations. I have no doubt that the Sugar Industry Bill is totally biased against the cane farmer.

Mr Mickel: So you support the Canegrowers organisation?

Mr KNUTH: I agree with cane farmers organisations, but the Canegrowers organisation does not necessarily listen to its own members in electorates along the east coast. I have taken advice from my own Canegrowers groups and they are not in favour of this Bill. If they are not in favour of this Bill, they have many problems. Why is this Bill being rushed through Parliament? It is being rushed through Parliament because the Labor Government does not care. It knows that sooner or later the conservative Government at the Federal level is going to withdraw the money that is due to Queensland. They will get their mate, "Bucket" Beazley, to say that John Howard is destroying Queensland by not giving us the money that was promised to us under the competition policy. The Beattie Government will then attack the Federal Government and say, "Look at what the Federal Government is doing to our canegrowers!"

We should let the media know that this competition policy was introduced by the Labor Government. The Federal conservative Government stupidly took it up. Canegrowers are now paying the price. They will suffer under the competition policy guidelines. I will let my constituents and the other members in this Chamber know that I am totally against competition policy. However, if it is there, it has to be fair to the farmers as well as to the millers. It has to apply to both sections of the industry; it cannot just be in favour of a miller.

Mr Mickel interjected.

Mr KNUTH: The member is a globalist. I am more Labor than he is. I do not know why he sits opposite. He is a Tory. He should stand for the Senate for the Liberal Party, because he is just a globalist.

Mr Lucas: That's an outrageous assertion.

Mr KNUTH: It is not outrageous; it is a fact. The member should read the speech that the member for Logan made.

Mr Mickel interjected.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! I ask the member for Logan to interject from his correct seat.

Mr KNUTH: The member sits there and interjects.

An Opposition member: He is the chairman of Tate and Lyle.

Mr KNUTH: He could be the chairman of Tate and Lyle—I do not know. I will stand up for the canefarmers in my electorate, because they are not in favour of this Bill. If this Bill is passed today by this Chamber, it will not work in the interests of the majority of the canefarmers in north Queensland. This Bill backs the multinationals; the member's mate backs the multinationals. This is today's Labor. I would have liked the old Labor politicians of 40 years or 50 years ago to have been able to listen to the member's speech. If they had, they would have turned in their graves.

I will not back this Bill. I say on the Hansard record to my constituents that I will not back this Bill. It is a multinational, one-sided millers' Bill.

Mrs NITA CUNNINGHAM (Bundaberg—ALP) (4.11 p.m.): I rise to support the Bill. Bundaberg relies heavily upon the prosperity of the sugar industry, so I have a strong interest in seeing a regulatory arrangement for the industry that ensures its long-term prosperity. I believe that this Bill will do that.

The Bill is about creating a more competitive, innovative industry which, given the threats posed to our markets by competitors such as Brazil and Thailand, is absolutely essential. In my opinion, the best part of the Bill is the way in which it transfers decision making on crucial issues to local areas. That makes good commonsense, because in my area, and I am sure in other areas, it is the local growers and local millers who understand best what needs to happen to jointly maximise their profitability. This Bill before the House also maintains the single desk for the marketing of sugar. The single desk is an important part of the prosperity of our sugar industry and I am glad that it has been retained.

As part of the consultation process for this Bill conducted by the Minister for Primary Industries, I met with local growers from my area. The member for Logan and a member of the Minister's staff also attended this meeting, as did Mr Noel Baldwin, the local chairman of Canegrowers, Mr John Poulsen, the local manager, and members of their executive. It was an extremely useful meeting in which I had the opportunity to listen to the growers' concerns about the Bill. They raised a number of matters. However, two matters in particular were of concern to the Bundaberg district. The first matter was transferability, which refers to the ability of a grower to move his cane assignment from one mill to another. In the Bundaberg district, the Bundaberg Sugar Company owns the Fairymead, Bingera and Millaquin mills and, at Childers, the Isis Central Mill Company operates the Isis mill as a cooperative where local growers own shares in the mill.

The presence of both proprietary and cooperative mills in one area can cause tension. There is the perception among the growers that they receive better returns from a cooperative mill. Local growers argued that if they had the right of free transferability, that is the right to freely move their cane between mills, they would be able to get a better deal from Bundaberg Sugar. They say that the possibility of growers moving to the cooperative mill at Isis would give growers negotiating with Bundaberg Sugar an amount of negotiating power that they lack currently. They believe that recent improvements in tramlines and other facilities by Bundaberg Sugar are directly related to that possibility of transferability.

As it stands, this Bill allows for transferability in the context of expansion. That means that if a grower wants to expand, but cannot because his current mill cannot or will not expand capacity, then the grower can go to another mill to seek crushing capacity for the cane to be grown on the expanded area. At the moment, because of water shortages past and present, there is not much expansion occurring in the Bundaberg district. However, I understand the growers' point. They say that the transferability provisions in the Bill do not help them and they do not get the crucial negotiating strength that comes from the possibility of moving to a cooperative mill. I have raised this matter on their behalf with the Minister for Primary Industries. He advises that the provisions on transferability were the outcome of an agreement signed between Canegrowers Queensland Chairman, Harry Bonanno, who is himself with the Isis mill, and the milling council chairman, Geoff Mitchell, who is also in charge of Bundaberg Sugar.

The Minister's position is that, despite representations, he is reluctant to alter what is an industry agreement and the Bill implements this industry compromise fully. The Minister has said repeatedly that this is a Bill of, by and for industry. In that regard, I understand and accept his position. For the Government to intervene and impose a solution on industry instead of supporting an agreement reached by the industry itself on such an important matter would be undesirable.

The second key issue for Bundaberg is that of mill cane. In my district, the Bundaberg Sugar Company owns a number of cane farms from which it harvests and crushes cane in its own mills. Currently, clause 6(10) of the Bill provides—

> "Nothing in this Act prevents the mill owner who holds a cane production area from supplying to the owner's mill, without a supply agreement, cane grown on land included in the owner's cane production area."

This might seem unfettered, but it is not. In fact, clause 41(5) provides—

> "If a mill owner holding a cane production area proposes to use it to supply cane to the owner's mill during any period to which the collective agreement may apply, the owner must, before the start of negotiations, give to the mill suppliers' committee notice of the number of hectares from which, and when, the cane will be supplied."

In essence, as the Bill stands currently, the timing of crushing of mill-owned cane would be a matter for negotiation between the growers and the mill.

Under the 1991 Act, mill cane is treated the same as grower cane and is rostered in the same way. However, growers in my area were concerned that these provisions could be misused by the mill to supply their cane in the peak period in September. They also felt that this gave the mill a very large lever in negotiations. The growers in my area were genuinely concerned about this issue and, again on their behalf, it was raised with the Minister. I am very pleased that the Minister intervened personally to start negotiations between Canegrowers and the milling council on this very point. These negotiations have led to an amendment that will reassure the growers. The amendment will prohibit the mill supplying in a way that has a significant adverse effect on growers. In fact, growers can

go to court to stop the mill supplying in peak season. In my view, the agreement of the mills to this restriction demonstrates that they were probably unlikely to have abused the provisions of the Bill as they stood. However, I am glad that the mills have agreed to this amendment, which will go a long way to restoring trust between Bundaberg Sugar and the growers in my area.

The Minister has outlined a whole range of amendments to the Bill, all of which, I think, demonstrate his well-earned reputation for listening to people's concerns. The Minister for Primary Industries is very well regarded in regional areas because of his genuine interest in the concerns of grassroots people and for his willingness to bring parties together to negotiate compromises. He has done an excellent job in consulting, listening and acting in relation to this Sugar Industry Bill. We now have a Bill that meets the fundamental concerns of all sectors of the industry—a Bill that has been developed with industry and for industry. It provides the opportunity for Queensland's raw sugar industry to move forward to meet the challenges of the next century in a more productive, efficient and sustainable manner that will maintain its position as a valued and reliable supplier of quality raw sugar on the world market. I commend the Bill to the House.

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries) (4.19 p.m.), in reply: The Sugar Industry Bill is an important piece of legislation and the debate on the Bill clearly indicates its importance. I thank all honourable members who have participated in the debate. Before commencement of debate on the Bill, in the last session of Parliament I announced that a number of amendments to the Bill had arisen from negotiations between my officers and the grower and miller organisations. The members for Mulgrave and Bundaberg have discussed many of those amendments in their speeches. I will briefly address them again now.

I will move an amendment to link the price of cane to the price of sugar. This amendment is about risk sharing in the industry and it links the fate of millers and growers. The members for Crows Nest, Hinchinbrook and Clayfield raised this issue in debate and I trust that they will support my amendment.

I will move an amendment placing an obligation on mills to accept crane for crushing when the cane is supplied in accordance with the supply agreement. This amendment is about the mutual obligations of growers and millers.

I will move an amendment to resolve issues surrounding mills supplying their own cane. In essence, the amendment will treat mill owners or mill-owned cane in a similar way to individual contracts. If the mills propose to supply their cane in a way that will cause significant adverse impact to the collective, growers may take them to court. The member for Crows Nest raised this matter in his speech, so I trust that he will support this amendment as well.

On the issue of what constitutes a significant adverse impact, I will move an amendment to insert an example of such an impact to assist in interpretation. The example is drawn from the report of the Sugar Industry Review Working Party. The member for Crows Nest raised this matter in his speech, so I believe that he should support this amendment also.

Where it is believed that there is a significant adverse impact from an individual agreement, I will move an amendment to provide for compulsory mediation before the matter goes to court. This is to ensure that matters are not sent to court without firstly trying to settle the matters locally. The member for Crows Nest commented on this issue in his speech, so I hope that he will support this amendment also.

I will move an amendment to remove the word "growing" from the list of matters that must be included in a supply agreement in clause 49. This is a matter of concern to some who felt that it would interfere with the grower's right to manage his or her own production. The members for Crows Nest, Mirani, Clayfield and Hinchinbrook mentioned this matter in their speeches, so I trust that they will support this amendment.

I will move an amendment to allow a provision to be included in collective agreements for mills to notify a grower when the grower's cane is rejected. Such provisions are common in most awards in Queensland at the current time. The member for Crows Nest raised this issue in his speech, so I trust that he will support this amendment also.

Similarly, I will move an amendment that will allow provisions relating to mill closures to be inserted into collective agreements. It is not necessary for the Bill to spell out provisions relevant to mill closures when this is something reasonably and correctly left to be determined in each mill area in the supply agreement. This matter was raised by the members for Crows Nest, Mirani and Clayfield in their speeches, so I hope that they will support the amendment.

As members would be aware, the Queensland Sugar Corporation has the power to direct mills in relation to what brand of sugar they produce. This power is generally not used. Rather, the Queensland Sugar Corporation will negotiate with the mill on what brand should be produced. Growers expressed concern that a change in brand can have an effect on them due to longer crushing time leading to expanded season length. I will move an amendment requiring the Queensland Sugar Corporation to notify the mill suppliers' committee where there is a change to the brand. This notice will assist growers in evaluating the impact of the change. The member for Crows Nest raised this matter in his speech, so I am hopeful that he will support this amendment also.

Honourable members opposite raised some matters that I did not feel warranted amendment to the Bill. I will now address those matters and explain my reasons for not amending the Bill.

Relative Negotiating Power Disparity Between Mill Owners and Growers

The member for Crows Nest stated that the Opposition would move an amendment to require mill owners, for each crushing season, to supply growers with information about the payments received by the mill owner from the Queensland Sugar Corporation. As I have previously indicated, the Government is to move an amendment to clause 49 so that collective agreements may include payment arrangements linking the price of cane to the selling price of sugar. Due to this amendment, I believe that the amendment that was suggested by the member for Crows Nest is now unnecessary.

Consultation by Negotiating Team Prior to Signing Collective Agreement

The honourable member for Crows Nest has stated that the Bill is silent on the obligations placed on negotiating teams to consult with growers before a collective agreement is signed. The members for Clayfield and Hinchinbrook also commented on this issue. The member for Crows Nest indicated that the Opposition would move an amendment to place an up-front, positive and clearly stated statutory obligation on each negotiating team to consult properly with growers about collective agreements before they are signed. The nature of this consultation is to be specified in a written directive of the Minister.

This amendment is considered unnecessary for the following reasons: negotiating teams are equally representative of mill owners and growers, and members are nominated from within the local area; ministerial involvement is not necessary; it is the nature of negotiating teams that they are well versed in local issues affecting local industry; in being responsible for negotiating the collective agreement, negotiating team members will have little choice but to extensively consult with local industry—as my colleague the honourable member for Bulimba stated, how can negotiating teams negotiate if they do not talk to the people; and, at the end of the day, they need to be left to get on with the position to which they were appointed.

Appeal by Grower Aggrieved by Terms of Collective Agreement

The honourable member for Crows Nest has stated that "there is no scope for appeal by an aggrieved grower", with reference to a grower aggrieved by the terms of the collective agreement. The collective agreement is negotiated by the negotiating team, which is equally representative of mill owners and growers. Decisions of negotiating teams are unanimous or subject to a dispute resolution process determined by the negotiating team or, if no process has been determined, then in accordance with a process to be detailed in a regulation. The absence of appeal rights from decisions of negotiating teams is no different from the current position, which has worked well, agreed by industry and incorporated by 1996 amendments to the Sugar Industry Act 1991.

The Bill ensures that, as far as possible, the negotiating team reaches its significant decisions for the local mill area only after exhaustive discussion and assessment of all of the issues. A negotiating team's decision in relation to a collective agreement may be challenged under clause 44 of the Bill on application of 20 or more growers within 21 days of a collective agreement being published. This could result in the collective agreement being varied. If the Bill were to allow a variation of the agreement by complaints from a fewer number of growers, there would be potential for agreement to not be finalised.

Cancellation of Cane Production Area on Breach of Collective Agreement

The honourable member for Crows Nest has indicated that the Opposition considers that on a grower breaching a collective agreement a mill owner should have the capacity to apply to the cane production board and have the grower's cane production area cancelled. The member has indicated that this would be in addition to the right granted to

cane production boards under clause 31. Apparently, this is to also prevent the parties ending up in the Supreme Court or even the Court of Appeal. Cane supply and processing agreements are contractual. The normal remedies available under contract law should apply. The reasons for which a cane production area may be cancelled have been detailed in the Bill.

Mill Owners' Negotiating Advantage

The honourable member for Crows Nest has referred to a concern of the Australian Cane Farmers Association in asserting that growers who are in a collective agreement could be in a disadvantageous position. Reference in support of this assertion is made to both the mill owner being party to both the collective and individual agreements and growers who choose to negotiate an individual agreement. The honourable members for Clayfield and Hinchinbrook also commented on this issue. Under the Bill, within seven days of a collective agreement being made a mill owner must give the mill suppliers committee notice of every individual agreement the owner has entered into for all or part of the collective period.

The honourable member for Crows Nest has quoted from the ACFA Australian Sugar Digest of 4 August 1999 in saying that the growers, in seeking an individual agreement with the mill owner, will not know the implications of a collective agreement or arrangement until after an individual agreement is required to be settled, and that the mill owner's negotiating strength is enhanced compared with that of the grower seeking an individual agreement. I understand that the Opposition will be moving an amendment requiring the mill owner to give the mill suppliers committee a copy of each individual agreement before a collective agreement is made. All of these assertions that have been made by the honourable member for Crows Nest ignore the fundamental concept behind individual and collective agreements, that is, that they are commercial contracts and, as such, principles of confidentiality are relevant.

