THURSDAY, 7 SEPTEMBER 2000

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

DIVISION BELLS

Mr SPEAKER: Order! I refer to the personal explanation of the member for Caloundra to the House last evening regarding the ringing of the bells on Levels 10 and 11. I have investigated this matter and I am informed by the technicians that on both floors the volume controls located next to the fax machines had been manually turned off. I have instructed staff to identify ways to prevent these controls from being inappropriately interfered with. Further, I am keen to investigate additional methods of alerting members of divisions.

PETITIONS

The Clerk announced the receipt of the following petition—

Dalby Call Centre, Ergon Energy

From **Mr Borbidge** (608 petitioners) requesting the House to call on the Beattie Labor Government to intervene in the decision-making process by Ergon Energy to ensure that a call centre and Ergon Energy office remains located in Dalby.

Fuel Prices

From **Mr Dalgleish** (1,007 petitioners) requesting the House to redirect the funds set aside for further inquiries into the high price of petroleum into finding a long-term solution to the problem and that this money be spent on research and development of an alternative fuel supply, e.g. ethanol, liquid coal, natural gas, light crude oil, which are all resources available in large quantities in Queensland and would boost the economy of rural and regional Queensland.

Petitions received.

MINISTERIAL STATEMENT

Cape York Partnerships Business Summit

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.33 a.m.), by leave: Weipa has been witness to an historic gathering of business and indigenous leaders with a common goal: driving economic development on indigenous communities on Cape York. On 25 and 26 August, around 100 people gathered in Weipa for the Cape York Partnerships Business Summit. The business leaders, some from Sydney, Melbourne and Brisbane, and indigenous leaders from around the cape brought enormous goodwill and enthusiasm. Of course, there were two Ministers present—the Minister for Transport, who is also the local member, and the Minister for Aboriginal and Torres Strait Islander Policy, Judy Spence. We wanted a new deal for indigenous people on the cape—a new relationship between Government, business and communities to break the cycle of welfare dependency and offer new opportunities and hope. The summit produced results immediately, some of which I will detail.

The Myer Foundation provided $100,000, and the Sylvia and Charles Viertel Charitable Foundation provided $50,000. The grant from the Myer Foundation will be used to help establish the Indigenous Business Institute, and the grant from the Sylvia and Charles Viertel Charitable Foundation will go towards a specific project administered by the institute. The Indigenous Business Institute, whose directors include Aboriginal leader Noel Pearson and the Myer Foundation Chief Executive Officer, Charles Lane, will develop and provide culturally appropriate business skills, training and mentoring.

Comalco has announced that it will hand over the Sudley Park pastoral property to the traditional owners for use as an agricultural training college for indigenous youth. The property includes 6,000 cattle and some $4m worth of property and improvements. Fibremax has proposed to establish and operate a live cattle export business as a joint venture with indigenous partners. That would involve using Fibremax stockfeed technology.

Businessman Bernard Power has offered to establish, in consultation with the Napranum and other relevant Aboriginal communities, a gallery and exhibition centre for indigenous arts and crafts in his Weipa facilities. Mr Power also undertook to set up a hospitality and catering training program for indigenous youth at his hotel in Weipa. Mr Don Freeman, of the Tjapukai Aboriginal theme park in Cairns, offered to assist indigenous people with training in the tourism and hospitality industries. Mr Freeman offered to provide transitional training for indigenous people who receive some initial training in the cape but then want further training outside of their local community.

The Cairns Region Economic Development Corporation undertook to connect their members with indigenous communities and organisations to build ongoing business alliances. The Minister for Transport and Minister for Main Roads, Steve Bredhauer, announced that Queensland Rail would provide two scholarships worth $10,000 a year for five years. That is a total commitment of $100,000. These would be used to further educate and promote artists at the Lockhart River Art and Cultural Gang.

The Department of State Development is to review the use of digital technology across Government services in the cape, with a view to helping progress the Cape York digital network project. As well, the department and the University of Queensland will deal with issues such as intellectual property and bandwidth. The Queensland Government can help by not setting up hurdles to economic development but encouraging them. I have pledged that we will do all we can to facilitate worthwhile proposals.

My sincere thanks go to everyone for their generosity and commitment to productive partnerships with the indigenous people of Cape York. This is a solid result and justifies the Government expenditure in providing transport and other costs to make this partnership summit a success. I am confident that it is just the start of the benefits that will flow from this unprecedented gathering of business and indigenous leaders.

I am grateful to every one of the participants at the summit, and I thank them publicly today. It has been even more successful than I had hoped and will be followed by a series of smaller focus group meetings that will progress the ideas and partnerships that have been developed. The summit is a major plank in the Queensland Government's Cape York Partnerships strategy. This is the Government's formal offer to improve the quality of life in indigenous communities on Cape York by working in partnerships in the areas of economic and social development, strengthening families and governance.

MINISTERIAL STATEMENT

South Sea Islander Recognition Statement

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.37 a.m.), by leave: I seek the support of all members of the House in acknowledging a very significant advance. Today my Government will right a wrong that has existed for more than a century in Queensland. Today we formally recognise Australian South Sea Islanders as a distinct cultural group in Queensland. For the information of members, I table the Queensland Government's recognition statement of the Australian South Sea Islander community which, as honourable members can see, has been signed by both the Leader of the Opposition and me. I thank him for his cooperation and his bipartisan commitment to what we are doing today in this formal recognition. I will be moving that my ministerial statement be noted so that the Leader of the Opposition will have an opportunity to address this issue at the conclusion. I also wish to acknowledge in the public gallery representatives of the community, some of whom have travelled overnight by bus to witness this occasion. On behalf of all members of Parliament, I say to them that it is an honour to have them with us today.

From this day, Australian South Sea Islanders will be recognised as a distinct cultural group in Queensland. Over several generations, the community has called for such recognition to acknowledge their special place in the history of this State. South Sea Islanders were first brought to Queensland more than 130 years ago as cheap labour. That is a sorry part of the history of this State, but I think on an occasion such as this we should be up-front and deal with it openly. Many people were tricked into coming, others were blackbirded, which simply means that they were kidnapped. Men, women and children were forced to work long hours for low wages, or no wages, in slave-like conditions, enduring poor living standards and a mortality rate five times greater than Europeans of the time. With the advent of the infamous White Australia Policy, the majority of Melanesians brought to Queensland were forced to leave, despite having helped enrich our State through their backbreaking work in the sugar industry and many other industries.

As we plan to celebrate the Centenary of Federation, it is worth noting that some of the earliest Commonwealth legislation passed in Australia ordered the deportation of South Sea Islanders. Research into the Queensland Government's own Department of the Premier and Cabinet—my department—has unearthed a substantial amount of historical material that shows the effects of the policies of the time on the lives of South Sea Islander people. In 1992, a human rights and equal opportunity report found that the community had suffered from a century of racial discrimination and harsh treatment and was the most disadvantaged non-indigenous community in

Australia. While the Federal Labor Government of the day responded to the report and recognised Australian-born South Sea Islanders, no formal recognition statement was presented to the community.

Queensland, the main beneficiary of the work of South Sea Islanders and the home of so many descendants, has until today failed to formally recognise this community. Today we are setting that right. Formal recognition means that Queensland Government departments and agencies must ensure that Australian South Sea Islanders have equal opportunities to participate in and contribute to the economic, social, political and cultural life of the State. In consultation with the community, my department has already begun developing a whole-of-Government action plan to address the key needs of the community. This response is consistent with the Government's Multicultural Queensland Policy aimed at ensuring access, participation and cohesion for all Queenslanders. I expect this plan to be completed by the end of the year.

However, we already have one initiative from the action plan. The Queensland Department of Main Roads, my own department and the Livingstone Shire Council have, in the past couple of days, agreed to an initial $160,000 upgrade of Joskeleigh Road near Yeppoon in central Queensland. This is an important road for a significant South Sea Islander community, and it will also provide access to proposed cultural tourism projects. Later today I will be hosting a function at Parliament House to mark this recognition statement. That function will be attended by a large number of Government Ministers and backbenchers, as well as the Leader of the Opposition and his key shadow Ministers. I thank him again for his bipartisan support.

At that function, one of Queensland's favourite sons and an Australian South Sea Islander, Mal Meninga, will be there helping to launch an information kit comprising a poster and brochure. I thank him also for being with us on this occasion. This is just the beginning of a concerted strategy to make every Queenslander aware of the cultural heritage and significant contributions made by the South Sea Islander community. I am confident that formal recognition will also help build the self-esteem and dignity of what is already a very proud community.

The recognition statement cannot undo history. However, it is a sincere acknowledgment of a special community within Queensland. I again welcome the representatives of that community to this Parliament. I look forward to seeing them later today. I move—

> "That the House notes this statement."

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (9.43 a.m.): Today I am pleased to join with the Premier in this significant bipartisan event. In doing so, I also acknowledge the representatives of the South Sea Islander community who are present in the public gallery for this very important and very historic event. It is significant in many ways. I thank the Premier for his courtesy in offering the Opposition this opportunity to contribute to the Hansard record of the occasion. I support the Premier's statement and simply say that the Opposition joins fully with the Government on this issue. I endorse the remarks that have been made by the Premier and I agree with them.

Later today, as the Premier has said, there will be a ceremony and gathering within these precincts at which we shall enjoy the formal part of the recognition proceedings proposed by the Government and heartily endorsed by the Opposition. I will not unduly take the time of the House at this point. I will simply say, using the words of the recognition statement itself, that—

> "The Australian South Sea Islander community has played a major role in the economic, cultural and regional development of Queensland. Individual Australian South Sea Islanders have excelled in politics, government, religion, sports, art, business, health and education ... and that their unique spirituality, identity and cultural heritage enrich Queensland's culturally diverse society."

There will be a time later outside the Chamber to say a few more words and to celebrate the unique event of this recognition statement. I will be pleased, and indeed privileged, to join with the Premier on that occasion. Again, I acknowledge and indicate to the representatives of the South Sea Islander community in the public gallery today our recognition, our respect and indeed, together with the Premier, a mutual embrace of the tremendous contribution that they have made to this State and nation with considerable pain over the years. I am confident that this recognition statement is a positive initiative and a way forward for us all to work together in a spirit of harmony and cooperation in this great State and this great nation.

MINISTERIAL STATEMENT

IT Industries

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.46 a.m.), by leave: I am pleased to inform the House that Queensland is fast earning the reputation as the ideal location for back office operations, shared services and call centres. The Beattie Government has deliberately set out to target call centres, which are a growing market. In just two years, we have convinced international and interstate companies to base their call centres in the Smart State, and we already have more than 2,000 call centre jobs on the board. Queensland is now the Asia-Pacific base, the national base and, in some cases, the global base for the call centre headquarters of many major corporations. These companies are fast learning that the Beattie Government's commitment and ability to attract smart industries is second to none.