There is provision in clause 47 for notice of enough details of individual agreements to allow the effect of the agreement on the collective to be decided. These details, for confidentiality reasons, need not include details of the price payable to the grower under the individual agreement. The honourable member for Clayfield commented that mill owners should be required to inform the mill suppliers committee of what individual agreements it proposes to enter before a collective agreement is finalised. However, a mill owner may not be in a position to know this, since a grower approaches a mill owner regarding negotiation of an individual agreement, rather than a mill owner proposing to enter into one.

Cane and Sugar Quality—Mandatory for Supply Agreements

The honourable member for Crows Nest has indicated that the Opposition will consider an amendment in order that provisions relevant to cane and sugar quality must be included in supply agreements. Currently, cane and sugar quality may be considered by negotiating teams in negotiating a collective agreement. Matters which must form part of a supply agreement include provisions regarding the rights and obligation of growers and mill owners in relation to harvesting, delivery of cane to the mill, transport and handling of cane, acceptance and crushing by the mill, and payment by the mill owner. These are fundamental issues relevant to the process of supply, crushing and payment. In order to ensure flexibility of the negotiations throughout mill areas, all other issues have reasonably been left as optional considerations in the Bill.

Growers' Cash Flow

The honourable member for Crows Nest has indicated that the Opposition will consider moving an amendment to require negotiating teams to consider cash flow. The honourable members for Mirani, Clayfield and Hinchinbrook also raise this as an issue. The Government considers such an amendment to be unnecessary. The Sugar Industry Review Working Party specifically considered the issues of profitability and cash flow and determined that the Bill should not be so prescriptive as the Sugar Industry Act of 1991 in requiring that mill owners make payments to growers within 30 days of the end of the month in which cane is supplied. The report stated specifically that the relevant provision of the Act should be made non-mandatory. The aim of this was to improve flexibility and local area negotiations regarding cane payment. The nature of supply agreements is that they are commercial contracts between the parties. Accordingly, the Bill provides some detail as to the content of supply agreements in clauses 49 to 54 inclusive.

Provisions regarding the rights and obligations of mill owners and growers in relation to payment by the mill owner must be included in supply agreements by virtue of clause 49(1)(f). Clause 54 further provides that cane payment arrangements may be

considered by the negotiating team. More specific detail is appropriately left for negotiation in each local area, as is the nature with negotiations for commercial contracts. I am aware that the Australian Cane Farmers Association has stated its case for legislation so that growers are paid at least 30 days following the end of the month in which cane was supplied.

My department has been advised by the Australian Sugar Milling Council that the reality is that the majority of cane supplied is paid for by mill owners within three days of the mill receiving payment from the Queensland Sugar Corporation.

Funding of Negotiating Teams

The honourable member for Mirani raised the issue of the absence of any provision for the funding of the dispute resolution mechanism for negotiating teams. The provisions of the Bill are consistent with normal processes for costs by private persons entering into contractual arrangements. Members of negotiating teams are the chosen representatives of private parties to a commercial contract. Government does not appoint them and there is no requirement for the Bill to provide for the funding of negotiating teams as is required for bodies appointed by Government. Specific provision has not been made in the Bill for payment of fees and allowances and it is anticipated that growers will continue to contribute to the negotiating teams as and when required.

Under the 1991 Act, fees and allowances for members of negotiating teams were paid by the entities that nominated the members, that is, by the mill owner and the mill supplier committees. In the event that a negotiating team engages, for example, an arbitrator under its dispute resolution process, it is anticipated that the mill owner and mill suppliers committee will jointly pay for the costs of the arbitrator.

Conflict of Grower Member of Negotiating Team Negotiating Collective Agreement When S/He Has Entered into an Individual Agreement

The honourable member for Mirani has raised the question as to whether a conflict exists in relation to a grower representative on a negotiating team who has negotiated an individual agreement for himself or herself being responsible for drafting the collective agreement. Mill suppliers committees are responsible for nominating grower representatives of negotiating teams and they must be trusted to make appropriate appointments. Negotiating team members should have the appropriate expertise, be able to operate on a commercial in confidence basis and be professional about their interests. Negotiating teams, rather than the Bill, set the requirements for members. Requirements for disclosure of interests and other like matters are accordingly anticipated to be along usual probity lines. It is therefore not reasonable to attempt to ensure that grower members of negotiating teams will not enter into individual agreements for some or all of their cane production area.

Length of Individual and Collective Agreements

The honourable member for Clayfield made comment on a matter that I consider should be addressed. The honourable member stated that collective agreements can be negotiated for an unlimited period and that this could result in being unfair to some areas and to some growers. The member also commented on the ACFA assertion in the Australian Sugar Digest that individual agreements were limited for a term that could not exceed that of a collective agreement for a particular mill. The honourable member considered it to be "asking for trouble" if individual agreements were able to run for longer than the collective agreement and could result in individual agreements being tied up for far too long.

The Government will move an amendment to clarify what has always been intended regarding the length of individual agreements. These agreements are not to be limited to the length of the collective agreement. Part of the premise of the Bill, as determined by the Sugar Industry Review Working Party, is to enable greater flexibility to growers in their cane supply arrangements. For the first few years, no doubt all agreements will be negotiated for one or two year periods. It is anticipated that following that, longer agreements will be entered into.

Grower to Decide to Leave a Collective Agreement after Four Years

The honourable member for Clayfield commented on a grower, relevant to a collective agreement longer than four years, having to nominate before the agreement is made that he or she will leave the agreement at the end of four years. This provision has been incorporated in the Bill in order to enable growers wanting to permanently exit canegrowing to leave their collective agreement after four years by giving notice of his or her intention to leave it before the agreement that is to be for more than four years is made. This means that on leaving the

grower would not be in breach of the agreement.

Prior to commencing negotiations for the collective agreement, the negotiating team must publish in the local newspaper the period or range of periods that the collective agreement may possibly cover. This is found under clause 41(1)(d). On seeing that the proposed length of the agreement is more than four years, a grower could notify the negotiating team as to the grower's wish to leave the agreement—and growing—once four years have passed. The provision requires notice before the agreement is made in order that the negotiating team is aware, as far as possible, of the tonnage of cane that will be supplied to the mill owner for crushing under the agreement. If growers were able to nominate to leave an agreement part way into it without repercussion, a situation could arise in which it would not be economically viable for a mill owner to continue crushing. This would then directly affect the viability of the mill area.

Another amendment that the Government will move relates to the objectives of the negotiating team in reaching an agreement on expansion. As the Bill currently stands, there are no guiding principles in this regard. I will move an amendment to provide that the negotiating team has the objective of maximising the profit of growers and millers in reaching an agreement on expansion.

As honourable members would appreciate, this is a complex piece of legislation—but necessarily so, because it regulates a complex industry. I believe that the Bill with the amendments as outlined will serve the industry well and place it on a better footing for the future. I can only hope that the future brings more cooperation amongst the various industry organisations. I have been disappointed by the way that internal industry politics have got in the way of rational, effective debate on this Bill.

Before I continue, I want to comment on a couple of matters that the honourable member for Burnett raised in relation to proposed section 210 and the cane harvesters. The matters relating to harvesting contractors are not the subject of the Bill. Rather, these are private matters for individual growers to resolve. Proposed section 210 does not establish harvest equity committees or dictate their composition. Rather, this section simply describes these committees in a factual way for the purposes of the Trade Practices Act. At the moment, harvest equity committees only consist of grower and/or miller representatives. Changing this section would not compel growers and millers to include the harvesters. I understand the harvesters' concerns and the concerns of the honourable member, but I do not believe that any amendment to proposed section 210 would in any way reflect what they want.

In conclusion, recently I attended the farewell of Dr David Rutledge, Chief Executive of the Queensland Sugar Corporation. David served as CEO of the Sugar Corporation for 11 years and he made a tremendous contribution to the welfare of the sugar industry in this State. I want to take the opportunity of thanking him publicly in this House for his work.

In my remarks on the evening of his farewell, I indicated that it was timely that we reflect on the qualities that David brought to his position. He has been innovative, commercially oriented, focused on the world market, conscious of the needs of our customers and, of course, committed to the industry as a whole. These are qualities which everyone in the sugar industry should aspire to and emulate. I would urge all industry leaders to look at, and follow, David Rutledge's example.

In commending the Bill to the House, I would just like to raise one more issue. I direct this to honourable members opposite, especially the One Nation members and the honourable member for Tablelands. On the issue of transferability, I have in my possession here a heads of agreement signed by both Mr Harry Bonanno, Chairman of the Canegrowers Association, and Mr Geoff Mitchell from the Australian Sugar Milling Council giving their support to the provisions of this Bill.

Motion agreed to.

Committee

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries) in charge of the Bill.

Clause 1—

Mr COOPER (4.46 p.m.): There are a few points I wish to make here in relation to the Bill and I am using clause 1 to do that, if I may. The Minister mentioned the transferability of assignment. I have heard his remarks on that. I, too, have the greatest respect for Harry Bonanno, Ross Chapman and all those people involved in the cane industry. Also, I have a job to represent people, including people who have written in to me in relation to matters such as that. Briefly, on that particular issue, I will quote from a letter from a Chris Cannavan from Home Hill who makes the

point about transferability of assignment. He believes that it is one of the most important aspects of the industry. He says—

> "We as canegrowers need transferability of assignment. Our only real bargaining tool. Under NCP it surely must be allowed. Queensland Government sought an exemption from NCC and it was granted—how could this possibly be? The mills are saying if farmers transfer cane to another mill for a better deal, then their mill could become unviable and close down. In fact what would happen, is the first mill would make it more attractive for the farmer to stay ...
>
> In the Burdekin (where I farm) and the Herbert River area CSR has a monopoly on milling. Our only option is for a group of farmers to opt out and build their own mill. A move which could be uneconomic, but should be available under NCP.
>
> I have a plan where a co-operative group of farmers could grow, harvest and mill their own cane"—

and so on. I will not read the entire letter except to say that I am prepared to table it. I just want to make the point that there are people out there who have this very strong feeling about transferability of assignment.

Also, I refer to the actual legislation. I think the Minister would be very pleased that we were able to force a delay in this legislation so that there could be more consultation. The consultation that has taken place over the past couple of months has, I believe, been fruitful. None of us are here to act in a necessarily adversarial way—unless, of course, we are doing so in support of the industry. The people involved in the industry are the ones who should be receiving our full attention. So the consultation that has taken place, I believe, has delivered a lot of good. We are pleased and appreciative of the fact that the comments we made in our speeches during the second-reading debate have brought forth a number of amendments. This is what we were seeking in the first place. I believe that that has been worth while.

I know that the Cane Farmers Association has come in for some mention today. I speak in support of the ACFA, because it has a role and a job to do in representing its farmers. There is nothing wrong with that. That is what it is there for. I do believe that it has been sent to Coventry, frozen out and not given the treatment that perhaps it should be given. I put in a word for that organisation because it is representing people out there who are trying to make a living.

Mr Palaszczuk interjected.

Mr COOPER: As I said, the Minister should not freeze it out. The idea is that everyone should be involved. Sometimes people will say things that they feel deeply but which might offend others. That is too bad. It happens.

The Minister might like to address the issue of the bulk sugar terminals. There seems to be a delay. Maybe the port authorities have some problems. We need to know when this will actually take place. We have all agreed to it, but it is just not happening. We would like to know a little more about that. The Minister might like to address the issues that I have raised.

The TEMPORARY CHAIRMAN (Mr Mickel): Order! Before I call the member for Tablelands, I remind members that clause 1 is essentially about the title of the Bill. I do not want to restrict the contribution of the member for Tablelands, but I point that out for his benefit.

Mr NELSON: I would like to comment along the same lines as the member for Crows Nest. I refer to the letter that the Minister alluded to at the end of his speech in reply to the second-reading debate. As I said in my speech at the second-reading stage, the transferability option of the Bill costs Tablelands farmers around $2m per annum because they cannot break their ties with the Mossman mill in favour of the Tablelands mill. That is $2m lost to farmers on the Tablelands. As I said, there can be a difference of up to $17,000 for exactly the same tonnage between the Tablelands mill and the Mossman mill. I would like to hear what the Minister has to say on that subject because we are not talking about a small amount of money. $2m per annum is a lot of money.

Mr ROWELL: It is important that this legislation goes through. There has been some controversy about the Bill. Certainly this legislation will not change the way people in the sugar industry go about their business. They have to carry on the job of growing cane. It is quite important that we have legislation that will suit their particular needs.

As I say, this legislation has been controversial. A number of organisations have been involved in changes that are needed to this legislation. The sugar industry grows a crop that earns export income for this State. This industry has to deal with very strong quality assurance controls to gain a premium

in world markets. Currently those markets are very suppressed and we do not want legislation that will restrict the organisations and growers that have to participate in the manufacture of sugar for those markets.

Some matters relating to mill quality sugar have been raised. Time will be of the essence if there is a request from the Sugar Corporation to come up with a particular brand of sugar. That will delay crushing to a certain degree. Of course, that will lengthen the time made available for the removal of the crop. The organisations representative of both the milling and growing sides of the industry are very dedicated to the removal of the crop and the marketing of the crop to the point where they are producing an acceptable level of sugar.

Statutory organisations such as Canegrowers are made up of staff that go right throughout the State, in every sugarmilling district. They are very hardworking people, as I have indicated. That organisation's status is under a cloud at this time. I do not know what the Government intends in this matter. ACFA, a voluntary organisation, seems to have been ostracised from the finalisation of the amendments to this legislation. I do not know if that is a sign of the times. If Canegrowers becomes a voluntary organisation, will it receive the same treatment?

It does concern me that, really, the Government has not taken notice of a voluntary organisation that does represent a large number of growers. It is important for the future of the industry that we have organisations that can, in present circumstances, attract voluntary subscription. If Canegrowers becomes a voluntary organisation, I hope it does not receive the same treatment received recently by ACFA in relation to the final amendments proposed for this Bill.

Mr PALASZCZUK: I will comment on a couple of the issues that have been raised. Although these issues are not dealt with in clause 1, I seek the indulgence of the Chair to respond.

The honourable member for Crows Nest raised the very important issue of the bulk sugar terminals. Basically, Cabinet has noted the preferred industry option developed by the Bulk Sugar Terminals Management Group for the allocation of shares in Sugar Terminals Ltd. As a result, Cabinet has agreed to the preparation of specific legislation which will provide for the vesting of bulk sugar terminal assets in the Queensland Sugar Corporation and the subsequent transfer of those assets to the STL in consideration for shares in the company. The proposed legislation will also provide for the gifting of those shares by the corporation to grower and miller shareholders, according to the mechanism developed by the Bulk Sugar Terminals Management Group. I propose to introduce the necessary legislation into the Parliament following further consultation with industry, because at the end of the day this is a very big move by Government and by industry and we have to get it right.

Mr Cooper: Can you give us an indication of when? Will it be this year?

Mr PALASZCZUK: I cannot give the member an indication as to whether it will be this year, but I am continuing negotiations with industry to ensure a speedy resolution to the problem.

The honourable member for Tablelands raised the issue of transferability. I understand where he is coming from. I have had representation from numerous growers on the Tablelands. The honourable member has reflected their points of view. However, at the end of the day we have, with consultation, brought about a consensus result to the Bill. Part of that consensus is that there is a head of agreement signed between the millers and canegrowers to ensure that transferability will not be allowed for a period of five years.

The honourable member for Hinchinbrook raised the issue of Canegrowers. I respect the organisation. It does a good job for the growers. My relationship with it over the past nine months of the compilation of this Bill has been a little strained, as has my relationship with the Australian Cane Farmers Association. At the end of the day, that is all healthy debate between Government and growers. If we achieve the desired result for the sugar industry, which I believe this Bill will, it is all worth it.

Mr MALONE: Firstly, I place on record the fact that the sugar industry is a unique industry in Queensland. It relies greatly on cooperation between millers and growers, and it is pleasing to see in the gallery today John Desmarchelier and Max Craigie from the sugar millers association.

There has been a long-term understanding between millers and growers. Unfortunately, when it comes to the stage of introducing new legislation into this Parliament, emotions run high and sometimes misunderstandings occur. However, I believe that because the Bill has been delayed by the efforts of some organisations, and because the Australian canefarmers raised issues

earlier on, this actually brought to the fore some of the problems that were evident in the Bill. I compliment the Minister, because he has discussed these matters with the industry and has brought forward quite a number of amendments that certainly will make the Bill more workable.

It is also interesting to note that there have been contracts between millers and growers over a long period. I have in my hand a contract between a mill owner and a grower dated December 1910. I will read out a couple of the clauses in this document and then table it. Clause 3 reads—

> "To do all things necessary during the whole term aforesaid to protect the said cane from fire and injury of all kinds, and to ensure the Company receiving the same sound, clean, and in a fit condition for manufacturing into sugar."

It is interesting to note also that that mill was the Homebush mill, which was just outside Mackay—one of the mills that closed many years ago—and that the price paid per ton of cane was 14 shillings and nine pence for 14 c.c.s. sugar—14% sugar. So contracts between millers and growers have a long history.

This Bill has come into this Parliament with quite a number of amendments that have been put in place perhaps in the last six weeks or two months since the Minister tried to push this Bill through the Parliament. I think that all due regard should be given to the organisations and the people who made representations to those organisations to ensure that the Bill reflects their true feelings.

Clause 1, as read, agreed to.

Clauses 2 to 5, as read, agreed to.

Clause 6—

Mr KNUTH (5.02 p.m.): I move the following amendment—

> "At page 16, line 17, after 'area'—
>
> insert—
>
> 'relating to the owner's mill'."

As the member of a mainly sugar growing area, it would be remiss of me not to scrutinise this Bill to the very last word. As a result of this scrutiny, I came into this Chamber with the first of many amendments necessary to help this Bill achieve a more balanced outlook.

An important aspect of this Bill is the redirection of sugarcane. I take members to clause 6, section 10, on page 16. After the word "area" in the fourth line, the full stop must be deleted and the sentence continued with the following words: "relating to the owner's mill." Without this change, the subclause permits milling companies who own and operate more than one mill in the same district—for example, CSR Limited, with four mills in the Burdekin; and Bundaberg Sugar Limited, with two mills at Innisfail/Babinda and three mills at Bundaberg—to deliver and crush cane from lands with a cane production area attached to one of their mills to any other of their mills in the district. This delivery can take place without any consideration for the financial wellbeing of the growers in those other mill areas. There is a need to close off this loophole, which would permit a mill owner to redirect this plantation cane to any mill without any consideration for the rights of the growers whose land attaches to any of the mill owners in other mills. This amendment helps achieve this.

Mr PALASZCZUK: I suggest to the honourable member that his amendment is not necessary, because the Government is moving amendments Nos 1 and 2 to satisfy the honourable member's concerns.

Amendment negatived.

Mr PALASZCZUK: I move the following amendment—

> "At page 16, lines 16 to 19—
>
> omit, insert—
>
> '(10) Part 2, division 4, provides for the supply to the mill by the mill owner of cane grown on land included in the owner's cane production area.'."

The Government moves an amendment that subclause 10 be deleted and replaced with a new subclause 10. The original subclause 10 made it clear that a mill owner was able to hold a cane production area and supply the owner's mill without a supply agreement. Extensive consultation with industry bodies has subsequently occurred and a range of amendments agreed to in the new Division 4 of Part 2, clauses 54A to 54D. As a consequence of those amendments, which I will come to, the existing subclause 10 is to be deleted and replaced with a new subclause 10. The new subclause 10 details that the new Division 4 in Part 2 provides for the supply to the mill of the mill owner's cane grown on land included in the mill owner's cane production area.

Mr COOPER: I think we need some clarification here, because everyone is coming forward with amendments from different directions. I seek clarification from the Minister. The Opposition has foreshadowed an amendment that reads—

> "However, the mill owner mentioned in subsection (10) may only supply the cane mentioned in the subsection to the mill if the supply does not detrimentally impact on growers who have entered the collective agreement made for the mill."

We believe that that is clearer than the Minister's proposed subsection 10, and we would prefer to proceed with our amendment in the hope that the Minister might see his way clear to agreeing to that. The Minister might also explain Division 4, clause 54. Does the Minister propose that to be part and parcel of this amendment?

Mr Palaszczuk: Yes.

Mr COOPER: He is moving this amendment in relation to subsection 10 now, and clause 54 comes in later?

Mr Palaszczuk: That will come in later.

Mr COOPER: I would like to place our argument on the record. I think we are heading in the same direction, and I think we know what we want. This is the sort of thing that has been agreed to through negotiations over the past couple of months. However, I want to place on the record that clause 6 does deal with the fundamental relationship of grower and miller. It ensures that once a grower holds an entitlement, called a cane production area, the grower can enter into an agreement with the local mill to supply cane for processing. However, there is an exception which enables a mill owner holding a cane production area to process cane grown on this land.

The coalition does not oppose the principle that a mill owner can, in appropriate circumstances, hold a cane production area and supply and mill its own cane. We do not have a problem with that. Nevertheless, giving mill owners such a right, especially in the context of legislation which is creating a far less regulated market, opens up a situation of potential conflict of interest. Mill owners are in a position of significant market power, and this Bill has been drafted on the basic presumption that growers should be treated fairly and equitably. Yet once we enable a mill to grow cane and allow it to process it, potential problems could arise.

In these circumstances, the Opposition believes that some statutory protection is required for growers who have entered into a collective agreement with a mill in good faith. These growers are required to negotiate with their local mill, and they deserve the utmost good faith from the mill in processing their cane when they have abided by the terms of the collective agreement entered into. That is why we have circulated that amendment, and we believe that will ensure that although a mill owner can grow cane and process it, such supply must not detrimentally impact on growers who have entered into a collective agreement.

This amendment has been sought by growers' representatives, and the Opposition believes that it will simply provide in legislative form a basic concept of fairness which should be a hallmark of dealings between mill owners and growers. That is why I have to speak to this amendment now, because it is really an insurance policy as far as the industry and the growers are concerned. They hope that it may never be needed, but really it is a potential safeguard against which no fair-minded person could seriously argue. I would be interested in hearing, though, from the Minister as to whether the Minister will accept our amendment as that safeguard.

Mr PALASZCZUK: The honourable member has put me in a strange predicament simply because the amendments that the Government is proposing have been negotiated with Canegrowers and also with the milling council. They maintain that the proposal that the Government is putting forward is the best solution to the problem that we have at hand.

I was going to comment on the new Part 2, Division 4, regarding mill owners' cane. This is part of an amendment that I have foreshadowed to clause 54. I will read clause 54A of that amendment to the honourable member to explain to him the position from which the Government is coming. Clause 54A will provide—

> "The object of this division is to place the owner of a mill supplying cane to the mill in as similar a position, to any grower supplying cane to the mill ..."

Clause 54B will provide that under clause 6(1) the owner may hold a cane production area and that nothing in the Act prevents the owner from supplying to the mill cane grown on the owner's cane production area.

I could continue with the other clauses of the foreshadowed Part 2, Division 4, but I think I will leave those until later on. Although I understand that the honourable member is trying to overcome a difficult problem, let me assure the honourable member that this solution is far more comprehensive. Our solution also makes provision for appeal rights. As I said previously, this has been put together by the canegrowers and the milling council. I suggest to honourable members opposite that

they support the Government's amendment because it is far more comprehensive.

Mr ROWELL: The difficulty the coalition has is that the amendment foreshadowed by the Minister comes in much later in clause 54A, B, C and D. It is difficult for us to debate the Minister's amendment because it will be moved much later and so at this time we do not have an opportunity to clarify the situation. I have some concerns with one particular part of clause 54. If we let our amendment go, it means that we have denied ourselves the opportunity of putting forward our concerns.

I had a very close look at what the Minister has put together and it looks quite good on the surface, but there is one aspect that concerns me. I am not sure whether I can ask the Minister about proposed clause 54C at the moment. I think our minds would be put at ease if we could get some clarification on this. What is intended by this change with regard to mill-owned cane? I do not know if it is appropriate for us to discuss proposed clause 54C(7) now. It is part and parcel of what we have proposed with our amendment to clause 6.

Mr PALASZCZUK: I will attempt to clarify the situation. The Government is replacing the current subclause 10 with a new subclause 10 which states that Part 2, Division 4, provides for the supply to the mill by the mill owner of cane grown on land included in the owner's cane production area.

Mr COOPER: I thank the Minister. I think we will get there, but I guess we all want to make ourselves clear as to the intent. I think this is probably the most crucial part of the Bill, so perhaps we could stay with it for a while. At this stage the coalition has not moved its amendment, but the Minister is fully aware of what it contains. Our proposed amendment is designed to deal with the same type of industry concern which has led to the Government's amendment. We want to make sure that a mill owner cannot be placed in a position where it can supply cane to its own mill in a manner which will detrimentally impact on local growers who have entered into a collective agreement with the mill in good faith.

This amendment is linked to other amendments which the Minister will be moving. The preliminary question that must be asked is whether the cumulative impact of these amendments will ensure that growers will not be detrimentally impacted upon by this practice. The Opposition amendment says it up front. I think the Government's amendment is a little less clear. We think it would be better to put this question beyond doubt.

I seek some clarification from the Minister as to the effect of these amendments. Will they give the same degree of protection as the amendment that the Opposition has circulated? I would ask the Minister to clarify that.

I would like to make this point, which I believe goes right to the heart of this particular issue. At the moment, a mill owner is not defined as a grower under the Bill. The protections afforded by clause 48(2) do not apply. The ability of growers to object to a mill owner crushing its own cane in a manner which will have a significant, adverse effect on local growers is not an option which can be activated. Currently, a mill owner is in the position of being able to process all of its cane in one time period—whether it be a month or longer—in a way which will give the mill an unfair advantage over the very growers with whom it has entered into a collective agreement.

The situation is manifestly unfair and gives the mill a clear price and market advantage. It appears that the Government now recognises that this is a major potential problem. What is not so clear is whether the statutory remedy being put forward by the Government will clearly and effectively ensure that this market advantage cannot be utilised in the future in an unfair manner. Can we have those absolute assurances from the Minister? Can he assure us that this amendment, and the later amendment to clause 54, will give the same degree of protection to growers as the Opposition's amendment?

Mr PALASZCZUK: I can unequivocally give the Committee the assurance that the issues raised by the honourable member will be addressed by the Government's amendment.

Mr MALONE: The member for Crows Nest's amendment to clause 6 clearly indicates that there could be a detrimental effect to growers. The two parties involved in this matter are the millers and the growers. In recent times, there has been a move for mills to start seasons early and run seasons late. I believe that this Bill is trying to achieve some flexibility. There is a possibility that mill owners could supply their cane before the traditional start of a crushing season, or perhaps after the end of a crushing season.

I believe that the coalition's amendment clearly indicates that, no matter when the mill owner's cane is supplied, it should not have a detrimental effect on the growers. Can the Minister understand what I am saying? With the flexibility that we have in the industry at the

moment, the mill owner has the onus on whether to supply its cane early or late. There is a feeling amongst mill owners who grow cane that they would be willing to supply cane in the non-traditional periods of the season.

We have to understand that there are two sides to this argument. I understand that the Government's amendment is looking after the growers. However, we also need the flexibility that will enable us to look after the mill owners as well. I suspect that the coalition's amendment will not be detrimental to whatever amendments the Minister has further down the track.

I have some concerns about clause 54C(7). I think it is rather convoluted and needs to be clarified.

Mr PALASZCZUK: I want to make a couple of comments. Basically, the honourable members opposite have said that they want an assurance from the Government that the amendments that the Government is introducing will protect canegrowers and also make sure that the millers are looked after. I reiterate one more time that I do not believe that the Opposition amendment goes far enough. As a Government, we are giving people the right of appeal. We are also putting in a time frame for negotiation. Those two issues are very important: the appeal process and the time frame for negotiation.

I believe that our amendment goes a lot further than the amendment put forward by the Opposition. I say one more time that this amendment that the Government has moved has been put together after detailed consultation with the milling council and the canegrowers association.

Amendment (Mr Palaszczuk) agreed to.

Mr COOPER: We have accepted the Minister's assurances absolutely. I think that we have been through it pretty clearly. It is all on the record, so I will not be moving amendment No. 1 circulated in my name.

Mr KNUTH: I am quite happy with the Minister's response. I withdraw the amendment that I moved to this clause.

Clause 6, as amended, agreed to.

Clause 7, as read, agreed to.

Clause 8—

Mr KNUTH (5.22 p.m.): I move amendment No. 3 circulated in my name—

> "At page 18, line 13, after 'area'—
>
> insert—
>
> 'requiring a grower to use practices relating to land use, land management and environmental protection'."

It would come as no surprise to all members present that the Sugar Industry Bill 1999 was intended to reflect the findings of the Sugar Industry Review Working Party. Alarmingly, we find that the Bill has deviated somewhat dramatically from the working party's recommendations. Clause 8(6) is an example of such a deviation.

Firstly, the negotiating team for the mill area is responsible for the provisions contained in the collective cane production and processing agreement, which includes season length, cane payments and conditions relating to the harvesting and delivery of the cane to the mill owner. The way clause 8(6) reads currently indicates that there is an ability for the cane production board to override parts of the collective agreement by imposing a deduction from the price of cane to pay for mill infrastructure or directing how any grower changing his or her cane production area will harvest his or her cane. This can be done regardless of the fact that the grower is a participant in the collective agreement and the negotiating team has concluded that there should be the expansion to which the application relates. Therefore, such powers beyond those described in the amendment I am about to move are unreasonable and unnecessary.

If the expansion area is for a grower who has a separate cane supply agreement with the mill owner, then the matter of financial contributions for mill infrastructure, times of harvesting and so on are issues to be resolved by the grower and the mill owner, not the cane production board. The Sugar Industry Review Working Party did not recommend that these issues be given to the cane production boards to impose. I repeat: these provisions were not recommended by the Sugar Industry Review Working Party. These issues are part of the duties of the negotiating teams and are subject to the arbitration process.