We already work with Telstra. Only yesterday I turned the sod on the site of what will be the national headquarters of Australia's second largest Pay TV operator, Austar, based on the Gold Coast. The move by Austar will create a further 1,000 new jobs. Also on the Gold Coast is Stellar. Its call centre employs 200 people. In Brisbane there is the Qualiflyer Group. Its new multilingual centre will create 85 new jobs as a partnership between Swissair, Sabena, the French airline AOM and Tap-Air of Portugal. It will service 20 countries around the world from right here in Brisbane. Then there is Citibank's Brisbane call centre, which was launched late last year to service Australian and Asian customers. This call centre employs 180 staff, with plans to expand its operations to 300 employees. IBM actually runs its Asia-Pacific call centre out of Brisbane. Therefore, if a person in rural Japan needs to be informed on IBM material, that call is answered right here in Brisbane.

Dublin has tapped into the growing call centre market very well in Europe, and we aim to position Queensland in much the same way for the Australian and Asia-Pacific region. Many European companies have established financial back office operations in Brisbane, including DHL Worldwide Express, which is headquartered in Brussels, and the shipping giant P & O Nedlloyd, which is headquartered in London. Financial services and support are being carried out at these Queensland sites as part of a range of shared services such as customer service, IT and processing. P & O Nedlloyd will employ 140 people, while DHL's operations will eventually involve 300 people and cover Oceania, that is, Australia, New Zealand and the Pacific.

However, it is not just IT & T companies bringing their call centres to Queensland. Major banks have also back offices and/or call centres in this State, including Suncorp Metway with 600 employees and a further 400 people at the call centre operations of the Commonwealth Bank. In most cases, Queensland has successfully beaten other Asian centres and other States for these businesses. They have endorsed the Smart State environment that this Government has nurtured in both growing existing businesses and attracting new ones. Our highly skilled multilingual work force, lower taxes and lower business costs, world-class IT & T infrastructure, proximity to Asia and lifestyle make Queensland the ideal location for these multinational companies. This is an advantage that the Beattie Government will continue to drive.

MINISTERIAL STATEMENT

Doomadgee

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (9.50 a.m.), by leave: Last week I paid a visit to Doomadgee to coincide with a meeting of the Aboriginal and Torres Strait Islander Advisory Board. After a number of days in the community, members of the board were clear about one thing: the reality of life in Doomadgee does not match the preconceptions held by the outside world. I have to agree with them.

Doomadgee is home to tough and resourceful people who are forward looking and share a strong community spirit. It has a new and youthful local council with a wealth of ideas and enthusiasm for moving the community forward. It also has some remarkable elders. I had the strong sense that they continue to wield authority and command respect. Some of the elders exercise their wisdom and authority in the Local Justice Group, which has begun working closely with the courts. They spoke positively about a recent visit from District Court Judge Sarah Bradley, who discussed with them tactics for dealing with a number of young people due to appear before her. The group seems destined to go from strength to strength, and I was pleased to announce a $50,000 funding boost from the Department of Aboriginal and Torres Strait Islander Policy and Development. I am confident that it will be money well spent.

The Queensland Government's drawing board includes a number of projects that will improve quality of life in Doomadgee. For example, construction is due to start in the next fortnight on a child and family support centre. The centre, funded to the tune of $1.2m by the Department of Families, Youth and Community Care, will provide care for up to eight babies and 21 children of various ages. Also, next month construction of a women's crisis centre is due to get under way. Funded by the Department of Housing, this $650,000 project will shelter up to a dozen women, and their children, escaping violence. Further, a $500,000 ambulance station and staff quarters are to be built by the Department of Emergency Services. I gather that representatives of the department have been in Doomadgee this week, discussing a suitable site for the building.

Along with safety and security, better health and a decent education, the people of Doomadgee want jobs and economic opportunities. A bakery which has been closed for many years is due to reopen in coming weeks. It will be run by local people. My department continues to run the Doomadgee supermarket and service station, along with stores in five other communities. The Government is keen to hand the stores back, and this is due to happen next year. It will provide locals with opportunities to be involved in the retailing business.

I readily admit that our continuing store ownership is a vestige of a time when Governments controlled most aspects of Aboriginal lives. No people remember this time better than the people of Doomadgee. In some ways their town is a living museum of the Queensland Aboriginal experience of the 20th century. The girls and boys dormitories are still there—testimony to the harsh decades spanning from the 1930s until 1983 when the Christian Brethren administered the community. A Government report of 1950 described the dormitory system as "indistinguishable from slavery".

This is not ancient history. Many people remember their dormitory years, how they were taken from their homes and the beatings they suffered for daring to speak their own language. Stolen children, removal from country, suppression of language and culture, and unabashed cruelty—the people of Doomadgee have experienced it all. But they are survivors and they have stepped into the new century on an optimistic note.

With strong leadership, continuing respect for elders and an injection of Government infrastructure and services, the people of Doomadgee are facing the future with a new sense of hope. I also acknowledge the South Sea Islander people present in the gallery today. Now, as ever, it is a great honour to be part of a Queensland Government that is committed to reconciliation.

MINISTERIAL STATEMENT

Wine Industry

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing) (9.54 a.m.), by leave: Queensland's wine industry is booming. Land planted to grapes for wine production has trebled in the past two years. We expect growth of a further 500% by 2003. In the last financial year my department issued 24 new wine licences—an increase of 39% in just one year. The approvals brought the total number of licences to 85, with the vast majority spread across the Granite Belt, the South Burnett, the Toowoomba/Darling Downs area, the Sunshine Coast hinterland, and the Mount Kilcoy and Mount Tamborine areas.

The industry is coming of age. We have seen a renaissance. Queensland wines are now the equal of any in Australia and right up there with any in the world. The challenge for us is to sell that message both nationally and internationally. The Government and winemakers are working hard to ensure that wine tourism develops to its full potential.

Tourism Queensland, in conjunction with Restaurant and Catering Queensland, the Department of State Development and the Department of Primary Industries, has developed a tourism food and wine strategy for Queensland. It recognises that tourists are significant consumers of local produce and encourages restaurants to stock and promote local wines. Our wineries are playing their part, with cellar door sales, winery visits, restaurants and accommodation for tourists. It is a spin-off that could be worth millions of dollars a year in additional tourism revenue.

TQ is also working with State Development on the Queensland wine project. Already more than $50m has been invested in the wine industry. The project will assist in the implementation of a set of achievable goals that will further enhance the reputation of Queensland wines. State Development is also conducting market research to identify future overseas markets for our wine producers. Through the wine industry export strategy the department will identify present and future exporters, as well as the State's industry capacity and priorities over the next three to five years. The Queensland Wine Industry

Association also promotes its products and works with Government to strengthen the industry's base and seek out markets.

Wine and tourism are natural partners. In recent weeks I have been involved in the launch of the Gold Coast Hinterland Wine Trail and earlier this week popped the cork to launch the Granite Belt's 2000 Spring Wine Festival. It is particularly pleasing for me as Tourism Minister to see the six vineyards in the hinterland working together to promote their wineries and encourage visitors to travel the wine trail. I cannot think of a more relaxing or enjoyable way to sample fine food and wine.

The Granite Belt is Queensland's premium wine district, with locally produced wines winning well over 500 awards in the past 10 years at shows around Australia. The Spring Wine Festival, to be held over three weekends next month, is now in its 12th year. It injects about $1.3m into the local economy. Honourable members can see that it has become a major event on the region's tourism calendar. There are 17 participating wineries this year. They will stage 23 separate events and host up to 1,000 visitors daily. It will be great fun, and I invite any members who can do so to share in the festival.

MINISTERIAL STATEMENT

State Emergency Service

Hon. S. ROBERTSON (Sunnybank—ALP) (Minister for Emergency Services) (9.57 a.m.), by leave: The Beattie Labor Government is proud of its record of support for the State Emergency Service and its 35,000 volunteer members. SES volunteers perform valuable work for their communities—work that is recognised by this Government, which is committed to ensuring a strong and viable future for the 405 SES groups in Queensland.

It was this Government's precise wish to boost the profile and recognition of the SES which led to the re-establishment in 1998 of the separate position of Director, SES & VMR Support within the Department of Emergency Services, a position that had been abolished by the previous Government.

Labor's commitment to the SES is also reflected through record budget funding for the SES, including an additional $1m each year for support of our volunteers with uniforms and equipment, the four-year $1.5m floodboat replacement program and $1m a year for the SES cadets youth program. We also provide through my department strong organisational support and leadership for the SES by developing, implementing and monitoring SES plans, policies and procedures, as well as managing SES training and logistical arrangements.

Key initiatives undertaken by this Government also include a comprehensive stocktake of all SES equipment so that we can better resource units in the future, plus planning for a range of initiatives to celebrate later this year the 25th anniversary of the SES and next year's International Year of Volunteers.

The Department of Emergency Services is also working on the development of a strategic plan for the Queensland SES for 2001-06, plus a longer-term—10 years plus—SES strategic directions paper. These blueprints for the future will be based upon comprehensive research and consultation with SES volunteers and a wide range of stakeholders, including local government and State agencies that rely on SES volunteer support in delivering services to the community.

This Government particularly values the input of SES volunteers at the grassroots level to assist in the development of the SES strategic plan. To that end I have instructed my department to prepare a comprehensive SES volunteer survey that will next week be sent to every SES member in Queensland, seeking their ideas and opinions about the future of their organisation. This survey aims to measure Statewide attitudes of SES volunteers to issues such as SES operations, training, management, equipment, recruiting, support from local government, district offices and State office, and future ideas for the SES. The survey is the first of its type and the views and opinions of SES volunteers will play a vital role in the development of the SES strategic plan.

The Beattie Government has made considerable effort to strengthen the links with SES volunteers over recent years. We are listening and we are delivering. I believe that involving grassroots SES volunteers in development of the strategic plan, by giving them a strong say in the future of their organisation, will further strengthen those links and result in a strong, viable SES well into the future.

PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE

Report

Mr LUCAS (Lytton—ALP) (10.01 a.m.): I lay upon the table of the House a Criminal Justice Commission publication titled Prevention Pays—Newspaper of the Criminal

Justice Commission No. 3 August 2000. This publication is not a report of the CJC for the purposes of section 26 of the Criminal Justice Act. The committee stresses that it has in no way conducted an inquiry into the matters the subject of this publication. However, the committee is tabling this document as it believes it is in the spirit of the Criminal Justice Act that all non-confidential publications by the CJC be tabled in the Parliament.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Report and Audit

Mr MICKEL (Logan—ALP) (10.01 a.m.): I lay upon the table of the House the Members' Ethics and Parliamentary Privileges Committee's annual report 1999-2000 and the committee's audit of discharge of responsibilities, 1 July 1999 to 30 June 2000. I commend the report to the House and move that the report be printed.

Ordered to be printed.

NOTICE OF MOTION

Mackay; Sugar Industry

Mr MALONE (Mirani—NPA) (10.02 a.m.): I move—

> "That this House condemns the Beattie Labor Government for its failure to provide adequate support for the sugar industry and for roads, water, education, health and social infrastructure in the Mackay region."

PRIVATE MEMBERS' STATEMENTS

Electoral Fraud; CJC Inquiry

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.02 a.m.): It is becoming increasingly clear that what the Premier says and what the Premier does in regard to the electoral corruption scandal that is engulfing his Government amount to completely separate things. We had a promise from the heart by the Premier that he would not seek to interfere, he would not seek to influence, the outcome of the CJC's deliberations. What happened? He got the Labor Party organisation to brief a QC to argue that the Labor Party should not be investigated.