To make this clause true to the findings of the Sugar Industry Review Working Party, at page 18 in the second line of clause 8(6) the full stop must be removed after the words "cane production area". This sentence should be continued by adding the words—

> "Requiring the grower to use practices relating to land use, land management and environmental protection."

With this change in place, it is now necessary to delete the whole section headed "Examples of conditions", the sentences numbered 1, 2, 3 and 4.

Mr PALASZCZUK: I believe that the honourable member's amendment is unduly restrictive on the local boards in making their decisions. I am a bit concerned about the honourable member's amendment which deletes examples. That just makes the Bill harder to understand. I cannot understand why the honourable member would be doing that. However, I want to say that he has obviously been speaking to the Australian Cane Farmers Association, because it has suggested that cane production boards should not have the power to impose conditions on growers relevant to supply agreements.

Of particular concern was whether cane production boards should be able to impose conditions requiring a grower to enter into an individual agreement. Clause 8 is relevant in answering the ACFA's concerns. Clause 8(6) of the Bill provides that a cane production board, in granting or varying cane production area, may impose conditions on that cane production area. That is a general power and examples of conditions are provided in the following subclause. The honourable member wants to delete those examples.

Example No. 3 under clause 8(6) imposes a condition requiring the grower to enter into an individual agreement with a mill owner for particular reasons. That example is used because a collective agreement effectively provides for the core season length. If there is to be future expansion outside the current season, then a cane production board may put a condition on cane production area with regard to the need for an individual agreement. Also, a cane production board may need to impose a condition with regard to participating in a supply agreement when a new owner takes possession of land on which there has been cane production area. Therefore, I strongly suggest that the honourable member for Burdekin reconsider his position based on the information that I have supplied to him.

Mr COOPER: I can see what the member for Burdekin is driving at. This matter has also been raised with the Opposition from growers in that area in particular, of which I know the Minister would be aware. It is not for me to give advice to the member for Burdekin; he will make up his own mind. I am simply saying that all of us have had these representations. We treat them with the greatest respect. I think that the member has made his point. I do not think that there is a need to call for a division on something like this. I think that the main thing is that the member gets his point on the record, and I think he has made it very well.

Mr KNUTH: I will not call for a division over this and I will not be moving my amendment No. 4 to this clause.

Amendment negatived.

Clause 8, as read, agreed to.

Clause 9, as read, agreed to.

Clause 10—

Mr COOPER (5.29 p.m.): If patience prevails, we will make our way through this. There are bits of paper everywhere. We are all doing our best and we mean well.

As the Minister would know, clause 10 deals with applications by growers for a cane production area or for an increase in the number of hectares included in an existing area. The Opposition does not have any concerns with the wording of the clause insofar as it goes, but we would like the Minister to address the way that subclause 5 is drafted. Once a grower makes an application, the cane production board can only grant it provided that certain conditions have been complied with. The matters specified in subclauses 3 and 4 are generally satisfactory. However, subclause 5 goes on to provide—

> "Also, the cane production board may grant the application only after considering anything it is required to consider under a regulation."

A regulation could specify any manner of considerations, some of which could be fair and reasonable while others could be over the top and irrelevant.

While we are aware that the Opposition could always move a motion of disallowance in such a case, we are interested in ensuring that the cane industry gets practical and sensible guidelines. I ask the Minister what sort of extra considerations are contemplated in subclause 5.

Mr PALASZCZUK: The honourable member has raised an important point. Regulations are going to be drawn up in consultation with industry as soon as possible. The operative words there are that they will be drawn up "in consultation with industry".

Clause 10, as read, agreed to.

Clauses 11 to 13, as read, agreed to.

Clause 14—

Mr COOPER (5.32 p.m.): Clause 14 is about the variation of conditions of cane production areas. Clause 14 enables growers to apply for a variation in the conditions on which they hold a cane production area. The Opposition is concerned that this clause

requires that the decision of the cane production board be unanimous.

I draw the Minister's attention to clause 151, which deals with meetings of cane production boards, and in particular to clause 151(8) which states—

> "All questions at a board meeting are to be decided by a majority of votes of the members present."

As the Minister knows, each cane production board is comprised of five members: two nominated by mills, two nominated by growers and the chairman nominated and appointed by the Minister.

Mr Palaszczuk: On the recommendation of—

Mr COOPER: I am just giving the make-up of the boards. A quorum for a board meeting consists of at least one grower representative and one mill representative. It seems illogical that a cane production board can decide by a majority vote to grant a cane production area, increase the number of hectares allocated to given areas or agree to the transfer of areas to other growers but be required to have a unanimous vote simply to vary the conditions applying to an area. The Minister needs to explain that difference. I would be interested in hearing why this strange situation is mandated by clause 14. It seems to be inconsistent with the other clauses and could operate harshly and unfairly in certain circumstances.

I cannot see why a board which one week can decide by a majority vote to grant a cane production area soon afterwards may be required to vote unanimously on changing any of the conditions of the grant. Elements of the industry are concerned about this matter. It has probably been raised with the Minister and I would appreciate his explanation.

Mr NELSON: I refer to the matter that I raised concerning the Mossman mill. Does the Minister understand the fact that there is no representative from the Tablelands on the Mossman mill? As far as I am concerned, that would give an unfair advantage to growers in the Mossman area over the people in the Tablelands. As I said before, the Tablelands farmers supply one-third of the raw product to the mill, which works out to be around 45% of Mossman's sugar. As the Minister can see, we are a large supplier to the area but we do not have any influence on the board, and there would be an unfair advantage to the Mossman growers. I do not know whether the Minister could throw some influence our way in that respect, but I would greatly appreciate it if he could clarify that issue, which relates to clause 14.

Mr PALASZCZUK: Firstly, I will respond to the honourable member for Crows Nest, who raised a concern that a cane production area can be granted or the number of hectares increased by a majority of the cane production board but in the case of a variation of the conditions a unanimous vote is required. Clause 14(2) provides that a cane production board must grant an application for a variation of conditions on which a grower holds a cane production area if the decision to vary is unanimous. Each cane production board has five members, as the honourable member said: two grower representatives, two mill owner representatives and an independent chairperson.

The requirement to have all five members agree to vary the condition on which the grower holds a cane production area does two things. Firstly, it ensures that grower requests to vary are well thought out, reasonable and not frivolous. Secondly, it protects a grower where the application for a change in conditions is beyond his control, such as a grower close to town being required to change farm management practices due to public concerns. This requirement for a unanimous agreement would not be difficult to obtain because it would be forthcoming whenever the mill area as a whole stands to benefit, that is, both the mill owners and the growers.

The honourable member for Tablelands raised similar issues. He mentioned the fact that the Tablelands area is not represented on the Mossman board. There is nothing that the Government can do about that. That is basically left to the deliberations of the people who are involved in those areas.

Clause 14, as read, agreed to.

Clauses 15 to 16, as read, agreed to.

Clause 17—

Mr KNUTH (5.37 p.m.): I move the following amendment—

> "At page 24, line 31, after 'grower'—
>
> insert—
>
> ', or any right the grower may have to take proceedings against the mill owner,'."

In terms of a group's failure to honour a cane supply agreement, this Bill paves a one-way street in terms of penalising agreement breakers. Unfortunately, the grassroots growers come out the worst. As this Bill stands, under clause 17 the sugar mills can prosecute growers for failing to supply sugarcane. On the flip side, however, growers cannot prosecute

the mills for failing to crush their cane. That is a blatant double standard. This Bill is essentially asking growers to make a guarantee with no guarantee provided in return.

The current world sugar price is a perfect example. At its lowest level in more than 13 years, the world sugar price is below the cost of production, but under this Bill growers will be forced to grow and harvest that cane at a loss. If they do not—obviously at times when money is tight and some farmers are fighting to stay on the land—this Bill will allow mills to prosecute the battlers. Prosecution will expose growers to expensive legal bills if they decide to challenge the action in the courts.

At present, clause 17(2) states—

> "However, a cancellation or variation of a cane production area under this division, other than as expressly provided by this Act, has no effect on—
>
> ...
>
> (b) any right the mill owner may have to take proceedings against the grower to recover an amount under, or for a breach of, a supply agreement applying to the cane production area."

Let me make this clear: in this Bill the grower is not afforded the right to prosecute the mill owner for failing to accept cane. The blatant bias of this clause in favour of the millers was not—I repeat: was not—a recommendation of the Sugar Industry Review Working Party report to which the Bill was to be tailored. Somewhere in between the completion of the working party's report and the drafting of this Bill powerful milling interests have swayed this Bill's architects to their way of thinking. If this Bill was going to be fair, growers must be allowed a reciprocal right to prosecute a mill owner if the mill owner decides to close a mill permanently or stop crushing before all cane is crushed. It is for this reason that I move that clause 17(2)(b) be amended to read—

> "However, a cancellation or variation of a cane production area under the division other than expressly provided by this Act has no effect on—
>
> ...
>
> (b) any right the mill owner may have to take proceedings against the grower or any right the grower may have to take proceedings against the mill owner to recover an amount under or for a breach of a supply agreement applying to the cane production area."

Mr COOPER: We have a question about this clause. I wish to give the background to the question, because the Minister may be able to give this explanation at the same time as he gives one to the member for Burdekin. Under this clause, whenever a cane production area is varied or cancelled other than in a manner expressly provided for under the Bill, a mill owner is empowered to take proceedings against the grower to recover an amount under or for breach of a supply agreement. A similar philosophy is scattered throughout the Bill.

I refer the Minister to clause 31(8) as a further example of this. Under the general law of contract and as a matter of fairness, I think any reasonable person would agree that a grower who has entered into legal arrangements with a mill owner should be held accountable for those undertakings. The Opposition has no argument with that and fully supports the insertion of provisions in the Bill to give effect to it. However, the coalition is very concerned about the absence of any consistency of treatment between the parties. This provision is just part of a wider problem within the Bill, namely, it is treating growers in a substantially different and less generous way than mill owners. When we compare this provision with the rights of growers in the event of a mill closure, it is apparent that key parts of this legislation are focused on the rights of just one segment of the industry. The Opposition will be debating the total lack of protections for growers in Part 5 of Chapter 2 later in the Committee stage, but at this stage it is important to compare the total absence of any protections for growers in this Bill with what is contained in the Sugar Milling Rationalisation Act 1991.

I draw the attention of the Minister to section 16 of that Act, together with other provisions in Part 3. He will see a comprehensive code of rights and obligations that apply to growers—the closed mill and the new mill. Some might say that this Act is too prescriptive and that some of its provisions are not appropriate or relevant to an industry which is being reformed and restructured as is this one. To an extent there is some truth in these arguments. However, no amount of rationalising can explain or excuse the fact that there is a total absence in this Bill of the statutory protections for growers that currently exist in the Sugar Milling Rationalisation Act. I have spoken to growers who are concerned that this Bill preserves the contractual rights of mill owners but that the same protection is not extended to growers. They want to know why their legitimate rights and expectations have

been apparently either ignored, forgotten or rejected. I am asking: if it was considered appropriate to provide specifically in this clause the rights of a mill owner to take proceedings against growers for breach of supply agreement, why has this Bill been drafted without provision being made for the converse situation, that is, when growers have legal and enforceable rights against mill owners? At this stage, all we are seeking is an explanation of the idea motivating the drafting of the Bill, which seems to be very comprehensive in outlining the legal rights and obligations of mill owners and canegrowers from a mill perspective but which is very skimpy and at times totally bare of the converse rights of growers. I ask the Minister to turn his attention to that.

Mr PALASZCZUK: The amendment of the honourable member for Burdekin is basically covered by the Government's amendment. I believe all of his concerns will be addressed in the Government's amendment. I think both the honourable member for Crows Nest and the honourable member for Burdekin have come from the same position. I will endeavour to explain the reasons the Government is introducing the amendment to clause 17. The canegrowers and the Australian Cane Farmers Association have suggested that clause 17(2) indicated that on cancellation or variation of cane production area it was clear that a grower's obligations under the supply agreement remained unaffected. But that was not the case for mill owners. This was simply not the case.

The intention of the subclause was to make clear that if, for example, a grower sought to have cane production area cancelled, it would be because the grower was voluntarily withdrawing from the relevant supply agreement. Consequently, the grower would be responsible for redressing the breach of that agreement caused by his early departure. In such circumstances, it is clear that the mill owner would not have breached the supply agreement and consequently no action would lie against a mill for breach of the agreement. In the event that a mill owner were in breach of the mill's obligation under a supply agreement, a grower would be able to take action against the mill owner. However, in order to make the position clear, the Government moves an amendment to make clear that on variation or cancellation of cane production area the obligations under the supply agreement of anyone bound by it are not affected.

Mr KNUTH: I am not convinced that the Government's amendments will help any of the farmers in my area so I will not support it. I am not satisfied with the Minister's response to my amendment.

Mr ROWELL: There is considerable concern amongst the canegrowing community, but I think the whole essence of the industry is about the investment that is made from either side, be it the miller or the grower. Inevitably, when a grower has to address a situation he does not have the ability under this clause to refute any of the concerns that may be brought before a miller who is wanting to penalise him in some way in terms of the obligations of his contractual arrangements. The Opposition view is that in this industry the miller is dependent on the grower and the grower is dependent on the miller. We do not want an imbalance whereby the obligation is too prescriptive on either party. The Opposition's concern in this regard was highlighted by the member for Crows Nest. I want the Minister to take into consideration the issues raised by the honourable member for Crows Nest. I am not sure that the Minister's amendment covers it adequately. The member for Burdekin has raised a very important issue in respect of the growing side of the industry. Because of this interdependence, we in the Opposition do not wish to see bias in respect of either side. We felt it was important to raise this issue in relation to this amendment.

Mr MALONE: As I said earlier, the millers and growers are interdependent. There are times when growers feel the need to move out of sugar and grow other crops, as is happening in north Queensland at this time. If that were to take place under this Bill, the farmers who move away from cane production could be penalised by the mill and could be sued for the continuation of their agreement.

The fact of the matter is that if they do move away from their cane production area they forfeit that cane production area unless the land lot can be put out to other farmers for production. There is a fair bit of ambiguity in all of this. If a farmer does move away from their production area, that production area is then reallocated. By the same token, that farmer could be sued for the continuation of that agreement.

I am not sure that the Minister's amendment actually covers that. I know that in most cases the mill owners would be understanding, and that has always been the case. But if it is in legislation, I think it really needs to be clearly identified that, if the mill owner has clearly been disfranchised or for some reason cannot fulfil or actually pass that

cane production area onto another person, maybe there is a case there. I think we need to be really clear on what we are talking about here and make sure that all issues are covered.

Mr PALASZCZUK: It is the Government's understanding that, in regard to this clause and the Government's amendment, both the millers and the growers are treated in a similar vein. We all understand that people who enter into contractual arrangements do have recourse to the courts of law to take their concerns if they want to take them that far. However, I would suggest that the honourable members for Mirani, Hinchinbrook and Burdekin have a look at clause 43, Collective agreement—effect, which basically states—and I think this clause will satisfy all honourable members' concerns—

"(1) A collective agreement made for a mill is binding and enforceable in any court of competent jurisdiction as a contract on—

(a) the mill owner; and

(b) each grower who enters, or who is taken to have entered into, the agreement; and

(c) each person having title to, or interest in, the mill or the land from which cane is to be supplied to the mill, or the cane.