Mr BEATTIE: I rise to a point of order. That is not true. It is wrong; it is misleading and I ask for it to be withdrawn.

Mr SPEAKER: I ask the Leader of the Opposition to withdraw.

Mr BORBIDGE: If the Premier finds it offensive, I will withdraw. He stood by as parliamentary leader while the Labor Party organisation argued by way of a legal brief to the CJC that the Labor Party should not be investigated. He said he would not interfere, yet we had him last night and this morning saying that Mr Shepherdson should complete his investigations by Christmas and that the CJC should get on with the job so as not to interfere with the Premier's time frame for a State election. He is now seeking to interfere in terms of how long the CJC takes—how long the commissioner takes—in respect of these particular inquiries.

He said that he would stand aside any members who are implicated in respect of this particular episode, the scandal of corruption that now threatens to engulf his Government. Yesterday, in respect of the member for Townsville, he said, "Where? Where? Where? Where? Where?" It is here, here, here, here and here. I table for the benefit of the Premier relevant comments in respect of the recent report of the court proceedings, uncontested, in Townsville.

Time expired.

South Sea Islanders

Mr NUTTALL (Sandgate—ALP) (10.04 a.m.): I join with the Premier in welcoming today the formal recognition of Australian South Sea Islanders as a distinct cultural group. Members of this House will have on many occasions heard me speak of the rich cultural diversity that exists in this State. Australian South Sea Islanders add immensely to our dynamic profile, particularly in the regional centres of Queensland. Their heritage is such that they do not have an indigenous link to this land and they did not take part in the waves of migration which have so greatly added to our State's diversity. History tells us that South Sea Islanders were brought to these shores to work in the fledgling sugar industry.

The way in which South Sea Islander people were brought here and their harsh treatment in those early years remains a controversial chapter in the living memory of many descendants. As the Honourable Premier has told us this morning, forced deportation by early Federal Governments would further impact on the community. Members of the community petitioned and protested Governments of the time to be able to stay in Australia. It is those descendants whom we now know as Australian South Sea Islanders. These early interactions with our

society unfortunately meant that a cycle of inequitable treatment had begun. Yet despite this, Australian South Sea Islanders have remained a proud community intent on maintaining its rich heritage and culture. The community has continued to make substantial contributions to our State's development, excelling in many fields of endeavour.

Today's statement of recognition is a credit to this Government because it further emphasises our commitment to the Multicultural Queensland Policy, a policy encouraging the inclusion of all Queenslanders. I hope that the Queensland Australian South Sea Islander community will rejoice in this day, because it gives the community the status and recognition it has called for over many years. The Government has responded to its calls and has given the community the status it so richly deserves.

Member for Greenslopes

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (10.06 a.m.): Two weeks ago, I provided the Criminal Justice Commission with a document which purported to be an internal discussion paper prepared by the Socialist Left. Yesterday, Mr McMurdo confirmed that this document created a reasonable suspicion of electoral corruption in East Brisbane and Morningside. Among other things, the document referred to the forging of enrolment cards, false electoral addresses and suspected alteration of ballot papers. It stated that some members of the ALP were prepared to go to the extremes of committing criminal offences in an effort to win ballots. It went into some detail on systematic vote rigging through the indiscriminate issuing of multiple ballot papers and letterbox pilfering.

The document did not name the alleged perpetrators, but it is a matter of public record that the president of the local ALP branch at that time was the member for Greenslopes. I am not aware of any evidence that the member for Greenslopes was involved in the alleged corruption, but nor am I aware of any evidence that he was not. The fact is that until this commission of inquiry is concluded, we just do not know. That is why he must stand down as Chairman of the Legal, Constitutional and Administrative Review Committee. The member for Greenslopes cannot continue to chair LCARC's inquiry into electoral integrity when there are serious allegations about the electoral integrity of his own branch. His position is untenable. There can be no public confidence in his chairmanship while the jury is out.

The member for Greenslopes is entitled to the presumption of innocence, but he is not entitled to create public doubt about the proper administration of his parliamentary committee. What store can we put in LCARC's recommendations on electoral integrity when the Chair of LCARC is himself under a cloud? The member for Greenslopes must stand down.

South Sea Islanders

Mr MULHERIN (Mackay—ALP) (10.08 a.m.): Today is an historic occasion, and I support the formal recognition by the Beattie Labor Government and the Parliament of Queensland of the Australian South Sea Islanders as a distinct cultural minority group. This occasion is enhanced by the presence of representatives of the Australian South Sea Islander community.

This Parliament's formal recognition creates the opportunity to address the plight of a forgotten people, a people who have suffered racial discrimination and social and economic disadvantage at the cost of their cultural identity. As the member for Mackay, my electorate has the largest South Sea Islander community in Australia, with an estimated 26% of the total population. Mackay South Sea Islanders are descendants of those Melanesian people brought to help develop the sugar industry, mainly from Vanuatu and the Solomon Islands. Their role in the development of the fledgling industry was critical. While the sugar industry is going through tough times at the moment, it is the industry that is the economic cornerstone for much of rural Queensland and certainly the Mackay district.

As a lifetime resident of Mackay and as an elected member of this Parliament, I have had the pleasure of working with the community on numerous occasions. We have heard this morning that Australian South Sea Islanders have a unique heritage and one that was surrounded by considerable hardship. Despite this harsh background, South Sea Islander people have an enduring sense of community and cultural identity. They are proud of their heritage and even prouder to be known as Australian South Sea Islanders. The fact that the community has remained so strong and has been able to achieve today's recognition is not surprising to me or indeed any of my fellow members who have been associated with the South Sea Islander people. This is primarily because of the strong sense of dignity, humanity and family values that are so evident in their community. It is

these values that have sustained them in their long struggle for recognition and justice and has earned them the most profound respect of the Mackay community.

I have no doubt that formal recognition will serve to further enhance the outstanding qualities that the community already displays. I would like to congratulate those community members who have worked so tirelessly to achieve this recognition.

Funeral Directors

Mr TURNER (Thuringowa—IND) (10.10 a.m.): In the last sitting of this Parliament I spoke about the undignified treatment by the Twin Cities Funerals staff of a deceased woman from the Masonic Village for the Aged whose body was indecently pushed and shoved to fit into their vehicle to be transported to the morgue.

Following intensive media coverage, I received a phone call from a woman whose 18-year old son had died in a motor accident in Canberra seven years ago. She arranged for his body to be brought home and went to see him for the last time at Twin Cities Funerals. She was directed to a tin shed with no floor covering, no airconditioning and the only furniture was an old chair. Her son's coffin was open and his body was uncovered. The horrific head injuries he had received from the accident were covered in flies and the manager had to use fly spray. This mother told me that this vision of her son would never go away. When she saw the recent television coverage, her anguish became irrepressible and she had to cry out for help.

Seven years ago this family wrote to my predecessor, Mr Ken McElligott, about the treatment by Twin Cities Funerals staff of her son's body. When Mr McElligott finally answered the letter, he told them that there was no legislation controlling the operation of funeral directors. Councils have no requirements with respect to their premises and, in effect, a person could operate a funeral parlour under his or her house. He went on to say that he would continue his attempts to have something done but that it would take time, if indeed it happened at all.

This was seven years ago. Indeed, nothing has happened. Legislation has not changed and Twin Cities Funerals is still operating in an indecent and offensive manner. I fear that this is the tip of the iceberg and that there are probably a lot more horror stories out there—horror stories that add to the grief families are already trying to deal with when they lose a loved one.

It is time that the Government looked at regulating the funeral business to protect the public from this kind of distasteful conduct. I table a copy of Mr McElligott's letter.

South Sea Islanders

Mr REYNOLDS (Townsville—ALP) (10.12 a.m.): It is with a great deal of pride today that I stand in the House in my capacity as the member for Townsville and the Premier's Parliamentary Secretary in North Queensland to strongly support the statement of recognition that has been given today to Queensland's South Sea Islanders.

I am very proud to have worked amongst the South Sea Islander community over a number of my years in public life. Approximating 40 north Queenslanders from my region are here to witness this very fitting recognition statement today in the Parliament and to also attend the function later in the parliamentary precinct.

There has been considerable community excitement growing for what will be a very historic occasion for the Queensland South Sea Islander community. Can I recognise in the gallery today Mrs Bonita Mabo, a very good friend of mine and colleague from Townsville, and many other north Queenslanders who are here for this occasion.

This statement of recognition will acknowledge Australian South Sea Islanders as a distinct cultural group, while at the same time acknowledging the considerable hardship and disadvantage suffered by the community since being brought to Queensland more than 130 years ago. The ceremony will include the launch of an information package on the community to be performed by Australian South Sea Islanders and one of Queensland's favourite sons, as the Premier has indicated, Mal Meninga.

These Australian South Sea Islanders have a unique place in Queensland's history as they do not have a migration or an indigenous heritage, having been brought here as indentured labourers. I do not say with any pride that Townsville was named after Robert Towns, one of the infamous blackbirders or kidnappers, but I stand as the member for Townsville today congratulating these South Sea Islanders on their cultural identity, their cultural heritage and the work that they have done in the north Queensland community. We are all very, very proud of that effort and it is with a great deal of pride that we will be taking part in the ceremony this afternoon at 3 p.m. to ensure that the South

Sea Islander identity is well and truly recognised in the State of Queensland.

Moreton Bay Islands

Mr HOBBS (Warrego—NPA) (10.15 a.m.): The Government is ducking the issue of resolving the difficulties faced by land-holders on the southern Moreton Bay islands. According to the Minister for Local Government, these problems must be resolved between land-holders and the Redland Shire Council, but the job of solving this intractable problem is not one that belongs to the shire council alone, or even chiefly. The Minister has shown no lack of resolve in dipping into local government matters when it suits him or his party to do so. However, on this one he apparently wants everyone to stay out of it; it has been put into the too-hard basket.

During Parliament's last sitting the coalition called for the issue to be examined by the Public Works Committee of the State Parliament. We believe that this is the best and most effective way, and importantly the quickest way, to establish the facts about plunging land values on the islands, where thousands of people who have bought residential blocks in good faith are facing the substantial devaluation of their assets.

Inquiring into the situation of the islands through a standing all-party committee of Parliament makes sense. It reduces the cost of the exercise; the inquiry process is within the forum of the people's elected representatives; island residents and land-holders deserve to get an urgent answer to their problems; it is not a case of finding scapegoats but of doing the right thing by thousands of people who own land on the islands as well as the residents of those islands.

The Minister is still trying to duck the issue. He has no shame. He is still trying to avoid taking the action that this Government should have taken a long, long time ago. He sat on the islands land use study for two years. He has tried to portray the problem as something for the Redland Shire Council to sort out, but it is the State Government that has the chief responsibility for the fair administration of this State.

Island land-holders universally believe that they have a problem. The facts as we know them back them up on this. The Minister for Local Government must act now. The best starting point is a reference to the parliamentary Public Works Committee.