(2) Under subsection (1)(b), unless excused under section 46 or a relevant supply agreement, any grower who grows cane on land included in the grower's cane production area has a contractual obligation to supply the cane to the mill to which the grower's cane production relates."

Mr ROWELL: In response to what the Minister has raised, I have seen situations, particularly when up in that Wet Tropics area around Innisfail, Tully and going into Babinda, where growers are finding it very difficult because of low sugar content, very poor seasons and, of course, low price. For their own viability and just to sustain their families, they have little or no option but to look at growing alternative crops.

We can understand if it is a tree crop—a crop that is going to entirely take away from the production area for an absolute period of time—but when we are looking at, say, seasonal crops, which may be watermelons or even bananas, where you may have a production area out for a short time, I can assure honourable members that it is not the wish of those growers to have to go into a diversification situation. They are doing it because they have to sustain themselves. They are doing it because of low production. They are doing it because of world markets not being at a level that they can keep up the effort as far as cane farming is concerned. Of course, what they have to do is to find some alternative crops.

The Minister is well aware of the situation in Innisfail. First of all, I started it off with a $300,000 contribution to address the situation as far as low sugar content was concerned. Then because, I suppose, of the Mulgrave by-election I think his Government put up something very close to $1m. It was fortunate, I suppose, that that Mulgrave by-election came about—and I can see the member for Mulgrave waving his hand up there saying, "Yes, that was a fact." But I knew at very short notice that, because of budgetary constraints in that particular year, I could not get more out of the system than the $300,000. However, I can assure honourable members that we would have looked at a higher figure as time progressed to ensure that growers in that area could have addressed sugar levels and the problems they were facing because of low c.c.s., whether it was a breeding program to breed a variety of cane that stood up better, or that probably did not sucker. That was absolutely necessary for the viability of those growers who have had that issue addressed. The problem we have is that it will probably take four to five years to develop a variety, if we can get to that point, and it will probably take another two to three years before it will have any significant impact on the cane growing areas and, of course, it will not be a very high ratio of cane that has been planted in those areas if and when we do get those varieties developed.

In the interim they have to find some way of dealing with the situation so they can maintain the viability of the farms. Very often they have to make the hard decisions to take a certain amount of their production area out of sugarcane, which they probably do not want to do because, let us face it, growing the small crops is not all that damn easy. They are competing in a very volatile market once again, but they are doing it because they have to find some alternative to growing sugar, particularly in light of the problems they face.

I think it is detrimental to have a clause in an agreement where, with the best intentions, they go into a collective agreement, but at the end of day they have no option because of their viability and because they want to maintain their presence on the farm in some

way or other. Very often I see old people of 60 and 70 years having to turn to this option because they have nowhere to go. I think it is quite serious if we are going to chastise them, penalise them or whatever may be needed. I do not think the mills would be that tough. I have to say that. Whenever we put something in legislation, it is going to be there forever after. I suppose if a situation does develop where someone thinks it is unfair, the opportunity will be there to penalise them in some way, shape or form.

I would really like the Minister to take those considerations on board. I think he is well aware of the problems associated with that Wet Tropics area and the difficulties growers there face. If the system is so stringent that penalties are going to be implemented—

Time expired.

Mr COOPER: Having heard back from the Minister, I know he is aware of the issue. However, we on this side want it clearer in the legislation. We believe the wording of the amendment put forward by the member for Burdekin is acceptable. We will be supporting the amendment moved by the member for Burdekin because we believe that that clearly balances the rights of the mill owner and the rights of the grower. We want to see that in print, so we will be supporting the amendment.

Mr PALASZCZUK: I have the evening to consider the honourable member's request and I hope to convince him the other way when the debate resumes tomorrow.

Progress reported.

CENSURE OF MINISTER FOR MINES AND ENERGY

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (5.59 p.m.): I move—

> "That this House censures the Minister for Mines and Energy over his handling of the massive unauthorised pay rise and associated benefits for ENERGEX Chief Executive Officer Mr Brian Blinco, including free power and big bonuses, and for his mismanagement of the Queensland electricity supply industry in general—particularly—
>
> - His lack of transparency in relation to crucial decisions on major power generation projects;
> - His lack of transparency on the future of tariff equalisation based community service obligation payments;
> - His lack of transparency in relation to the future of billions of dollars in taxpayer funded generation assets; and
> - Rampant Labor Party cronyism in regard to appointments to power industry boards."

If I were giving notice of this motion again, I would be tempted to seek to censure not the Minister for Mines and Energy but the Premier because earlier today we witnessed one of the most dishonest political tricks ever perpetrated on this Parliament by a serving Premier.

This morning the Premier tabled GOC CEO salary packages and movements. This afternoon it was confirmed by the Premier's office that, although the CEO of the QIC was listed in this document as having an income of $385,000, the actual amount approved under this Government is $577,000. On the document tabled by the Premier in Parliament this morning, in this instance is he $50,000 out? Is he $60,000 out? He is $100,000 out? Is he $120,000 out? We could keep going. Pick a box! The difference between $385,000 and $577,000 is the difference between truth and honesty and deceit.

The Premier has had the entire afternoon to come into this Chamber and correct the notion that he set out to deliberately mislead the Parliament. That is just one of the deceptions in the document tabled by the Premier this morning.

Mr BEATTIE: Mr Speaker, I rise to a point of order. Why should we discriminate against a former coalition director-general?

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

Mr BORBIDGE: Let the facts speak for themselves. This Government approved a $577,000 package for the CEO of the QIC, and this morning the Premier tabled information in this Parliament that said the package totalled $385,000. The document tabled by the Premier is headed "GOC CEO Salary Packages and Movements". What we had was a very deliberate and concerted attempt by the member for Brisbane Central to lie to the Parliament, to mislead the Parliament.

Mr BEATTIE: Mr Speaker, I rise to a point of order. There is only one liar in this Parliament and that is the Leader of the Opposition. I find that offensive and I ask for it to be withdrawn.

Mr SPEAKER: Order! The Premier has asked for that comment to be withdrawn.

Mr BORBIDGE: I find what the Premier said offensive and I ask him to withdraw.

Mr SPEAKER: Order! Let us have a double withdrawal.

Mr BEATTIE: Will you withdraw?

Mr BORBIDGE: Yes, I withdraw.

Mr BEATTIE: I withdraw, too.

Mr BORBIDGE: The fact is that the Premier misled the Parliament. He can come in here and laugh and say, "Isn't it funny? I was only $200,000 out!" If one of these figures is dodgy, if some of the information in this document is dodgy, what else is dodgy? We have a dodgy Premier who has presented a false and fraudulent document to this Parliament.

Mr BEATTIE: Mr Speaker, I rise to a point of order. There is only one dodgy sod in this Parliament. It is the Leader of the Opposition. He and the truth never mix. I find that offensive. As usual, he is dishonest and I ask for it to be withdrawn. What a naughty man!

Mr BORBIDGE: Isn't it a joke? You can mislead the Parliament—

Mr SPEAKER: Order!

Mr BEATTIE: I find that offensive and I ask for it to be withdrawn.

Mr SPEAKER: Order! I have asked the Opposition Leader to withdraw.

Mr BORBIDGE: I will withdraw. What a glass jaw the Premier has. He is untruthful and has misled the Parliament. If he was out by $200,000 on one figure, how much was he out on the others? There are inaccuracies and there are blank spaces right through this document.

Let us look at the first page. In the final months of NORQEB under this Government there was not one but two increases for the chief executive officer—the first applicable from January this year and the second in February—which amounted to a 15.6% increase. His pay went up in two rises—from $184,000 to $211,000—and his bonus allocation went up from $50,000 to $60,000. In June, NORQEB ceased to exist. Why would there be two increases in the power industry corporation most under the nose of the Minister in its final months of operation?

At South West Power—another of the regional distribution corporations on the way out—there was an increase of $37,000 for the chief executive in its final year. That represents a rise of 26%. So much for the Premier's claim that under his Government these pay scales have stood still. With the Mackay Electricity Board it is impossible to tell what the message is, because half of the spaces are blank. They are censored. Like some 1950s South American dictator, he does not want the Parliament to know so he leaves it blank or he whites it out. That is precisely what this slippery Premier has done.

At Wide Bay Burnett there was a $15,000 increase in the final year of operation. At Powerlink, one of the biggies, the umbrella corporation for the distribution sector, the pay for the CEO this year will be $251,000—a $49,000 increase—but it could be much more, because the document does not indicate the scale or the extent of the bonuses, despite the claim on the front page that these are identified. They are not. Again, so much for the Premier's claims of accountability. So much for his claims that the pay scales have been static under this Government.

At the Queensland Power Trading Corporation there was an increase under Labor for the CEO of $26,000. The salary for the CEO of Tarong appears to be static, but the CEO of CS Energy has done very well under Mr Beattie. The increase is $97,150, making the total package worth $396,150. But the member for Brisbane Central says, "Don't worry. The pay scales are staying still. Don't worry. Believe me. Here's the document with so much of the key figures missing." The list goes on and on.

This raises very serious questions about the credibility of the Premier. Has he deliberately sought to mislead the Parliament and the people or is he incompetent? If he has made a mistake of $200,000 in respect of one CEO, what is the extent of the inaccuracies that have not yet been identified in this particular document? The tradition in this place is that if a Minister is aware that he has misled the House he comes in here and corrects it and apologises. The Premier's office can correct it to the media, but it cannot correct it to the Parliament.

Mr BEATTIE: Mr Speaker, I rise to a point of order. The Leader of the Opposition is absolutely right. We have corrected it to the media and, indeed, I will be tabling a full and amended document shortly.

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

Mr BORBIDGE: The new full and amended document! Stage 2, part 2! His first document did not last the afternoon. How can we believe anything this man says?

Mr BEATTIE: Mr Speaker, I rise to a point of order. The new document makes him look

even worse. I was too kind to him in the first place.

Mr SPEAKER: Order!

Mr BORBIDGE: Other honourable members will express other areas of concern, but clearly the protection of Labor stooges in the electricity industry is something that is also very close to the Premier's heart. When we look at the make-up of the boards we see that they are peppered with the names of Labor identities. We also know that these positions pay. The bet is that these positions pay very well indeed.

Time expired.

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (6.10 p.m.): I second the motion moved by the Leader of the Opposition. Members were treated this morning to tantrums by the Minister for Mines and Energy because he said he had had enough. He has had enough. I think we have all had enough. I think the people of Queensland have had enough. We want the people of Queensland to know what is going on with our electricity industry. We want the Government to come clean on what it is doing and how it operates. We have just heard from the Leader of the Opposition that what the Premier tabled today was simply misleading, and it was deliberately misleading, because he must have known precisely—

Mr BEATTIE: I rise to a point of order. I find that offensive and ask that it be withdrawn. It is untrue.

Mr SPEAKER: Order! The Premier has sought a withdrawal.

Dr WATSON: "Deliberately misleading" is not unparliamentary.

Mr SPEAKER: Order! The Premier has asked the member to withdraw those comments. The member will withdraw.

Dr WATSON: I withdraw, but what the Premier said was misleading. We cannot trust anything that comes out of this Government.

For the next few minutes, I want to look at what the Minister for Mines and Energy has said. He has indicated in this place and elsewhere that he had meetings—monthly meetings—with the Energex Chairman, Mr Popple, since he took over that portfolio. We are led to believe that since June last year, at monthly meetings, at no time did the Minister for Mines and Energy have discussions relating to salaries, directors' remunerations or compare what directors in Queensland and elsewhere receive.

I have looked at a few old media releases. It is interesting to look at these documents, because the main thing that Mr McGrady put his stamp on was that the Beattie Government believed that the focus of the new boards would be on customer service and accountability. That was very important to him. Not only was that comment made in his press releases, but it was repeated by the Courier-Mail.

It is interesting to consider the information that came out at that particular time. Government staffers knew what the remuneration was for the directors of these Government owned corporations. An article in the Townsville Bulletin on 1 June said—

> "A Government spokesman said payments to board members would be about $17,000 although it would vary below and above that figure, while the chairman would receive up to about $40,000."

Government staffers knew what the directors of these corporations were going to be receiving—within reason—but today the Minister for Mines and Energy could not answer the questions in the Parliament, and he could not answer them beforehand. Why is it that Government staffers know what the remuneration is, yet the Minister, who is charged with the public responsibility for knowing what is going on in these corporations, does not know? Either the Minister simply misled—here and elsewhere—the people of Queensland, or he is simply incompetent.

Let me go a bit further. This Minister knows details about certain things but not other things. Last year, when he was going to restructure the electricity industry, what did Mr McGrady tell us? He said that he was looking at what the directors and CEOs of the boards were doing. He said that he was looking at the NORQEB board. He said this on 11 June—

> "As members would know, the Queensland Cabinet took a decision some months ago to amalgamate the six regional electricity corporations into one. On that decision, I then requested all of the corporations to inform me of their travel arrangements and also of the policies of the boards with regard to travel."

Here we have the Minister for Mines and Energy worrying about the travel arrangements of the directors and the CEOs of the corporations, but not once did he ask the question, "What are you getting paid?" Not once did he say, "I am putting you in charge of

a multibillion-dollar corporation, and I do not know what you are getting paid. I do not know what the remuneration is." It is unbelievable to think that a Minister would worry about the travel arrangements of a CEO but not worry about what he was getting for the money. I could go on.

Government members interjected.

Dr WATSON: These are pretty interesting things.

Mr Borbidge: They think it's funny. What an arrogant bunch!

Dr WATSON: They think it is funny, but the fact is that, when it suits them, they can look at the most intricate details of corporations; but on other occasions, when it is about running the corporations responsibly and knowing what the directors—and particularly the CEOs—are getting, and whether they are getting value for money, this Minister cannot even be bothered to find out what it is.

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (6.14 p.m.): I move—

> "Delete all words after 'this House' and insert the following—
>
> 'applauds the Minister for Mines and Energy for bringing to the attention of the taxpayers of Queensland the lack of control by the Coalition Government over some Government owned corporations and notes—
>
> - the unprecedented rules approved by State Cabinet to ensure that the salary packages of GOC senior executives are transparent and justifiable unlike during the Borbidge-Sheldon years when a blank cheque policy operated; and
> - the excellent quality of the board members of GOCs under the Labor Government.' "

This morning in the House I tabled a document which I said I had been advised at that time to be the relevant material. I now table an amended document on GOC CEO salary packages and movements. In there, there have been some updates—minor ones and one major one. The major one relates to the QIC. The amount is $385,000, with a maximum potential bonus of $192,500. That bonus was not included in the original document tabled earlier today. I table this one.

The Leader of the Opposition has made much of this. The only reason he found out about this is that I instructed my office, as soon as I was briefed on this, to fully brief all the media on that one amendment. I now table the full document for the information of the House—such is the openness, transparency and decency of my Government. Under the Leader of the Opposition's Government, we never saw this information, because he used to hide it. Under my Government, we see openness and transparency and a decency and honesty that is unprecedented in this State. The document exposes the Leader of the Opposition—when he was in Government—as someone who had an open cheque policy. Boards were able to pay anything. Under my Government, we have strict guidelines.