Member for Clayfield

Mr MUSGROVE (Springwood—ALP) (10.16 a.m.): Last week the member for Clayfield accused me in a very, very carefully worded personal explanation of defaming him in this House. The member for Clayfield was obviously very, very sensitive about any legitimate questions about his fundraising activities. Indeed, they are questions that no member of this House should be afraid of.

I believe that the financial disclosure of political fundraising activities is of paramount importance in any democracy. Political fundraising must be declared in one of three ways: firstly, funds raised by a political party are declared with the Electoral Commission in that party's return; secondly, funds raised by an associated entity of that party are also declared with the Electoral Commission; thirdly, funds benefiting a member of Parliament individually should be declared in the Member's Register of Interests. The slush fund known as the Clayfield Staff Account must be declared somewhere. The system is designed to catch all political donations.

I am informed that this account, this slush fund, has more money in it than the accounts of the Queensland Liberal Party. The member for Clayfield has failed to declare this fund in his Member's Register of Interests. I would also be very surprised if he has declared it as an associated entity of the Liberal Party with the Electoral Commission. The reason that he would not declare it as an associated entity of the Liberal Party is that the moneys in the account are for the benefit of the member for Clayfield, not for the Liberal Party. He has admitted in this House that this money is used, at the very least, to employ staff in his office. This admission indicates that the member for Clayfield does in fact receive a benefit from this account while the Liberal Party does not.

The member for Clayfield denied that he was a signatory to the account. I never said that he was, but I am happy to reveal who is. One is councillor Tim Nicholls, a solicitor who is now councillor for the ward of Hamilton in the member's electorate, and the second signatory is Mr Alan Pidgeon, a Brisbane stockbroker who lives in the Federal seat of Ryan and who is not even a member of one of the member for Clayfield's branches. Mr Pidgeon was on the Santo-Carroll ticket, which won all but one position in the infamous Ryan area elections a few weeks ago. Concerns about this fund did not start here; they started with the Prime Minister of Australia.

Time expired.

Public Housing

Mr LAMING (Mooloolah—LP) (10.19 a.m.): From information provided through questions on notice, the Minister for Housing has acknowledged that he has carried over nearly $88.5m of Housing capital works from the 1999-2000 financial year into the 2000-01 financial year. This is particularly disturbing when one considers that this figure does not even include the cost of the 200 public houses that the Minister deferred from last year's capital works program, which are conservatively estimated at over $23m.

However, if one forgets this $23m worth of housing and just focuses on the published $88.5m carryover, one finds that it represents more than the entire public housing construction budget for this financial year, which was estimated at only $87.9m. If this lack of achievement by the Minister was not bad enough, the method used to hide this poor performance is downright deplorable.

In a cynical exercise of appearing to do the right thing by those Queenslanders who are on the public housing waiting list, the Minister claimed that he had met his revised target of 500 public housing commencements. However, under sustained questioning during the Estimates hearing, the Minister revealed that of these 500 commencements he had signed the contracts on over half of them—or, more precisely, 264—in the last three months of the financial year. But in an act of complete duplicity the Minister revealed further that of those 264 commencements signed off in the final quarter of the financial year, 221—yes, 221—of these contracts were signed off in the month of June. So that means that 221 of the 500 commencements, or 44% of the commencements for the 1999-2000 financial year, had their final approval signed in only June 2000. I would be surprised if the successful builder even visited the building site in that time let alone started construction of any houses.

This is clear evidence that the Minister is cooking the books and failing to deliver on his promises to those Queenslanders who require public housing.

Time expired.

Electoral Fraud; Ms K. Ehrmann

Mr KAISER (Woodridge—ALP) (10.21 a.m.): On Tuesday, the Leader of the Opposition sought to draw a link between Karen Ehrmann's illegal activities in Townsville and seven cases of apparent multiple voting in the seat of Mundingburra. Perhaps the Leader of the Opposition would care to explain the seven cases of multiple voting in 1998 in his seat of Surfers Paradise—an electorate that Labor has never seriously believed it could win. Or maybe the member for Moggill should explain why 10 people voted more than once in his State electorate. In fact, figures provided to me by the Queensland Electoral Commission suggest that three people voted more than once in the electorate of Warwick, eight people more than once in Merrimac, nine people more than once in Warrego, 13 people more than once in Southport—where is Mick—14 people more than once in Mooloolah and 10 people more than once in Clayfield. Do those members deny that they have been involved in rorting votes at the last State election? Or do they suggest that Karen Ehrmann was active in all of their electorates, too? Or is there a more innocent explanation?

For the record, the Electoral Commission advises me that a total of 605 people across the State were asked to explain why they apparently voted more than once. In all but six cases the Electoral Commission found a reasonable explanation. Those six cases were referred to the police and subsequently the police advised the Electoral Commission that there was no evidence to support charges. In other words, neither the Electoral Commission nor the police were able to find any evidence of a single person deliberately voting more than once at the last State election anywhere in the State.

But that did not stop Rosemary Kyburz smearing all State members by suggesting in an article which appeared in the Courier-Mail on 28 August that all political parties routinely rort the electoral roll for political gain. The so-called evidence that she used for making this suggestion was the number of people who seemingly voted at more than one polling booth. It shows just how easy it will be in the coming weeks to smear people with baseless allegations when it comes to issues related to the integrity of the electoral roll, as the member for Moggill smeared the member for Greenslopes this morning.

Jet Skis

Mrs SHELDON (Caloundra—LP) (10.22 a.m.): On a couple of occasions I have spoken of the problems with jet skis in my constituency. I would like to expand further on this matter and bring to the attention of the Minister that the New South Wales Government has tightened laws applying to these personal water craft, as they are called. Despite accounting for only 6% of all boating

licences in that State, PWCs attract more than four times that percentage of complaints. Many of those complaints are based on practices such as travelling too fast and too close to swimmers. Eighty-one jet ski users have been banned from holding any boating licence for a year and a further 280 infringement notices have been issued so far this year.

In the latest law change, jet skiers can be banned from coming within 300 metres of Sydney beaches. From 1 July, local authorities have had the right to ban jet skis from problem areas and increase exclusion zones from 200 metres to 300 metres from the shore. Our Minister is proposing an exclusion zone of 50 metres.

I would like to refer further to information that I have received from the North Queensland Conservation Council, which has campaigned against jet skis. They say that jet skis are fundamentally different from conventional boats in design, operation and use and that they are multiple-impact machines in terms of noise pollution, marine pollution, wildlife harassment, loss of amenity, degradation of the public perception of the value of a natural area, and safety in waters.

The North Queensland Conservation Council states further that there should be a restriction on jet skis to specific designated areas and that in no circumstances should those designated areas include the following: shallow water two metres inshore except at no-wake speed; over or adjacent to seagrass beds; within 500 metres of islands important for nesting birds; dugong protection areas, areas designated sensitive sites because of habitats or species presence; or within 500 metres of areas designated swimming beaches by local councils.

The new regulations that the Minister is going to put in place go against every one of those recommendations of that North Queensland Conservation Council. I ask the Minister to be more realistic and to put in place regulations that work, that protect our sensitive environmental areas, particularly in the Pumicestone Passage, and to protect the people who live there.

Time expired.

South Sea Islanders; Child Protection Week

Ms BOYLE (Cairns—ALP) (10.25 a.m.): Today I am privileged to be here to give recognition—and I am sure that there are many thousands of people in Cairns who join with me—to the important contribution that the South Sea Islanders have made and continue to make to this fine State of Queensland.

However, I would like to draw to the attention of honourable members that this is Child Protection Week 2000. Certainly, in the Cairns area, there is a very active committee sending the message out to people that if they know a child, or if within their family there is a child at risk of abuse or neglect, then for heaven's sake, they should face the problem. The sooner the problem is faced, the sooner contact is made with one of the worthy organisations that are available to assist, then the sooner the problem can be remedied and there is less likelihood of ongoing trauma or discomfort for either the child or other members of the family.

I would like to draw the attention of honourable members to one of the important groups of children who are at risk of neglect through no fault of their own, and those are children who have a parent with a mental illness. In times past we have not offered as much assistance to those people who have a mental illness as probably we should. It is indeed gratifying that health services have re-oriented their focus. Nonetheless, we need to care for the children who grow up in households with parents who through mental illness do not have the competence to provide the leadership, guidance and security that is necessary for their children's normal development.

I give my sincere compliments to the active committee in Cairns who have a week-long list of activities, culminating on Saturday next week with White Balloon Day and a sausage sizzle at Peace Park at The Esplanade. Their activities are aimed at the protection of children not only in Cairns but also throughout Queensland, and they are indeed to be commended.

Electoral Fraud; One Nation

Mr FELDMAN (Caboolture—CCAQ) (10.26 a.m.): I rise to speak in reply to the Premier's rantings on Tuesday concerning my involvement in a former party that was deregistered. I rise to speak because last night I saw the Premier on national television about to pull a Bob Hawke and Pauline Hanson by having a little cry so that the nation might believe how hurt he really was over his beloved Labor Party being found to be full of electoral rorters.

I must remind the Premier that the former leader of One Nation and her two southern cohorts had a stranglehold on the administration of that party. That situation

eventually brought about the party's deregistration. I had no control over that party's administration, and I was well and truly apprised of that by those controlling members.

However, when I discovered that all my attempts to cleanse that party of its autocratic, undemocratic, unaccountable and unchangeable ways had no effect and a court of law deregistered that party because of its fraudulent registration, my integrity would not allow me to remain associated with what the court decreed to be a corrupt association. I did not cry or feign despair.

Mr ELDER: I rise to a point of order. He was just the leader of the party.

Mr FELDMAN: As the Premier claimed—just the leader. I did not cry or feign despair. The moral fibre of my colleagues and I was such that none of us could remain in that organisation. I now ask the Premier: where is his moral fibre? Where is his integrity? He is all show in the shop window and has no moral conscience whatsoever. What about these rorters? They have conned—conned and deceived—their own ALP people and they further compounded their crime by deceiving the AEC, the QEC and the public of Queensland.

It is a real pity that Derryn Hinch is not around, because right now he would be saying, "Shame, shame, shame". The claimed integrity of the Premier is just a sham. As I said, it is all show in the shop window, and there is nothing stored in the cellar.

Time expired.

Corinda State High School

Mrs ATTWOOD (Mount Ommaney—ALP) (10.29 a.m.): Honourable members would all know by now how very proud I am of my local schools and community in the Mount Ommaney electorate. I pay great heed to their needs and push Cabinet Ministers to their limit on behalf of my local community.

A great win for the school community in the last State Budget was an allocation of $7.2m for the long-awaited upgrade of the Corinda State High School. The school epitomises the potential of young people in the area. The pride I feel for the achievements of this school is enormous when I attend many of their activities. How many times have I walked around the school with the principal telling me with great enthusiasm how much more could be achieved if only they had decent facilities.