The coalition members cried crocodile tears last week about the salaries of the senior executives of Government owned corporations. Today they stand exposed for their inaction, dishonesty, incompetence and disinterest. Information provided to me shows that on 11 separate occasions the salary packages of GOC executives increased by up to 65% in the two and a bit years of the Borbidge Government. What did that mean to taxpayers? An increase in salaries by almost $1m for executives alone every year! Under the incompetent Borbidge Government there were not just grey areas, there were black holes.

The Leader of the Opposition complains about a 40% increase in relation to Energex—one that we do not support, and which the Minister revealed. Under his Government it was 52%. They had no system of vetting these salary movements—none at all. When boards did the right thing and sought to advise shareholding Ministers of substantial movements, those Ministers wrote back to say, "Don't bother." The former Treasurer, Joan Sheldon, and the former Minister for Transport, Vaughan Johnson, wrote back and said, "Don't worry about it. Set whatever level you like." It was a blank cheque. It was a nod and a wink.

The member for Gregory pleads that he refused to sign off on the $74,500 increase for the CEO of Queensland Rail. But the letter that I tabled this morning showed that the former Minister and the former Treasurer gave the "all clear" to boards to deal with these matters as they saw fit. The coalition's stated policy was that ministerial approval—

Mr BORBIDGE: I rise to a point of order. The Premier is misleading the House. On previous occasions, both the shareholding

Ministers had advised the board of QR not to proceed with the increase.

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

Mr BORBIDGE: Tell the truth.

Mr SPEAKER: Order! The Leader of the Opposition will not debate the point.

Mr BEATTIE: Why does the Leader of the Opposition not like it? Because we tabled a letter which showed his level of incompetence and the incompetence of the former Treasurer and the former Transport Minister. They just wrote and said, "It is a matter for the board."

Mr Borbidge interjected.

Mr BEATTIE: That is exactly what it said. The coalition's stated policy was that ministerial—

Mr BORBIDGE: I rise to a point of order. No such letter was written by the shareholding Ministers in respect of Queensland Rail.

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

Mr BEATTIE: I tabled that letter this morning in relation to the Port of Brisbane Authority. That was the policy that members opposite had for all of them.

Mr Borbidge interjected.

Mr BEATTIE: Look at him squirm! He does not like it, because we blew him out of the water today. He got sunk. If the member for Gregory did not agree to the QR increase, why did he not do something about it? He did nothing about it, because it was like the letter he wrote to the Port of Brisbane Authority: "It is for you and the board to go ahead."

Mr BORBIDGE: I rise to a point of order. If the former Minister for Transport had followed the Premier's advice, he would have been in breach of the caretaker provisions upon which the then Leader of the Opposition insisted.

Mr SPEAKER: Order! There is no point of order. The Premier's time has expired.

Mr BEATTIE: I rise to a point of order. The Leader of the Opposition has misrepresented and distorted the facts. It was on 15 April. They were not in caretaker mode. He continues to lie to this House.

Mr SPEAKER: Order! That is unparliamentary.

Mr BORBIDGE: I rise to a point of order. The relevant correspondence was forwarded to the former Minister for Transport's office in May. The election was called subsequently.

Mr SPEAKER: Order! The member has had his opportunity to speak during this debate. I call the Honourable the Deputy Premier.

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (6.20 p.m.): I am pleased to be able to second the amendment moved by the Premier. On this side of the House we are pleased that this motion has been moved, because once again we can see the modus operandi of the Opposition. It is the same old gang trying to dupe their way into power with mysteries and untruths, just as they have done time and time again.

Those opposite did the same thing a few years ago and were successful. However, they have a record now, and that is the difference. All members on this side of the House will make sure that that record is reinforced in the community time and time again. We will remind the people of Queensland of the coalition's record. If there was one thing that the previous Labor Government did not do, it was that we did not expose the coalition's record. We did not remind the people sufficiently of the excesses of the Bjelke-Petersen years. We did not remind the people sufficiently that the coalition allowed a police commissioner to be on the take. We did not remind them sufficiently that four coalition Ministers went to jail because of their cavalier approach to public finances. I can tell those opposite that we will be reminding the people from now on as those opposite try to dupe their way into power again.

Opposition members interjected.

Mr ELDER: They are testy. Look at what the Opposition did in the area of Mines and Energy. The coalition's one crowning achievement when it came to Government was to change the name of the portfolio. The member for Mount Isa was the former Minister for Minerals and Energy. What did those opposite do? They walked into power and said, "We will call it Mines and Energy." How much taxpayers' money did that cost? Those opposite will notice that we did not do the puerile, pedantic and pathetic things that they did when we came to Government. We kept the portfolio's name as it was.

What was the Opposition's second crowning achievement in this portfolio? It gave us the blackouts—the Borbidge blackouts—during the 1990s. We had more blackouts during the Leader of the Opposition's term in office than ever before. It only paled by comparison with Bjelke-Petersen's efforts in the 1980s when he took on the union movement and created the same sort of

dislocations in Queensland. That is the coalition's record in this area of endeavour.

The fact is that the coalition came to power and just sat there. There is a sign in some football dressing rooms which reads, "Being here isn't enough." Well, being there was enough for the coalition at the time. It was always enough for those opposite, and that was the problem. The problem was that the Opposition did not sit down and look at the administrative arrangements across all portfolios.

The coalition Government never ever managed the Government owned corporations. We have a litany of coalition incompetence. Those opposite are exposed as appalling managers and administrators. They did not have their hands on the tiller because they could not be bothered managing the portfolios, the processes or the businesses. They were happy just to be there.

I am pleased to be able to second the Premier's amendment because it highlights the activities and the work undertaken by the Minister in administering the GOCs over the past couple of weeks.

Mr Borbidge: He didn't build a power station in six years.

Mr ELDER: Those opposite only follow you out of morbid curiosity. The only thing that stopped you from copping a flogging was the member for Crows Nest. Your problem is that he has now announced his retirement. You watch the rat pack now, my friend. That morbid curiosity will turn to revenge. Your time as acting Leader of the Opposition is waning, and waning rapidly.

The position taken by the current Minister exposed the improper processes followed by GOCs in terms of their responsibilities.

Mr Beattie interjected.

Mr ELDER: In that case, Mr Premier, we hope he stays, but I have to say that morbid curiosity is going to change the situation very quickly.

The coalition Government was not able to manage the GOCs. One has to simply look at the list of salary increases—and I will not go through them—to see that. The member for Caloundra, as former Treasurer, and the relevant Ministers were exposed as being incompetent. I am sure the former Minister for Transport will comment on the letter that was tabled this morning. If the increase for the CEO of Queensland Rail was not ticked off by the former Minister for Transport during the caretaker period, it exposes his incompetence. He is either guilty of ticking it off or he is guilty of gross incompetence.

Time expired.

Mr ROWELL (Hinchinbrook—NPA) (6.25 p.m.): The threat that the publicly-owned generating assets in Queensland could be stranded like whales on a beach is very real. It verges on the inevitable. We are now entering a fiercely competitive national electricity market. As the Leader of the Opposition has pointed out, the survivors will be the fittest. As the Leader of the Opposition has further pointed out, Queensland's generating profile is no longer the fittest following some of the decisions that flowed from the need—under the Goss Government in particular—to achieve expedient, rather than effective, megawatts to meet demand which had been neglected by that Government for way too long. We have, therefore, a disturbing situation. We have a dysfunctional generation profile. We have too little competitive base load versus too much non-competitive base load and too strong a bias on intermediate and peaking plant.

There are two major and related complications ahead for the uncompetitive elements of our system. One of those is the now rapidly emerging mass of state-of-the-art coal-fired plant that is going to be super competitive. Stanwell and Callide B are of that generation and will be extremely competitive. They account for 2,100 megawatts of very good power. Callide C, at 840 megawatts, is now under construction. Millmerran is now a goer at 840 megawatts. Kogan Creek is ready to go at 700 megawatts. This gives us a total of 3,300 megawatts of coal-fired power which is set to come on line over the next three or four years, subject to decisions of the Government. This is on top of the 2,100 pre-existing megawatts of highly competitive capacity. These stations are likely to be the only stations on the Queensland grid which will be able to compete effectively with New South Wales' over-supplied system and Victoria's privatised system. A lot of our other generating assets are therefore likely to be at considerable risk of becoming power museums.

Another tier of the threat is the Government's push for gas-fired power projects as part of its efforts to consolidate demand for the Chevron gas pipeline. It is very difficult to tell precisely how many megawatts of gas-fired power the Government is pushing for because not all the customers who have been aggregated by Energex and Ergon have been identified. However, there are at least 400 megawatts of new power proposed at

Townsville, as well as the conversion of the two liquid fuel peaking plants in Townsville to gas. This accounts for another 500 megawatts.

There has been a suggestion of 700 megawatts of gas-fired plant to be built by Tarong Energy. As well as that, NRG has plans for a 368-megawatt gas-fired power plant at Gladstone, which can only really be based on the possible Comalco alumina refinery. This gives us another 2,000 megawatts without including such things as the 303 megawatts coming on line at Oakey Creek next year, and the 500 megawatts of power from New South Wales via Westlink towards the end of next year, or early in the year 2001.

In other words, if all these projects were approved and went into construction we would have virtually a replication of the entire generating capacity of the State within three or four years. Obviously, that is unlikely. Some projects are not going to get the go-ahead from either the Government or their backers. But a significant proportion of that capacity is likely to get the go-ahead and the competition is going to be so fierce that some will not survive. The most likely victims are going to be the oldest and least efficient assets that are in the system because of the hiatus in the planning during the early 1990s. That is going to mean taxpayers' money going down the drain, it is going to mean disruptions for the communities and it is going to mean a loss of jobs. The Government should come clean and tell us how it is going to cope with these circumstances.

Time expired.

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (6.30 p.m.): The hide of this Opposition to move this motion tonight! We all recall that, when this Government took over, the Queensland electricity industry was in a shambles. Brownouts and blackouts were the order of the day. There was no plan and there was no vision for this industry. Once again, it took a Labor Government to come in at a time of crisis to sort out the problems, and we did.

This debate is all about accountability and due process. It is all about the people of Queensland getting the information to which they are entitled. It is all about the leaders of this industry being accountable to the Government of the day. It is all about the rules and regulations being observed. This information that the people of Queensland now have was not unearthed by the Opposition; it was not unearthed by some probing journalist or some media leak; it was unearthed by me, the Minister for Mines and Energy, who tonight is the focus of this censure motion moved by this Opposition. One has to ask: why in heaven's name would one seek to censure a Minister who has simply been doing his job—a job that the previous Government failed to do? Let me make it perfectly clear that I believe that a labourer is worthy of his or her hire and we will pay the right salary to attract the best people in this country. However, the process has to be fair, honest and accountable and there must not be any sweetheart deals.

I think that this Parliament is entitled to know exactly what happened in relation to this matter. In October last year I requested all GOCs under my portfolio to give me the salary packages of their chief executive officers and other executives. Some gave this information willingly; others did it kicking and screaming. At the end of August this year, Ergon Energy had selected their chief executive officer and had presented me with the proposed contract. On studying the contract I noticed that it was proposed to pay the chief executive officer $30,000 more than was paid to the officer's Energex counterpart, which surprised me, knowing the personalities involved. I requested my senior policy adviser to check if there had been any movement in the Energex executive salaries since receiving the listings in October last year. To my dismay, I discovered that the Energex Chief Executive Officer had been given a $95,000 increase and some of the executives had been given similar percentage increases.

The Energex statement of corporate intent states—

> "The chair consults with the shareholding Ministers concerning salary for the chief executive officers."

Did members note that I said "shareholding Ministers"? It has been established by everybody that the Treasurer, who is the other shareholding Minister, had never, ever been informed. That is breach No. 1. Again I state in this Parliament that the former chairman of Energex did not at any time discuss with me the proposed $95,000 increase. What makes me doubly angry is that whilst all of this was taking place I was trying to resolve an industrial dispute between Energex and P & O contractors in which they were arguing over an 80c an hour rise for the blue-collar workers. One rule for the executives, another rule for the blue-collar workers!

Time does not permit me to go into detail, but the media has been saying that one or the other is not telling the truth. I submit to this

Parliament that Mr Popple has no documentation and he has no witnesses to support his claim. I suggest further that at the meeting that he nominated as being the time that he informed me, namely 20 April, two other persons were in the room and both have stated and sworn that at no time had increases been discussed. That is breach No. 2.

The Opposition and others may ask: why did he resign? Again I suggest to the House that a series of events led him to resign. Firstly, the Auditor-General made a public announcement that he would investigate the matter. Secondly, the Premier had demanded all documentation, if any existed, that would prove that Mr Popple had acted in the appropriate manner. Thirdly, I requested Mr Popple to come to my office, which he did, and I informed him that he should consider his position and I expressed that I no longer had confidence in him.

Time does not permit me to give any more details. On Monday of this week, Cabinet appointed a new chairman of the board of Energex. The new board is now in place. They have my full confidence. They are a good board and I believe that they will deliver for the people of Queensland. Energex is one of the largest corporate citizens in the State of Queensland. It provides a service that is important to the future development of our State. The vast majority of its work force, whether they be blue-collar workers or executive officers, are dedicated and hardworking people who simply want to get on with the job.

The provisions that this Government have now put in place will prevent similar events ever occurring again. I believe that, under the new chairmanship of the board, this corporation can grow from strength to strength. They have my full support and my best wishes.

Time expired.

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (6.35 p.m.): An aspect of the developing pressure on household power prices in Queensland that the Government really has to address is its intentions in relation to maintaining community service obligation payments to equalise tariffs in an open and competitive market. I do not just mean a blind commitment to maintaining them; I mean a response that details how the Government is going to go about that, because a whole host of challenges are now attached to achieving that objective.

Given the Government's push towards gas-fired power and the emergent push for carbon taxes and credits to increase the cost of coal-fired power so that it can sell expensive gas power, it seems inevitable that we are going to see higher power prices generally at the household level. However, if the cost of electricity in the bush is made even higher by a decision of the Government to pull away from, or even to reduce, community service obligation payments that have been used to maintain tariff equalisation in this State for many years, then the impact in the bush is going to be compounded. In that regard, we need a very clear statement from this Government and from this Minister, because the source of community service payments in the future is far from clear. I am sure that that concerns all members of this Parliament, particularly those of us who represent rural and regional areas around this State. I think that the Minister would appreciate that.

In the past, household consumers were funded to a considerable degree by cross-subsidisation. Commercial and industrial users cross-subsidised metropolitan household consumers who in turn supported tariff equalisation right across the State. Those sources of funds are now largely gone. Major commercial and industrial users now all have access to the competitive market.

Certainly, tranche one and two consumers have achieved very significant cuts in their power costs. That is good for them. However, that has reduced the very considerable source of funds for tariff equalisation for householders via community service obligations. The other major source of CSO funding—dividends and income tax equivalents imposed on the power industry—is really going to start drying up over the next few years. In fact, that process has now started. Obviously, dividends and income tax equivalent payments are at their greatest in a fully State-owned system. The fact is that we are moving inexorably towards a privatised industry by osmosis. Most of the major power projects that are now under consideration are either totally private sector or they are private sector companies joining in partnerships with existing public generators. The destination of tax revenue from these ventures is steadily shifting from the Queensland Treasury to the Commonwealth Treasury. We will get the construction jobs and the coalmines, but Canberra is going to get the lion's share of the revenue.