There is a lot of pressure on our youth to be the best and get the best results. We need to give them the facilities to match our expectations of them. I thank the Minister for Education, who takes the time to keep in touch with all education issues and does his utmost to ensure that priorities are met. Corinda State High School has a reputation for providing the best opportunities for students in the district. They have waited for an upgrade of the facilities at that school for years. This year's Budget sealed their future. With over 1,400 students, this school will be at the forefront of education for many years to come.

Time expired.

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

QUESTIONS WITHOUT NOTICE

Electoral Fraud; Ms K. Ehrmann

Mr BORBIDGE (10.30 a.m.): I refer the Premier to an allegation of Karen Ehrmann that was given credence by Mr McMurdo yesterday relating to her refusal to take part in a Labor plot to illegally cast the votes of people falsely enrolled in the electorate in the 1996 Mundingburra by-election. I also refer the Premier to statements by Townsville Labor figures Terry Gillman and Jim Bunnell that it was at least possible that false voters registered on the roll could have voted illegally in that by-election or in any other election in the Townsville region, and I ask: is the Premier confident that Labor people did not engage in such illegal voting in the Mundingburra by-election in 1996?

Mr BEATTIE: As we all know, we now have a totally independent and properly constituted inquiry which is investigating alleged electoral fraud. That came about yesterday. Anyone who has any further allegations or information in relation to these matters should contact the CJC. Meanwhile, my Government will get on with the job. It is that simple.

Mr Borbidge: You can't take it, can you?

Mr BEATTIE: Let us come back to the Leader of the Opposition's question. Paragraph 12 on page 6 of the report from the CJC states—

> "Most of the allegations by Ehrmann are imprecise and unparticularised."

That is the end of the story. The bottom line with all of this is that that is why there is an independent inquiry. That is why the CJC has recommended it—something which my Government has supported.

Mr Borbidge interjected.

Mr SPEAKER: Order! The honourable member has asked the question.

Mr BEATTIE: Members opposite should not get too carried away. We are going to be around for many, many years. They should not get too excited.

Mr Borbidge interjected.

Mr BEATTIE: Let me make this prediction—and I know this is dangerous in politics: we will see your demise.

Mr Borbidge: Oh!

Mr BEATTIE: I just meant politically. I did not mean that in an unkind way. We will be wishing you well. I will be there handing out cake, taking photos and all that sort of stuff.

An Opposition member interjected.

Mr BEATTIE: The honourable member will be there. He may well be the leader. I would not mumble too much if I were the honourable member.

Let us look at what the head of the CJC, Brendan Butler, said today. Let us be clear about this. This morning on ABC Radio, Brendan Butler stated—

> "... no findings have been made against any person. There's been no conclusion that anyone should be charged or anything like that."

This is from the head of the CJC, which set up the inquiry. What do we have here? We have a properly constituted inquiry which should be allowed to run its course and get to the bottom of whatever the CJC investigation wants to get to. But one thing it does not need is more mud from the Opposition.

Mr Borbidge interjected.

Mr BEATTIE: Here we go. The Leader of the Opposition is the master of the half-truth.

The position is very simply this: he asked me about the Mundingburra by-election. As he well knows, I was not the leader of the party at the time. Not only was I not the leader of the party at the time, the important thing is this: any matters pertaining to that by-election are now the subject of an independent inquiry. I thought we actually lost that by-election.

Mr Borbidge: So it doesn't matter then?

Mr BEATTIE: Yes, it does matter. That is why it should be fully investigated by the CJC. Yes, it does matter. Even though I was not the leader, it does matter. That is why I want to see a full investigation; to get to the bottom of any allegations from the Leader of the Opposition or anyone else.

Electoral Fraud

Mr BORBIDGE: I refer the Premier to the public declaration by the Labor Mayor of Townsville, Tony Mooney, that fraudulent votes cast in the 1996 preselection in Townsville had "a big impact" on the outcome of that preselection, and I ask the Premier: whom does he believe—the Labor Mayor, who said it had a big impact, or the Labor member for Townsville, who said it had no impact? Will he answer that question today?

Mr BEATTIE: I have not spoken to the mayor directly about this, but I understand his office advised mine that that report, which I understand was in the Townsville Bulletin, if I recall correctly, is not a reflection of what he actually said.

Opposition members interjected.

Mr BEATTIE: I am going on what I understand and what I recall to be the case. I will check later—

Mr Borbidge interjected.

Mr BEATTIE: No, I have not spoken to him, but I am happy to have my office check. At the end of the day it does not matter. Do honourable members know why? Because an independent inquiry has been set up to examine all of those issues. The Leader of the Opposition would have something to come in here and whinge about only if there were not an independent inquiry.

Mr Speaker, let me tell you something that is of enormous importance: 101,200 jobs have been created by my Government since we came to office in 1998. The unemployment figures have just been released. We have an unemployment rate of 7.6%, which is the lowest since 1990. Unemployment is going down. Where is unemployment going? It is going down. Over 100,000 jobs have been created by my Government since we came to office. These are the latest unemployment figures hot off the pager; they have just been released. We are delivering jobs, jobs, jobs for Queenslanders, and all members opposite can do is come in here and whinge.

Today is an historic day; we have recognised the South Sea Islanders, and all the Opposition can do is whinge. We have the lowest level of unemployment for more than a decade—lower than anything they ever had when they were in office—and what do they do? They whinge! We create jobs. They whinge and we work. That is the difference. At the next election, whenever that is, we will be saying, "We work, they whinge." That will be the difference between us.

Now let us talk about some other good things happening around this State. I am happy to tell you, Mr Speaker, that a little later on today I will be going down to—

Mr LITTLEPROUD: I rise to a point of order. The Premier said that the unemployment figures were just sent to his pager. I have been checking my pager, and I cannot find them.

Mr SPEAKER: Order! That is not a point of order. The honourable member will resume his seat.

Mr BEATTIE: I would be mortified if my staff were sending the honourable member pager messages. If my economics adviser is sending him pager messages, I will be dealing with him. Is the member sure that he was not holding up a mobile phone? The lights are on, but no-one is home. Does he know where he is?

Mr LITTLEPROUD: I ask him to table his pager. Put it on the table.

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

Mr BEATTIE: Someone must have driven him here; otherwise he would not have found the place.

Let me move on. Energex has secured a contract to provide an electricity generating system to East Timor to help provide a temporary power supply in Dili. The Queensland Government owned Energex is supplying the unit—

Time expired.

Fisheries (East Coast Trawl) Management Plan

Mr SULLIVAN: I refer the Premier to the State Government's Fisheries (East Coast Trawl) Management Plan, and I ask: what support has the plan received from the seafood industry and the Federal Government, particularly the National Party?

Mr BEATTIE: This is just a continuation of the work of this can-do Government. It has now achieved record low levels of unemployment, as members have just heard. They are the lowest in a decade. A record number of jobs has been created and there are record levels of employment. That is the sort of Government we are. But that is not all. There is more, as they say.

The East Coast Trawl Management Plan is yet another example of the Federal Government and, in particular, the National Party being out of touch with the real world. The plan has received strong support from the Queensland Seafood Industry Association, which was formerly the Queensland Commercial Fishermen's Organisation. This is not surprising. First, the Queensland Seafood Industry Association is a progressive and objective organisation and, secondly, the plan has been developed through close consultation with all major interest groups, including the Queensland Seafood Industry Association.

In a press release dated 1 August, the QSIA described the State Government's plan for east coast trawl management as "the most significant restructure in the history of the fishery". The association also said on 18 April that the plan meets the Commonwealth requirements, including measures to help offset the impact on trawl fishermen and, importantly, provides certainty for the future. We looked after those family-based trawlers up and down the coast. But the support does not stop there.

On 9 May I wrote to the Federal Minister for the Environment and Heritage, Senator Robert Hill, outlining details of this Government's plan. I am very pleased to inform honourable members that, while it may have taken three and a half months, Senator Hill replied on 23 August indicating that the Commonwealth is prepared to contribute $10m to the $30m plan. The State Government and industry will fund the remainder equally. I look forward to working closely with Senator Hill in finalising and implementing the plan that will reduce the trawl effort in the Great Barrier Reef Marine Park by 15%. The plan also will allow trawl fishermen who want to leave the industry to do so with dignity.

I am also delighted to have received strong endorsement of the plan from the director of fisheries at the Townsville-based Great Barrier Reef Marine Park Authority. In an interview on ABC radio on 26 May, the authority's chairman, Phil Cadwallder, said that the plan would deliver ecological sustainability. But the ultimate accolade arrived last week in the form of De-Anne Kelly's personal column in the Proserpine Guardian newspaper. Ms Kelly, the National Party member for Dawson, said—

> "I have given cautious support to the Federal Minister for the Environment, Senator Robert Hill's decision to provide Commonwealth funding to support the State Government's Trawl Plan."

It is not exactly a ringing endorsement, but Ms Kelly is not noted for giving my Government any sort of endorsement. It is an endorsement nevertheless. Now that Senator Hill and

Ms Kelly have come on side in relation to this plan, I call on them to do the same thing with the Queensland regional forest agreement, vegetation management, water and Cape York. For the information of the House, I table copies of the letter from Senator Hill and my letter to him. We need to make sure that we put Queensland's interests first instead of cheap political politics from the Federal Government.

Member for Greenslopes

Dr WATSON: I refer the Premier to Mr McMurdo's finding that there is a reasonable suspicion of electoral fraud in East Brisbane and Morningside when the member for Greenslopes was local branch president, and I ask: can he prove that the member for Greenslopes was not involved—this is about a parliamentary committee—and, if not, does he believe that it is appropriate that he should continue to chair the parliamentary inquiry into electoral integrity when there are serious allegations of electoral fraud within his own branch?

Mr SPEAKER: Order! I call the Premier.

Dr Watson interjected.

Mr SPEAKER: Order! The member has asked his question.

Dr Watson interjected.

Mr SPEAKER: Order! Resume your seat.

Mr BEATTIE: Let me do two things. I repeat what Brendan Butler said today on ABC radio—

> "... no findings have been made against any person. There has been no conclusion that anyone should be charged or anything like that."

I also quote the member for Greenslopes on the same radio program when he said, "I have spoken to the Premier about this and assured him that there is no concern in relation to myself."

Mr Connor interjected.

Mr SPEAKER: Order! The member for Nerang will cease interjecting.

Mr BEATTIE: Let me use the logic of the member for Moggill. Geographically, Moggill is located in the Federal seat of—

Government members: Ryan!

Mr BEATTIE: Thank you. So if the member's electorate is in the seat of Ryan, under this logic he would be guilty of and responsible for anything that went on there. I want to know if he is going to stand aside as Leader of the Liberal Party. Is he going to stand down because of the allegations involving Ryan?

Dr WATSON: Mr Speaker—

Mr BEATTIE: Here he is. He is going to stand down.

Mr SPEAKER: Order! Is this a point of order?

Dr WATSON: I rise to a point of order. I point out that I actually sent the information that I received to the CJC and that is why there was an investigation.

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

Dr WATSON: If the Premier has any problems, he should send it to the CJC, too.

Mr SPEAKER: Order! That is a frivolous point of order. I warn members, as I did yesterday, that anybody rising to a frivolous point of order will be warned under Standing Order 123A.

Mr BEATTIE: I have in front of me a letter addressed to the Director of the Liberal Party and signed by a number of people which was tabled by the Deputy Premier and which says—

> " ... what steps should be taken in order to examine certain ballot papers, which we understand are now in the custody of solicitors, in order to determine whether they were fraudulently altered or are otherwise informal ... "

That is going on in his electorate. So why does he not stand down?

Dr Watson: Send it off. Do it!

Mr BEATTIE: We will. Don't you worry about that! We will send it off.

Dr Watson: We'll get Mick Veivers to piggyback you down.

Mr BEATTIE: I will piggyback the member opposite down if he needs it.

Is it not a strange thing that the Leader of the Liberal Party comes in here talking about those standards? If we applied his standards he would be stood down. That is exactly right. We have had enough nonsense from the members opposite. We are going to get on with the job.

Let me return to what I was saying before. Energex has secured a contract to provide an electricity generating system for East Timor to help provide a temporary power supply in Dili, and during the lunch break I will be going down to Energex to ensure that that is appropriately launched and sent. The Queensland Government owned corporation Energex is supplying the unit on a rental

agreement with the United Nations' transitional authority of East Timor, which includes the cost of shipment, set-up and maintenance. The generator package will leave Energex's Banyo engineering complex on Monday, 11 September for a nine-day trip to Dili where it will be used until the city's electricity infrastructure is rebuilt.

The package is being assembled by a specialist engineering division within Energex. Components include a one megawatt generator set, transformer and protection equipment. Two technical specialists from Energex will set up, connect and monitor the generator in Dili as well as conducting any maintenance required. Further negotiations are under way between Energex and the UN transitional authority for the supply of four additional generators.

This is part of the Government's strategy of ensuring that Queensland companies and Queensland enterprises get an opportunity to participate in UN funded programs in our region. Queensland companies have never been given a fair go at this. We are embarking on a program to ensure that they get jobs and opportunities to supply in the UN aid area. We have set up an office in the Department of State Development. This is about jobs for Queenslanders.

Volunteer Work by Seniors

Mr PURCELL: I refer the Premier to the State Government's numerous awards for achievement by Queenslanders, and I ask: does the State Government honour those many older Queenslanders who do outstanding volunteer work in the community?

Mr BEATTIE: I am happy to answer that question on a day when my Government has created over 100,000 jobs for Queenslanders. What a great day it is! The State Government acknowledges the efforts of all Queenslanders who do voluntary community work. I recently had the privilege of paying tribute to 20 older Queenslanders for their outstanding contributions to the State at the Premier's Award for Queensland Seniors this year.

Together with the Minister for Families, Youth and Community Care, Anna Bligh, I presented these older Queenslanders with the Premier's Award which honours the unpaid work of seniors in their communities. This year's Premier's Award recipients have worked voluntarily on average for 38 years through community organisations and individually to help others from all walks of life. The community spirit of regional Queensland came through this year in the higher number of award recipients and nominations from non-metropolitan areas. Twelve of the 20 Premier's Award recipients came from regional Queensland, including areas as remote as Cunnamulla, Longreach, Thursday Island and Barcaldine.

The winners' achievements demonstrate the wide range of activities that volunteer work can include. Achievements included building a hospital and nursing home; marine turtle research; assisting people with alcohol, drug and gambling addictions; braille transcription; and helping through the media and community organisations to assist new migrants. There is a large number of recipients, and I seek leave for their names and where they are from to be incorporated in Hansard so that we as a Parliament can acknowledge them.

Leave granted.

Mr George Dewis, Thursday Island
Mrs Annette Tully, Studio Village
Mr Carl Luppi, Manoora
Mr Henry Heumiller, Barcaldine
Mrs Adelaida Douglas, Acacia Ridge
Mrs Margaret Law, Brookfield
Mr Alban George Gentry, Nanango
Mr Herbert Simpson, Hervey Bay
Mr Geoffrey Dickins, Oakey
Mr Edward Hollingsworth, White Rock
Mr Les Roser, Oxley
Mr George Denton, Sarina
Mr Ronald Thompson, Earlville
Mr Wayne Lee, Macgregor
Mr John Skelton, Westlake
Mrs Judy Manning, Moorooka
Mrs Barbara Gillham, Brookfield
Mr Trevor Wighton, Cunnamulla
Mrs Mary Sutton, Longreach
Mr Murray Allan, Tamborine Mountain

Mr BEATTIE: Regrettably, one recipient, Mr Alban George Gentry, passed away a short time before the awards were presented. However, his family was present for the occasion.

I want to make the point that these men and women are the backbone of our communities and are an inspiration to all. The Premier's Award recipients represent only a fraction of the 60,000 Queensland seniors who volunteer their time, skills and wisdom to the community. I put on record the appreciation of all members of Parliament for their hard work.

I am delighted to again inform the House that, since coming to office, we have in fact created over 100,000 jobs. I think that says it all—101,200 jobs. What a great day for Queensland—101,200 jobs. I have a funny feeling that we might hear more about that as things transpire.

Mr Borbidge interjected.

Mr BEATTIE: Here we go. The chief whinger is at it. We talk about 101,200 jobs. The chief whinger is at it while we talk about 101,200 jobs. Remember: we work, you whinge. That is exactly what happens.

I turn now to other jobs created as a result of the investment success story. The following is a list of new investments attracted to Queensland—and the members opposite should take note of these—AAPT's national headquarters for mobiles, 381 jobs; Austar Entertainment Pty Ltd's national operations, 1,000 new jobs; ATCO Structure's expansion of manufacturing activities, 10 new jobs. The list goes on.

Ms K. Ehrmann

Mr SPRINGBORG: My question is directed to the Premier. I refer to the vivid and detailed description in a document tabled in this place in 1998 of a meeting of the Socialist Left in Townsville at 5.30 p.m. on 4 June 1996 at 72 Philp Street, Hermit Park, which was the home of Ms Beverly Lauder, then Vice-President of the Queensland ALP. The document says that the meeting was attended by both the current member for Townsville and Mrs Ehrmann and that a deal was struck. The deal reportedly engaged Socialist Left support for Mrs Ehrmann in return for "loyal" Ehrmann votes in the seat of Townsville. I ask: has the Premier sought a reassurance from the member for Townsville that no such deal was struck? If he has not, will he do so now?

Mr BEATTIE: As I indicated yesterday, I have had a discussion with the member for Townsville and I have accepted his assurance that he has not been involved in any improper behaviour. I accept that unreservedly. Let me make this point very clear—

Mr Borbidge: Did you ask him about—

Mr BEATTIE: Hang on, whinger. His deputy whinger has had a go. We cannot have whinger and deputy whinger together, just one whinger at a time. Deputy whinger has asked this question. I indicate very clearly to the deputy whinger that, if he has any matters that need to be drawn to the attention of a CJC inquiry, he should send them there. I make it clear, deputy whinger—

Mr SPEAKER: Order! It is the member for Warwick.

Mr BEATTIE: I make it clear to the member for Warwick that we will not allow any matters to go uninvestigated. The member should send the information to the CJC.

However, let us return to the important issue. Let us look at the unemployment rate. The trend is down. These are the real issues that make a difference. It is now at a 7.6% trend, down from 8.1% a year ago and 8.7% when we attained office. Do members remember what it was like when we came to office? What was the Borbidge legacy? 8.7% unemployment, and those opposite had forecast that it was going to go up. Under this Government the trend figure has come down to 7.6%. That is not seasonally adjusted; that is the trend figure. That means my Government has created 101,200 jobs. Have I mentioned that? 101,200 jobs! For those opposite who missed it, I say again: 101,200 jobs!

Mr Hamill: And going up.

Mr BEATTIE: Yes. That means we are generating 130 jobs each day, every day of the week, seven days a week, 52 weeks a year.

Mr Elder: We work, you whinge.

Mr BEATTIE: We work, you whinge. 66,000 of the 101,200 jobs created since we came to office have been full-time jobs—66,000 full-time jobs! That means that two out of every three new jobs are full-time jobs. The unemployment rate is now the lowest in more than a decade. In fact, it is the lowest since April 1990. This is a remarkable effort when we consider our participation rate is climbing to record levels—65.5%. This demonstrates a vote of confidence by Queenslanders that this is the jobs, jobs, jobs State. What are we delivering for Queensland? Jobs, jobs, jobs, jobs, jobs, and more jobs!

In answer to the previous question, I referred to a list of projects. The list goes on: Australian Provincial Newspapers' financial services unit, 40 new jobs came with that; Bechtel's Australian headquarters, 200 new jobs came with that; Berri Ltd's Queensland processing plant, 30 new jobs came with that; Citibank's customer service centre, 260 new jobs came with that; DHL's Oceania shared services centre, 225 new jobs; Electronic Arts' Asia-Pacific software centre, 75 new jobs; and Hatch Engineering's regional headquarters, 200 new jobs. The list goes on.

Innovation by Companies

Mr REEVES: I ask the Deputy Premier and Minister for State Development and Minister for Trade: can he outline any programs that the Government has under way to assist innovation by Queensland companies?

Mr ELDER: I thank the member for the question, because it reinforces the point that has been outlined today in terms of our employment growth. We are the first Government in Australia's history to support young entrepreneurs and innovative companies to give them the chance to bring their projects through to commercialisation, and that creates jobs.

Mr Springborg interjected.

Mr ELDER: I take the interjection from the deputy whinger, because unemployment under the Borbidge Government rose to as high as 9.8%. It is now at its lowest in over a decade—7.6%. It is industry support programs such as this that are creating jobs. For the first time ever, we have put in place a scheme which provides $750,000 each year for the next two years for young start-up companies to bring those innovative ideas to fruition, to commercialisation. No other Government does this—none.

Our first application round received 98 applications from young companies right across-the-board, from biotechnology to IT & T companies to environmental management companies and health and medical companies. After that first round, we supported 10, but we were inundated. So successful has the take up been in terms of ISUS, we are now looking for applications for our second sound. The companies we supported are located throughout Queensland: a Sunshine Coast-based company, John Irvine, Newmarket-based DC Bits, Brisbane-based Peplin Biotech, the Townsville-based North Queensland Cardiac Research Institute, the Springwood-based Nu-Style Constructions, Gladstone-based Noonbeach, Toowoomba-based Indsafe, Toowoomba-based Green Leaf Extracts and the Ashmore-based Bantix Pty Ltd. This is support for young Queensland entrepreneurial companies across-the-board. This gives them a chance to bring these types of industries and this type of innovation through to commercial reality. What does that create? It creates jobs. In the new economies, this Government has been right at the front with its innovation strategy and its Smart State strategy to give these young companies a chance in a global environment.

It was the Opposition in Government which stripped industry of all those support programs. Those opposite never had the intestinal fortitude to take an issue such as innovative start-up companies and bring them through to commercial reality. They cringed from that like a vampire cringes at sunlight. They worked against any company and industry policy in this State. As the Premier said, the difference is that we work, you whinge. You whinge; we will get on and work. I say to those opposite: they can sit there and watch us, but we will get on with the job. Not one moment will be lost in relation to these issues—not one. We will get on with the work; those opposite can watch.