Insofar as there is a publicly owned element of the generating sector, it is going to be much reduced. Already we have received some disturbing evidence of the pressures that this creates via the dividend of 95% of after-tax profit that the new Labor Government imposed

on the electricity distribution sector for 1997-98. We understand the dividend charged on the three generators for that year was 90% which, in a couple of cases, was significantly above the figures contained in the annual reports. Dividends at that level are obviously not sustainable. In fact, they are certainly running those entities down in their ability to put enough funds back into their businesses and to remain competitive. What those figures really show is that the Government is already under very substantial pressure in relation to sourcing funds to meet community service obligations. The need for those CSOs to maintain tariff equalisation will increase as power prices increase and just as the availability of funds to meet the CSOs goes into free fall. We need to know not only whether the Government is going to maintain CSOs but also how it is going to do it. Tonight, the Premier has come into this place and moved an absolutely farcical amendment to the substantive motion that the Honourable Leader of the Opposition put before the Parliament earlier today.

Time expired.

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (6.40 p.m.): The motion moved by the Opposition tonight smacks of rank hypocrisy. It is grubby politics of the worst order. It is consistent with the smear and innuendo that has become the hallmark of an Opposition that is bereft of any initiative or original thought.

The Opposition is correct on one point: the pay increase that was granted to the Energex CEO, Brian Blinco, was not authorised by either of the shareholding Ministers, Mr McGrady or me. The question that has to be asked is: how could that have occurred? What were the processes in place that allowed the board of Energex to grant such an increase to its chief executive? The answer lies in the very processes that were in place in the days when a coalition Government sat on the Treasury benches. Those processes proved to be wholly inadequate.

The previous Government simply did not want to know about executive remuneration. As the Premier demonstrated clearly this morning, when the issue of GOC boards was taken up with former coalition Government shareholding Ministers, they said, "That's a matter for the board members themselves." Now of course we hear sanctimonious cant from Opposition members who are saying that this is a disgraceful set of affairs. What is disgraceful is their hypocrisy.

This Government has acted in relation to this matter. We have put in place very strong guidelines for the future, with disclosure requirements on boards and CEOs to be outlined in their annual reports. That is in stark contrast to a coalition that, when in office, did nothing other than allow GOCs to write blank cheques for their senior executives. The hypocrisy is so palpable that one could cut it with a knife.

The same people who are so self-righteous today were the ones who decided to try to spread the smear a bit wider. Today in question time, questions were asked of me about remuneration that was paid to GOC directors—not all GOC directors, only two. One was the former member for Cairns, Mr Keith De Lacy, and the other was Mr Bird. I said that I did not carry all the information with me, but would provide the information to the House and I do so accordingly.

As the Chair of Ergon Energy, Keith De Lacy receives annual remuneration of $54,000. As a director of the retail subsidiary Ergon (Retail) he receives annual remuneration of $16,072. In his position as the director of the QIC board, the annual figure is $30,000. Mr Bird's annual remuneration as a director of Ergon Energy (Retail) is $16,072. In respect of being the director of the TAB board, it is $16,000. The travel costs of all GOC board directors is exactly the same as it always has been. On appropriate business, it is met by the GOC.

As the Leader of the Opposition carries on about old mates and old cronies, I let it be known that a former Liberal Party and National Party member of the House, Ms Beryce Nelson, sat on the boards of both Energex (Retail) and Energex (Distribution). Not a cry was heard about that from the Leader of the Opposition. No comment was made about Martin Tenni, a former National Party Minister, being a director of Tarong Energy. No comment was made about a former Liberal member of Parliament, Ian Prentice, being a director of the Ports Corporation. No comment was made about a former National Party Federal member, Ray Braithwaite, being appointed to the Mackay Port Authority. No comment was made about ex-Senator Stan Collard being appointed to the State Library Board. No comment was made about a former press secretary to Sir Joh Bjelke-Petersen, Allen Callaghan—the same person who was convicted of an offence involving some $50,000 in 1987—being appointed to the State Library Board. No comment was made about former National Party candidate, Betty Byrne Henderson, being appointed to the

Brisbane Cricket Ground Trust and the Harness Racing Board. No comment was made about a Liberal candidate for Redcliffe, Judy Beresford, being appointed to the Royal Queensland Theatre Company. No comment, no comment, no comment.

Why was there no comment from the Leader of the Opposition? Because he is a hypocrite! If people are qualified to be appointed to boards, they are entitled to proper remuneration. This Opposition is totally hypocritical if it claims cronyism on the part of this Government when it made it an absolute art form. I offer no criticism about those individuals. I trust that they made a proper contribution to the boards on which they sat. I hope that they were properly remunerated for the task. I am confident that our board members will also be so remunerated.

Time expired.

Mr QUINN (Merrimac—LP) (Deputy Leader of the Liberal Party) (6.45 p.m.): The member for Ipswich talks about hypocrisy. There can be no greater hypocrite than a person who stands in this Chamber and gives us lectures about the salary packages of CEOs when he has approved the salary package of the highest paid CEO in this State. The CEO of the QIC is on a salary package of some $577,000, which was all approved by that man there.

Mr HAMILL: I rise to a point of order. The salary package to the former coalition appointed Under Treasurer used the same methodology that was applied in the QIC under the former coalition Government.

Mr QUINN: There is no point of order, Mr Speaker.

Mr SPEAKER: Order! I will make that decision. There is no point of order.

Mr QUINN: That is not what the Premier said this morning when he presented his first draft of the salary packages of the CEO, and undoubtedly we will get the third draft tomorrow morning and subsequent ones will dribble out after that. The first draft contains up to five major amendments. There is no greater hypocrisy than a Treasurer standing in this place and giving us lectures on the salary packages of CEOs, when he approved the salary package of the highest paid CEO in this State, which is a package worth $577,000.

What we have seen today in Parliament has been a complete farce. This morning the Premier walked in here and tabled a list of all the salary packages of the CEOs, only to return tonight, draw it back and put another list on the table saying, "Oops, there has been a small typographical error. I missed a couple here. I missed the highest paid one by about $200,000 and some other ones by the by. I will table them in the Chamber to keep the record accurate." As I said, we have no trust in this document. We have no doubt that other mistakes will be found, because the Premier has treated the Parliament with contempt.

The Premier did not have to whip this list up in a couple of hours. This list has been sitting on the Premier's desk for the best part of a couple of days. When this issue broke loose, the Premier told the media that he had called for the list of salary packages of all CEOs. He said, "I am not satisfied with this. Please come and show me what they are." The list that was tabled in Parliament this morning is a considered list. It was not whipped up within a couple of hours. We have been treated to high farce. We have been treated with contempt. The Parliament has been debased by a Premier who cannot put the truth on the table. He was challenged to do so and he tabled one version, only to come back later on with another version. Undoubtedly we will see a third version down the track.

What is their defence? Their defence is that the salary increases occurred under the previous coalition Government. When one goes through the document, there have been salary increases for CEOs. However, if the Government was not satisfied and thought that the salary packages were too high, the question has to be asked: why, over the past 12 months, has this Government increased the salary packages within every Government owned corporation in Queensland?

Mr Bredhauer: That's not true.

Mr QUINN: We know it is true. If we go through the document, we see that almost everyone has received an increase. As I said, this has been a day of high farce. Here we have the Premier putting on the table a document which has no basis in fact. He crawls in here later on, amends it and expects us to take it at face value.

Mr Borbidge: It's the first novel that's had a sequel written within five hours.

Mr QUINN: The Leader of the Opposition is right.

The Minister for Mines and Energy deserves the condemnation of this House. Over the past two years he has had a record of unmitigated disasters.

Time expired.

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main

Roads) (6.50 p.m.): The Chief Executive of Queensland Rail, Vince O'Rourke, is an honourable man who has given good service to Queensland Rail and the State of Queensland for almost nine years under Governments of both persuasions. In my view, his current salary level, which it has been revealed today in the Parliament is around $300,000, is relatively modest by industry standards. However, there can be no denying that the people of Queensland would see a single increase in his salary from $225,500 to $300,000, which occurred last year during the term of the coalition Government, as excessive and not in conformity with what would be regarded as the community standard, particularly given issues related to remuneration for workers of QR and other places. Today the member for Gregory implied that I was in some way responsible for approving the most recent salary increase. The member asked whether there had been subsequent salary increases to the Chief Executive of Queensland Rail since that increase of $74,500. Because of his interjections I did not get the opportunity to answer the question. The answer is—

Mr Johnson: You can't answer it.

Mr BREDHAUER: Because of the member's interjections, I did not get a chance to answer the question. If he ceases to interject now, I will answer it. The answer is that he has not had a pay increase since then. The reason is that he has declined to accept a number of pay increases recommended by the board. I repeat: the Chief Executive of Queensland Rail has declined to accept a number of pay increases that have been recommended by the board for his wages. There are two of which I am aware, one in fairly recent times. The suggestion by the honourable member that I was in some way responsible for approving that significant pay increase is wrong.

I table in the Parliament a copy of the letter from the former chairman of QR, Nev Blunt, dated 15 April to Vince O'Rourke advising that an agreement had been reached by the board to establish a new service contract. The date of that letter is 15 April 1998. I table also—and I referred to this letter this morning—a letter to the former shareholding Ministers, the members for Caloundra and Gregory, dated 27 April 1998. It advises the shareholding Ministers of the intended increase. At no stage this morning did I suggest that the Minister signed off. I did not. What I said was that he had the letter—and he admits that he received the letter—and he failed to do anything about notifying the QR board of his concern about the quantum of that increase. That is undeniable; there is no record. He suggested that it lay on the table waiting for me. There was nothing on my desk when I came into my ministerial office—not even a paperclip let alone a letter from the board of Queensland Rail.

Let me table an extract of the contract of the Chief Executive of Queensland Rail signed on 15 April 1998 to take effect from 21 April 1998, when the member for Gregory was the Minister. To suggest that I was responsible for approving that pay increase is a deliberate deception. He knows that is wrong. The issue that the Minister for Mines and Energy was dealing with was the abject lack of process and accountability in the former coalition Government. When the former Ministers wrote to the chair of the Port of Brisbane Authority in 1997, the members for Gregory and Caloundra stated—

> "This letter is to confirm that we see this issue as primarily a matter for determination by your Board."

Like Pontius Pilate, the pair of them washed their hands of any responsibility. There was no process. Do honourable members know how I know there was no process? That is because one of the pay increases given to the Chief Executive of the Ports Corporation of Queensland was approved by the board on 25 May last year, which was when the Opposition was in caretaker mode. For the board to think that it could approve a pay increase of that proportion when the Government was in caretaker mode and there were no Ministers responsible for the board shows the abject lack of process. The Minister for Mines and Energy, the Premier and the Government have made a determination to do something about this. Under the former shareholding Ministers, the member for Gregory and the member for Caloundra, the then Treasurer, it was Rafferty's rules. We are about putting in place proper processes of accountability.

Time expired.

Mrs SHELDON: I rise to a point of order. We operated under the same rules that were brought in by the Goss Labor Government to run corporations.

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

Question—That the amendment be agreed to—put; and the House divided—

AYES, 43—Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill,

Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 31—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, Gamin, Goss, Grice, Healy, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

Question—That the motion, as amended, be agreed to—put; and the House divided—

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

NOES, 31—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, Gamin, Goss, Grice, Healy, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (7.05 p.m.): I move—

"That the House do now adjourn."

Adult Shops in Residential Areas

Mr SANTORO (Clayfield—LP) (7.05 p.m.): On 22 July 1999 I tabled a petition from 2,293 constituents requesting the House to make whatever legislative amendments were necessary to give the community rights to object and appeal against the establishment or continuation of businesses considered inappropriate by the community.

The petition sought to draw to the attention of this Parliament the very strong objections which a section of my local community holds to the opening of an adult shop in a residential area. This particular adult shop is surrounded by homes within which live many young families with young children. It is located across the road from a well established and very active church which operates a popular play group and youth groups; it is located within metres of major sporting grounds, a large recreational park and walking and bicycle paths. As the father of young children who from time to time use some of the abovementioned recreational facilities, I can attest that they are extremely well patronised by local residents and visitors from other suburbs.

The products and the services provided by the adult shop are for adults only, yet as I have just stated, its location places it in an area used frequently by a large number of children, adolescents, families and elderly members of the community. In fact, a local community group which was formed subsequent to the establishment of this adult shop estimates that over 2,000 children use the nearby sporting facilities on a weekly basis.

It is the understanding of my constituents and me that the adult shop is able to operate within current State and local government guidelines. In fact, it has been put to me that the current guidelines do not distinguish one shop usage from another and, as a result of this, once a particular place is zoned by the local authority for business use, there is no need for a new business—which often differs significantly from the previously established business—to inform the community of its establishment and desire to operate as a business in a local area. Needless to say, people living close to such businesses—and, of course, many of the visitors who come into local areas such as the one affected and who use the local recreational, sporting and religious facilities—often do make a strong and clear distinction between some different types of businesses and, in this particular case, shop usage.

It is the belief of the local community that I represent that the current town planning and zoning rules need to be changed so as to reflect these community attitudes. Representatives of my local community have, through the abovementioned petition and also through direct representations, expressed very strong objections to the situation that has arisen within my electorate and have requested that I bring this matter to the attention of the State Government and requested that the Government listen to its concerns and liaise with the Brisbane City Council to effect changes which recognise the specific use of a location for an adult shop. The intent here, of course, is that any such usage may be restricted from occurring in a residential locality and further that aspects of such shop usage, for example, its displays, access, lighting, on-site activities, etc., may be limited.

Since the tabling of the large petition I have mentioned, I have not heard anybody

from Government respond to the concerns expressed within the petition by my constituents. It is my belief that Governments and councils have a responsibility to listen and to respond to community concerns and to protect those who cannot protect themselves. I make this observation as a former Minister who, from time to time, during my time as a Minister, witnessed several petitions tabled expressing concerns about matters which were within my area of ministerial responsibility. I recall in one instance responding very directly to many people who presented this place with a petition and I recall receiving some considerable and, indeed, very favourable feedback in relation to what I had to say about their concerns.

I ask the Government to give consideration to the issues that my constituents and I have raised within this place in relation to inappropriate businesses located within residential areas and the ability of communities to appeal against such locations. I again reiterate the wishes of my constituents, these being that Governments and councils have a responsibility to listen and respond to community concerns and to protect those who cannot protect themselves.

I have been informed that recently the Brisbane City Council has requested the operators of the business in question to reapply for a licence that will allow it to conduct a business on the current premises. This has prompted my constituents to object to the granting of such a licence. Many have done so and they now hope that their concerns will be resolved by the refusal to grant such a licence. I urge the Brisbane City Council authorities to afford conclusive and favourable consideration to the representations of my constituents.