Ms K. Ehrmann

Mr KNUTH: My question is to the Minister for Police and Corrective Services. I refer the Minister to the processing of convicted Labor Party electoral cheat Karen Ehrmann at the Stuart correctional centre where she was met on arrival by the acting general manager, was processed immediately and was transferred to farm accommodation, sidestepping the normal detention in a secure unit for up to three weeks. I ask: were there some exceptional circumstances, or was this preferential treatment provided because of her connection with the corrupt and discredited Labor Party? Will the Minister assure this House that neither he nor any member of the Government intervened in this matter?

Mr BARTON: I certainly thank the member for the question. In relation to the punch line at the end, I can certainly give him that assurance, that neither I nor anybody from the Government nor anybody from my office intervened in any way with regard to the procedures for Karen Ehrmann being processed at the Townsville Correctional Centre. My advice—I got advice because I had heard of this allegation before—was that the procedures that were followed with regard to Karen Ehrmann were precisely the procedures that apply to anybody else who is being processed through the Townsville Correctional Centre or any other correctional centre.

A great deal has been made of the fact that the general manager of the Townsville Correctional Centre apparently happened to be wandering through the reception area at that point and said hello to her. My advice is that, yes, he did happen to be wandering through the reception area of Townsville Correctional Centre at that time. He did say hello to her. However, it is not unusual for the general managers of the correctional centres in this State to actually be at work at their correctional centres, to actually be roaming around their correctional centres as a matter of course and to actually say hello to people who are around. It is also not surprising because at one stage Karen Ehrmann had been an Official Visitor to the Townsville Correctional Centre.

The reality is that the procedures that were followed are precisely the procedures that are followed for any other person who goes through. I have been given that assurance. I have had my director-general investigate these allegations because they did arise earlier. I am very confident that the procedures were precisely as they should be. There was no special treatment delivered for Karen Ehrmann at all. Karen Ehrmann has been convicted. She is in the correctional centre. She is in the correctional centre at an appropriate location for that offence.

Goods and Services Tax

Mr LUCAS: I refer the Treasurer to recent newspaper reports on the downturn in retail trade and consumer confidence as a result of the GST, and I ask: what impact has the GST had on retail trade and what are its implications for the Queensland economy?

Opposition members interjected.

Mr HAMILL: Mr Speaker, I rise to a point of order. I could not hear the question being asked.

Mr SPEAKER: Order! Could you repeat the question?

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order.

Mr LUCAS: I refer the Treasurer to recent newspaper reports on the downturn in retail trade and consumer confidence as a result of the GST, and I ask: what impact has the GST had on retail trade and what are its implications for the Queensland economy?

Mr HAMILL: Yesterday in the House I canvassed the severe impact that the GST has had on the housing and construction industry in this State and the very significant level of hardship that is being delivered to people seeking to build homes and the hardship faced by those who are employed in the industry. The same sort of impact has been felt in respect of retailing in this State. In fact, the July figures across the nation showed the worst fall in retail sales for any month since the early 1960s.

Mr Laming: Where are all the jobs coming from, then?

Mr HAMILL: The same person who was scoffing at the plight of the housing industry yesterday, the member for Mooloolah, shows his total disregard for those employed in the retail sector in this State. Where does the Liberal Party think the Queensland economy gains its strength if we have major sectors in this State such as retailing and housing suffering because of the GST? The answer, of course, is that it comes from the very important initiatives this Government has put in place to generate employment in this State—notwithstanding the impact of the GST and notwithstanding the impact of interest rate increases.

While we saw a significant fall-off in retail sales in Queensland in the month of July—we saw a fall of some 4%—it was not of the same magnitude that occurred across the national economy. We can only put that down to the underlying strength of Queensland's economy—notwithstanding the GST that those opposite support and notwithstanding the interest rate rises which have largely been GST inspired.

The Premier this morning announced the latest jobs data for Queensland. I think it is worth the House noting that last month over 73% of all those new jobs generated in Queensland were full-time jobs. Furthermore, notwithstanding the problems of the GST and interest rates, it is worth noting that the participation rate in Queensland further increased. It is higher than at any time in the past five years—higher than at any time the coalition was in office.

Notwithstanding the GST, notwithstanding interest rate hikes and notwithstanding the housing slump and the retail slump, this Government's jobs policies are working. They are working to generate more jobs for Queenslanders. In fact, about 12 additional jobs have probably been created for Queensland while this House has been in session this morning.

Electoral Fraud; McMurdo Advice

Mr QUINN: I refer the Premier to his challenge yesterday for the Opposition to identify any allegation against or reference to the current member for Townsville in the McMurdo report. I direct the Premier to paragraph 40 on page 19 of that report and to the annotation leading to the transcript of proceedings before Judge Wolfe at page 32, which states—

> "My client accepted that by those persons being placed in the electorate of Townsville they were potentially able therefore to thereby support Mr Reynolds in a plebiscite for that seat."

I ask: as this clearly identifies the current member for Townsville as a possible beneficiary of criminal acts, will the Premier

now stand down the member for Townsville as his Parliamentary Secretary?

Mr BEATTIE: Listen to Perry Mason over here! In none of that is there an allegation against Mike Reynolds.

Mr Quinn interjected.

Mr BEATTIE: There is not. I was a bit worried, because when he said page 32 I flicked to the end of this document, which actually finishes at page 30. There was no page 32. I renew my challenge. Where is his name in here? Nowhere is he in this report.

Mr Quinn interjected.

Mr SPEAKER: Order! The member for Merrimac has asked the question.

Mr BEATTIE: Isn't this ironic? Talk about muck masters! They all throw muck. I said yesterday—

Mr Quinn interjected.

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

Mr BEATTIE: Yesterday I challenged the Opposition to find any reference to the member for Townsville in here, but there is none.

Mr Quinn interjected.

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

Mr BEATTIE: More to the point, what did Brendan Butler say this morning? I have already read it out. He said that there are no findings against anybody. What is the member for Merrimac doing? He is muck raking. That is all he is doing. He is in the gutter while we are creating jobs. He is in the gutter while we are doing things for Queensland. He is in the gutter while we are getting this State moving. We are going to continue to deliver for this State.

Mr Borbidge interjected.

Mr SPEAKER: Order! I now warn the Leader of the Opposition under Standing Order 123A.

Mr BEATTIE: He can throw all the muck he likes. He can raise all the uncontested allegations by one party who pleaded guilty to and was found guilty of fraud, which is all this nonsense is about. He can do all of that, but we will continue to deliver for this State.

Talking about delivering, have I told the House about some of the jobs we have created in Queensland? There is IBM, Asia-Pacific call centre, 70 new jobs; Indus, regional headquarters, 50 new jobs; Jet Care, maintenance facility, 93 jobs; Kerry Ingredients, principal Australian plant, 130 new jobs; Laminex Industries, expansion project, 25 new jobs; Mills Tui, emergency vehicles, 66 new jobs—

Dr Watson interjected.

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

Mr BEATTIE: There is also Oracle, software development centre—it has not released the number of jobs, but there is quite a number; P & O Nedlloyd, shared services centre, 40 new jobs; Pioneer, national customer service centre, 75 new jobs; Qualiflyer, customer care centre, 85 new jobs; Quantum ATL Products, Asia-Pacific headquarters, 12 new jobs; Red Hat Asia Pacific, Asia-Pacific headquarters, 60 new jobs.

Mr Elder interjected.

Mr BEATTIE: Yes, we did that when we talked to them in Silicon Valley. There is also Saville Systems, regional headquarters and R & D centre, 100 new jobs; Stellar, Asia-Pacific call centre, 200 new jobs; Varley Holdings Pty Ltd, manufacturing workshop, 80 new jobs; World Association Surfing Professionals, world headquarters, 10 new jobs; and Virgin Blue, Australian airline headquarters, 700 new jobs. We are delivering new jobs for Queensland.

Radiation Therapy Services

Mr PEARCE: I direct a question to the Minister for Health. Given that long-overdue enhancements to cancer treatment for patients in Queensland were announced recently by her, can she now provide the House with details of those enhancements, and will she table a copy of that plan?

Mrs EDMOND: I am delighted to be asked that question, because this is what the people of Queensland want to hear about. This is about delivering services for the people of Queensland, this is about delivering jobs to the people of Queensland, and this is what the people of Queensland are interested in, not the nasty, whingeing muck-raking that we are hearing from the other side.

I was delighted last week to be able to announce a $25m plan for the delivery of radiation therapy services in Queensland and I table that plan. I can understand why the member for Surfers Paradise is cringing, because he knows that the Opposition made a lot of empty promises without a cent attached to them. It left holes in the ground without a dollar to fill them. This delivery of radiotherapy

services includes going out to tender just this week for seven new linear accelerators. Never before has that happened in Queensland. It includes the establishment of a radiation oncology unit at the Princess Alexandra Hospital—not just a hole in the ground, but putting in two new linear accelerators—and the replacement of five linear accelerators at Royal Brisbane Hospital and Townsville—not letting them collapse and not replacing them, but actually getting out there and doing it. The equipment at the Royal Brisbane Hospital is so obsolete that we cannot even get replacement parts for it any more, and no funding was allocated to replace it—not a cent. Members opposite just did not care.

For too long, Queensland's approach to the delivery of cancer services has been ad hoc. Members opposite waited till equipment fell to pieces and then they would order it. These linear accelerators are not on the shelf at Woolies. Once they are ordered, even with the best will in the world they take a year to deliver. I had to have this plan developed to ensure that the delivery of services for cancer patients in Queensland is properly planned and properly funded and properly timed—before the existing equipment finally collapses. This is a can-do Government that delivers. We do not just make empty, unfunded promises.

The new equipment is supported by my earlier announcement that a total of 13 new positions—new jobs—are being established at the Royal Brisbane Hospital and the Townsville General Hospital to provide extra treatment time for radiotherapy patients. So that is more jobs being created in Queensland. A radiation registrar and eight radiation therapists will be appointed in Brisbane. A radiation oncologist, a registrar and two extra radiation therapists will be appointed in Townsville. The new staff will allow more patient treatment time, helping to reduce the waiting time for cancer services. This is a can-do Government, and I am delighted to be part of it.

The extra funding allocated will also allow Queensland Health to maintain visiting clinics to Mackay, to Cairns and to Mount Isa to provide ongoing patient treatments and outcomes. I have also given a commitment to improving services to cancer patients at Nambour and on the Gold Coast through outreach services.

I take this opportunity to recognise a group of people whom the other side just keeps bagging. I want to thank all the wonderful staff we have out there. I want to thank all the radiation oncology staff for supporting this plan.

Mr G. Smith

Mrs SHELDON: I refer the Minister for Tourism and Racing to her employment as a staffer for her former sponsor and Labor Minister, Geoff Smith, the alleged king of stackers. Can the Minister inform the House of his alleged activities and what part the Minister played in them?

Mrs ROSE: I was employed in the office of Geoff Smith.

Mr McGrady: And you're proud of it, too.

Mrs ROSE: Yes. I was employed there from January 1990 until 1992.

Mr Veivers interjected.