I also give notice that I intend pursuing this issue not only within this place but also with the Brisbane City Council with a view to bringing about legislative or regulatory changes which I hope will in the future address similar problems and concerns as those being experienced by my constituents today. The current review of the town plan gives ample opportunity to people in authority within the Brisbane City Council to, in fact, seek to bring down within the regulations and the ordinances those rules and regulations which will in the future enable constituents who are in the situation of the people I represent to lodge valid and conclusive objections against such land usages. I strongly recommend to the Minister for Local Government and other Ministers who have responsibility in this area of policy that I have just been outlining to take an interest in this issue and be of assistance to the people whom I represent.

The Strand Redevelopment, Townsville

Ms NELSON-CARR (Mundingburra—ALP) (7.10 p.m.): The Strand in Townsville has become a reality. Less than two years after the devastation of the 1998 floods our famous beachfront has come of age. The cyclones over the last 20 years took their toll on the rock walls and infrastructure of the Strand, but it was the massive January 1998 floodwaters which forced our beachfront to succumb to the elements. Sand, rocks and palms were strewn across the weather beaten turf, much of it finding a resting place in the depths of the sea.

During the aftermath of the floods the Strand became a symbol of people's despair and heartache; it was so visible. It was damage that could not be resurrected in piecemeal fashion this time. A vision of new development to not only withstand the destructive elements but to provide Townsville with a world-class attraction was born. This vision and dream is now a reality and one of which not only Townsville but all of Queensland can be proud.

The project has been one of the biggest undertakings in which the council has been involved. Together with the Beattie Government, a strong, positive partnership was formed to make this redevelopment possible. Peter Beattie spent $15m on this amazing project and has said it is the best $15m he has ever spent. MacNorth, under Managing Director, Bill McClanachan, managed the design and construction, featuring three headlands, recreational facilities, restaurants and a new Picnic Bay Surf Lifesaving Club.

This surf-lifesaving club will also see children learning to become more surf aware, with the return to Townsville of the City Nipper program over the summer season. Young Queenslanders living some distance from the coastline will now have the chance to take part in nipper activities run by the surf-lifesaving club. Qualified surf-lifesavers will teach aquatic safety, fitness, nutrition, surf awareness, competition and lifesaving skills. Parents with children aged seven to 13 years can enrol them at the Strand from 6 November to 11 December and from 15 January to 12 February at a cost of $25.

During the 13 months of construction of the Strand, for which 280 people were employed, 250,000 tonnes of armour rock,

400,000 tonnes of sand, 390,000 tonnes of fill, 70,000 square metres of turf, 16,000 trees and shrubs, 900 palms and 22,500 native ground cover plants were used.

The massive new headlands will not only protect the new sea wall and beach but also have excellent public amenity facilities. The massive new stinger net will be a major Strand attraction offering a safe and protective swimming enclosure all year round. The new Stuart Headland Jetty permits fishing and includes a state-of-the-art steel scaling and filleting amenity with fresh water on tap—probably a first in Queensland. This jetty provides protection from the sun and is another symbol of providing for all.

The community spirit and pride felt by our city is testified to by the massive turnout of over 200,000 people during the week of the Strand opening—an opening that celebrated free accessibility to an award-winning and magnificent facility. It seems that the entire city turned out to enjoy the beach, beginning with a Strand tea party for the over 70s. Premier Peter Beattie took part in the celebration, at which he received congratulations and commendation for his Government's role in the Strand development. That night saw the staging of the Longest Dinner, at which thousands of revellers in costume sampled the city's finest gourmet delights amid a balmy tropical sea breeze and to the accompaniment of Australia's finest entertainers.

The Strand was officially opened by the Premier on 23 October. The opening was followed by Strandfire, which was an absolutely awesome and spectacular fireworks presentation topped off by two incredible F-111 flyovers. The 80,000 people attending the opening were left gasping and cheering. It is no wonder the Premier will be speaking to the Minister for Tourism about using our magnificent facility in material promoting the State. It is truly world class.

Thanks must go to the opening's producer, John Aitken, whose commitment and professionalism is worthy of congratulation. The behind-the-scenes manoeuvring often goes unnoticed, but the Strand event was a logistical and professional masterpiece. There were night markets, continuous food fairs, a Strandcastle competition and another major event—the Strand hunt competition, where 9,000 people in three different age divisions hunted, dug, scrambled and ran to find one of 1,500 prizes hidden in the sand. Only 10 of the 1,450 vouchers enclosed in plastic canisters and buried in up to 20 centimetres in the sand were unclaimed.

Theatrical events, athletics, cycling events and so on made the last four days of intense festivity ones that no-one in the twin cities and surrounding region will ever forget. While these events are over for now, the Strand is here to stay. It offers the community and visitors a first-class venue in a first-class city.

Time expired.

Greyhound Racing

Mr KNUTH (Burdekin—IND) (7.15 p.m.): I rise to bring to the attention of the House the deplorable actions of a racing authority the responsibility of the Honourable Minister for Tourism, Sport and Racing. I refer to moves by the Queensland Greyhound Racing Authority to rob north Queensland greyhound clubs of close to $400,000 in order to fill the coffers of inefficient southern clubs. The deluded rationale provided by the GRA's hierarchy is that the money is needed to bolster the prize money offered to owners and trainers for TAB race meetings in the south-east.

The GRA wants to cut the Lower Burdekin Greyhound Racing Club's funding from about $128,000 a year to just $53,000 a year. This will essentially force the cutting of the number of race meetings held each year from 22 to 12. What will it take to make this Government realise that country areas need our support, not a wave of funding cuts to intensify the north versus south funding imbalance? Even the City of Townsville is having its funding cut by the GRA from $235,000 to $190,000 a year. This translates to an annual drop in race meetings from 46 to 40.

When questioned about why Mackay would keep its present number of race meetings, the GRA bosses, who are answerable to our very own Racing Minister, said that, unlike Townsville, Mackay is a progressive city. I wonder whether the Premier would clarify whether the Government considers Townsville to be not a progressive city? I constantly see Ministers and their sidekicks applauding the development of the Townsville Strand, the establishment of the Sun Metals zinc refinery and the plans for a naval base at the city, but apparently Townsville is not a progressive city and needs its greyhound racing funding cut. Perhaps the Racing Minister could explain why the position of the GRA does not match the rhetoric of his own Government?

Far from being a Townsville wind-back, I totally support Townsville in its attempts to gain

TAB status. Townsville is the second-largest city in Queensland, yet southern clubs including Toowoomba, Beenleigh, Ipswich and the Gold Coast have gained this status ahead of Townsville, confirming that the south-east corner is the only area under consideration when it comes to decision making.

Should Townsville ever succeed in becoming a TAB track, its prize money would need to be increased to guarantee increases in district greyhound populations. The granting of TAB status to Townsville would in turn lead to the necessity for the Lower Burdekin club in my electorate to remain open. Furthermore, it would be essential for the Lower Burdekin club to race fortnightly to act as a feeder track to help Townsville cope with the additional dogs which would come with TAB status and additional prize money.

When the Lower Burdekin Greyhound Racing Club budgeted for its operations for the year ending on 30 June 2000, it was assured that funding would remain at $128,000. After operating for four months under this assumption, the club finds that this may not be the case. That is extremely disappointing.

The GRA's plan to slash north Queensland's racing funding is in direct opposition to requests by north Queensland's representative on the QRA board, Mr Warwick Richter. In his report of 8 April 1998 on a racing industry strategic plan, Mr Richter recommended "a minimum of 20 per cent increase in prize money for country clubs to overcome the obscene gap between city and country clubs". Can the Government explain why it is allowing moves that go directly against this advice? I believe that stealing money from north Queensland tracks to boost their southern counterparts is nothing more than a bid to glorify the privatisation of the TAB.

Some will argue that these changes are being made in the name of efficiency. For those who take such a view, I give an example of the differences in efficiency between the southern and northern clubs. Townsville holds races 50 times a year—about once a week—and spends less than $100,000 annually on wages. We should all ask the Racing Minister why Albion Park, which has races twice a week, spends $525,000 on wages each year. Where is the accountability? In comparison with Townsville, Albion Park should be spending no more than $200,000. In the Racing Minister's own electorate of Bundamba, which has 100 races a year, the club's wages bill is a whopping $415,000. Any of the northern country clubs could run these clubs efficiently—at half their current wages bill.

I am fed up with the south wasting its funding at the expense of the services and facilities of north Queensland. Why has this been allowed to happen, one may ask. The Greyhound Racing Control Board and various other boards have a long record of appointments on a "jobs for the boys" system, rather than qualifications. The current board is headed by a former police officer who resigned because he was unable to put forward a business plan for the industry. His deputy was the president of a prominent country club from 1995 to 1998. When this deputy first took on the role of club president, the club was solvent. When he left—without attending the club's annual general meeting or furnishing a president's report—the club's liabilities exceeded its assets.

Time expired.

Republic

Mrs LAVARCH (Kurwongbah—ALP) (7.21 p.m.): A majority of Australians want to replace the monarchy because it is a meaningless symbol of values which no longer resonate with Australians. This of itself, however, does not mean that the referendum on 6 November to replace the monarchy will succeed. Ignorance, complacency, misinformation and fear may well combine to defeat the forthcoming republican vote. That these factors are very much in play in the current campaign was graphically illustrated last week by the outcome of the so-called deliberative poll conducted in Canberra. This exercise in participative democracy demonstrated that everyday Australians, armed with the facts and given time to make reasoned judgments, will not only support an Australian republic but will do so by an overwhelming majority.

Just as interesting was the outcome on the republican model. Only 20% went into the process supporting the actual model being proposed, while 50% favoured a directly elected president and 26% no change. After the intensive information process, support for the actual model on offer went up by 41% to 61%, while support for direct election fell to 19%.

What is to be made of this poll? Firstly, it clearly demonstrates that if the "No" campaign succeeds, it will do so on the back of ignorance and lies—ignorance and a lack of understanding of how our system currently operates and what are the respective roles and powers of the monarch, the Governor-General, the Executive and the Parliament,

and lies from the strange bedfellows who have joined forces in the "No" campaign.

Secondly, it shows that support for direct election is, in effect, very soft and is based on a misunderstanding of how things currently operate and what is the nature of the change proposed. It reveals that the entire republic debate became disjointed two years ago, when the media portrayal of the issue was reduced to slogans about how the job was to be filled and not what the job was about.

Thirdly, it reinforces the often recognised fact that, as a nation, we have not educated our children or ourselves about our Constitution and our system of government. It is a sad reality that many of us would know more about the American Constitution from popular media than about our own Constitution from our education.

In the balance of my remarks tonight, I want to confront the biggest lies and half-truths about the republic peddled by the "No" case. The "No" case advocates that the republican model will put more power into the hands of politicians. This great fib was revealed as the sham that it is by the deliberative poll last weekend. The truth is that the model reduces the absolute power now in the hands of the Prime Minister to hire and fire the Governor-General and transfers that power to the people first and then to the Parliament. The appointment method for the president would involve the public in nominating the candidates for the president and the Parliament approving by a two-thirds majority the nomination accepted by the Prime Minister and the Leader of the Opposition. By no stretch of any warped reasoning can this be said to be more power when the existing system places absolute power in the hands of a single politician.

The "No" case's second great furphy is that the proposed dismissal process for the president is unheard of in any nation on earth. Well, in answer to this one, not only is there a precedent, but it is the Australian system right here and right now. The Australian Prime Minister can dismiss the Governor-General instantaneously—no questions, no appeal. Equally, the Governor-General can instantaneously remove the Prime Minister.

It was this kind of intellectual dishonesty which was exposed and rejected by the everyday Australians who heard the facts at the deliberative poll in Canberra last weekend. We have been on a journey of nationhood, which inevitably must reach an Australian head of state. A republic is not just our destination; but as a free and proud independent and democratic nation, it must be our destiny. To both questions on 6 November, the answer is a resounding "Yes".

Marine Collision; Mountain Creek State Primary School

Mr LAMING (Mooloolah—LP) (7.25 p.m.): I rise tonight to speak on two issues. The first is to do with a marine collision. The second is in relation to education facility demands in my electorate. The marine collision occurred on 2 February this year, 32 nautical miles off Noosa. I made some inquiries locally and it seems that a Mooloolaba prawn trawler, the Tina, was anchored up off Noosa in the middle of the day after a long night's work. I spoke to the skipper of the Tina last week and was advised that, after cleaning up, the crew went below to sleep. At about midday, they were awoken by the sound of a ship's siren obviously very close to them. On emerging from below decks, they saw a Taiwanese-registered bulk carrier bearing down on them and making last-minute alterations to change course to starboard to avoid colliding with the trawler. Evidently, the port bow of the ship struck the boom of the Tina, causing minor damage to both vessels. The trawler skipper contacted the authorities and headed back to Mooloolaba.

As a result of this incident, the skipper was fined $3,500. There is an issue with this penalty, as the skipper has told me that the prosecution proceeded without his being issued with a summons to appear. This is being appealed, and it would not be appropriate for me to pass comment on a matter before the court as to the procedures, the facts or the regulations covering collisions at sea. However, I am concerned that a local fisherman has been prosecuted while the owner or skipper of the bulk carrier has not, to my knowledge, been brought to court. It is possible that Queensland Transport is not the competent authority to pursue an overseas registered ship. However, as a matter of equity, I cannot condone a situation where a local fisherman is prosecuted if the other party, who must share the blame for the incident, is not prosecuted at the same time.

I have written to the Minister for Transport outlining my concerns about what appears to be an inequitable approach to this incident and have asked for a briefing. Because there appear to be other issues involved I am bringing this to the attention of the House. Although I am not an expert at all in apportioning blame for a collision at sea, I cannot accept that there would not be a fair proportion of blame attaching to a vessel

under way that collides with an anchored vessel. Furthermore, I have been advised by the trawler skipper that the ship did not stop following the collision to render aid, if necessary. If this is so, this aspect should be followed up vigorously. There could have been injuries, or the ship might have been damaged and sinking. I would also like to know whether the ship's captain or crew made radio contact with any Queensland or Australian port or maritime authority to report the incident. If not, why not? Surely this is common decency, if not a maritime requirement.

Fortunately, the Tina is a sturdy steel vessel with an experienced crew, but this incident might have involved a more vulnerable craft with less experienced people—even children—on board. This issue must be followed up by both State and Federal authorities to ensure that our offshore waters, whether used by commercial or recreational sailers, are as safe as possible.

The second issue which I wish to raise tonight is in relation to the enrolment pressures being experienced at the Mountain Creek Primary School. Both this school and the adjacent Mountain Creek State High School are new schools that have suffered, in a sense, from their own popularity. This popularity is due only in part to their location and the fact that they are new schools. Both have had the benefit of great principals, staff, P & C associations and, of course, students. Both schools have had to employ enrolment management plans, which have included enrolment boundaries, to cope with their rapid growth. The primary school has had year-beginning enrolments of: in 1997, 900; in 1998, 920; in 1999, 1,051; and numbers now exceed 1,130.

The situation will become critical next year with a possible compromise of effective delivery of Education Queensland goals. The options put forward include a further tightening of enrolment boundaries or the ability of the school to expand into the adjacent buildings now occupied by the district education office. I believe the latter is the more effective option; and although I am not keen to turf the district office staff out of their premises, the education of our children must come first, and other premises can be found for an administrative function. I call on the Minister to investigate this situation as a matter of urgency.

Motion agreed to.

The House adjourned at 7.30 p.m.