Mr SPEAKER: Order! The member will allow the Minister to answer the question. That is my final warning to the member for Southport.

Mrs ROSE: I was employed in his ministerial office in Brisbane, and I have absolutely no knowledge of any of his other activities in Townsville.

Interruption.

PRIVILEGE

Member for Townsville

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (11.13 a.m.): I rise on a matter of privilege suddenly arising. I have taken the trouble of reading page 32, which was referred to by the honourable member for Merrimac. I advise the House that there are no allegations of improper behaviour against Mike Reynolds on that page.

QUESTIONS WITHOUT NOTICE

Prison Sentences

Mrs ATTWOOD: I ask the Attorney-General and Minister for The Arts: will he inform the House of any proposals from the member for Warwick for the introduction of indefinite sentences in Queensland?

Mr FOLEY: I thank the honourable member for the question. I am aware of the honourable member for Warwick's call for indefinite jail for sex criminals. In the Courier-Mail of Saturday, the honourable member indicated that the coalition was considering amending the Criminal Code to keep offenders locked up until deemed safe for release. No doubt the honourable member wanted to advance himself and the coalition as being at the very cutting edge of law reform. There is only one problem: it has been the law of Queensland since 1945. What is more, during

the term of the Goss Government, the whole area of indefinite sentences was made the subject of amendments to the criminal law introduced by the former Attorney-General, the Honourable Dean Wells, to make it accurate, up to date and in accord with the needs of modern sentencing practices.

What we have is a shadow Attorney-General who wants to go out there and be at the very cutting edge of law reform to introduce something that has been the law since 1945! It is not the first time that he has got it wrong. He is a recidivist at getting it wrong! For somebody who aspires to the position of the first law officer of this State, he has still not withdrawn and apologised for getting it wrong in his statement to ABC Radio news on 31 July, when he said that "it is legal for paedophiles to exchange child pornography free of charge". Wrong, wrong; disgracefully, unforgivably wrong. I table the transcript of ABC Radio news.

What we have is a shadow Attorney-General who simply does not know the law, but Mr Springborg's ignorance of the law is no excuse. The people of Queensland are entitled to expect higher standards from the Opposition. They are particularly entitled to expect it when they are talking about issues affecting the welfare of Queensland children. It is an utter disgrace that the honourable member should be—and he is laughing at it. He shows scant regard for the law, of which he is deeply ignorant.

Electoral Fraud; Shepherdson Inquiry

Mr SEENEY: I refer the Premier to Mr Butler's public confirmation yesterday that the Shepherdson inquiry will investigate allegations of electoral corruption involving sitting members of Parliament. Can the Premier confirm that those allegations involve not only the member for Townsville but also the member for Lytton, the member for Capalaba, the member for Woodridge and the member for Greenslopes?

Mr BEATTIE: What we have here is an abuse of parliamentary process. What we have here is the use of coward's castle to name people who were not named in the CJC report, and as I indicated this morning—

Mr Borbidge interjected.

Mr BEATTIE: The Leader of the Opposition is the leading muck master in all this. He should take some responsibility for some standards. Nowhere in this document is anybody named, nor did the CJC provide me with a secret report, which often it does—as it did with the Children's Commissioner—on matters which it believes should be drawn to my attention as Premier. Not once have I received any communication from the CJC naming any individual.

It is an outrage that the member would come into this House and abuse the process. He thinks this is just a game, because he has no understanding of the Parliament or the processes which the conservative side of politics in this State has respected and supported for generations. The member is denigrating them. He is in the gutter. The muck master and all the people who want to abuse this process ought to be ashamed of themselves.

I draw the honourable member's attention to page 7 of the document, because obviously he cannot read. The document states—

> "If the conduct complained of would constitute a criminal offence, then it is official misconduct ... "

The member should listen to the definition of official misconduct. It is broader than councillors or members of Parliament. It says—

> "Official misconduct is conduct of a person whether or not the person holds an appointment in a unit of public administration"—

So it is broader. Can those opposite understand what that means? Then it says—

> "(b) Conduct of a person while the person holds or held an appointment in a unit of public administration."

It does not have to be a member of Parliament. The Leader of the Opposition comes in here and he abuses the parliamentary process. He is not fit to be a member of Parliament. Do not come in here—

Opposition members interjected.

Mr SPEAKER: Order!

Mr BEATTIE: The bottom line is this: today Brendan Butler indicated that there has been no presumption against any member of Parliament.

An Opposition member interjected.

Mr SPEAKER: Order! I will be saying "go" in a moment. Order!

Mr BEATTIE: What sort of question is the member seeking a response to? The CJC head has said no-one has had any findings made against them at all. This document does not name anyone. The only person who is naming people is the Leader of the Opposition because he is in the gutter. He is not prepared to let an independent inquiry do its job.

Let me tell this House, I know who the people of Queensland will judge on these things; they will judge this Government as supporting a public inquiry and they will judge the other side as simply being in the gutter. That will be the comparison. They are in the gutter in a most despicable performance. The Leader of the Opposition is a disgrace. He is simply using and abusing this Parliament and its traditions.

Rehabilitation of Prisoners

Mr MICKEL: I ask the Minister for Police and Corrective Services: can he outline to the House the steps the Department of Corrective Services has taken to assist prisoners to return to the work force after they have served their time?

Mr BARTON: I thank the member for the question, because one of the greatest challenges that is facing everybody in the community, but particularly prisoners, is their ability to get a job once they are released from custody. If they cannot get a job, they have a greater chance of being a recidivist, a greater chance that they will ultimately reoffend.

The Beattie Labor Government has given a commitment to be tough on crime and to be tough on the causes of crime. That is certainly being demonstrated by us because we are delivering on that commitment, the same as we are delivering on all of our commitments, particularly on the law and order issues of my portfolio.

That is why the Government has started a new project to give former prisoners a better chance of obtaining a job once they are released. We have a $1.18m pilot program in partnership with the Department of Employment, Training and Industrial Relations to provide employment assistance service for offenders released from prisons in the south-east and in Townsville. There is a $300,000 allocation for the Townsville project being handled by the HTC Vocational Institute, which was the successful tenderer for the Townsville area. Also, a further $800,000 has been allocated to the Second Chance Foundation and Career Employment (Australia), which will both receive $400,000.

I think everybody on both sides of the House knows of the excellent work that the Second Chance Foundation has done in the past and I am sure that everybody who wants to think about it instead of being a smart alec will understand just how important it is that we follow through in giving people those educational and job training chances so that they can return to normal employment rather than being put in a position where they may well feel that they have no option but to return to crime.

The service providers were chosen through a fair tendering process. The pilot programs will provide assistance in the areas of literacy and numeracy, education, living skills, vocational training, job search skills, job placement and post-placement support. This pilot program should result in more former prisoners gaining a job once they have completed their sentence in a correctional facility. We anticipate that this funding will provide about 350 prisoners with the opportunity to get the type of training they need to get a job. Post-release employment should further reduce recidivism and is of benefit to not only the prisoner but also to the entire community and is a key part of tackling the causes of crime, not just crime itself.

Tannum Rural Fire Brigade

Mrs LIZ CUNNINGHAM: In directing a question to the Minister for Emergency Services I inform him that in April this year the Tannum Rural Fire Brigade paid the authority an amount of $9,600 as its contribution to a new rural fire appliance. The appliance arrived after all necessary paperwork had been completed by the brigade. Approximately two days later, officers from Rockhampton removed the vehicle without reference to the Tannum brigade members. On Tuesday of this week, the brigade received a refund from the Fire and Rescue Authority for an amount of $4,907.95 only. The amount of $4,622.05 had been retained by QFRA as tax. I table a copy of the cheque and the accompanying break-up.

Given that a review of the Tannum classification is now under way, I ask the Minister: why has the authority pre-empted the outcome of the review and why has half of the amount paid by the brigade been retained by the department when this is a refund, not a purchase or other transaction?

Mr ROBERTSON: I thank the honourable member for the question. This is a matter that the honourable member and I have discussed over the past couple of weeks. Just to provide the honourable member with the full details of what has happened at the Tannum Rural Fire Brigade, I inform the House that in 1997 the Borbidge coalition Government approved the classification of rural fire brigades into three classes based on risk. As a result of the implementation of the new Gladstone local government urban fire levy boundaries in the same year, the Tannum Rural Fire Brigade

was reclassified from a Class 2/3 brigade to a Class 1 brigade. This was because the introduction of the new urban boundaries removed almost all of the brigade's residential fire protection responsibilities. The brigade area became mainly bushland or rural producing farmland, where property-based equipment is used to combat the outbreak of fire.

The review of the brigade's risk profile that followed confirmed that the Tannum Rural Fire Brigade was a Class 1 brigade. The responsibilities of Class 1 brigades are mainly aimed at managing vegetation fires. Given its classification, the brigade was not entitled to a vehicle provided under the Rural Fire Service Vehicle Subsidy Program. I am informed that consultation with the brigade took place at that time about the brigade's new responsibilities and its equipment entitlements. The district inspector did at that time provide that brigade with assistance, and he will continue to do so.

On 9 August 2000 the Rural Fire Service prepared documentation authorising a refund to the brigade of the deposit that it had paid for an appliance which, as we now know, it was not entitled to, being the sum of $9,500. An additional $30 was provided to cover the cost of fuel remaining in the appliance.

Unfortunately, due to human error in drawing that cheque, it resulted in 48.5% withholding tax being applied to the transaction. Interestingly enough, based on the Treasurer's earlier comments about the impact of the GST, this is one of the impacts of the GST on our volunteers. Upon becoming aware of this error being made, I have instructed a new cheque to be drawn for the full amount, the $9,500. I am assured by the Rural Fire Service that that cheque will be in the hands of the Tannum Rural Fire Brigade by the close of business today.

I apologise to both the member for Gladstone and to the Tannum Rural Fire Brigade for this mistake being made, but as soon as the mistake was discovered I instructed immediate action. That error will be remedied, as I said, by close of business today.

Mr SPEAKER: Order! Before calling for the next question, could I recognise in the gallery students, teachers and parents of The Gap State Primary School.

Honourable members: Hear, hear!

Queensland Rail

Mrs MILLER: I ask the Minister for Transport and Minister for Main Roads: following record freight tonnages on QR last year, can he please inform the House how QR has performed this year?

Mr BREDHAUER: It is my pleasure to advise the House that QR has set another record for an Australian railway operator by hauling more than 131 million tonnes of freight in the 1999-2000 financial year. This tonnage is the highest ever achieved by an Australian rail operator either publicly or privately owned.

The growth in freight has been broad based, with record coal and other minerals traffic, plus a significant increase in the volumes of motor vehicles and concrete products. QR carried 114.4 million tonnes of domestic and export coal in 1999-2000. This is a single commodity record for an Australian railway and compares with 104.5 million tonnes of coal carried during the previous year. Export coal traffic increased by 10.5 million tonnes to 104.5 million tonnes. This again is a very significant milestone because it is the first time export coal has exceeded 100 million tonnes.

Most of the coal growth has come from the Blackwater and Goonyella systems in central Queensland. Railings of other minerals increased to 7.5 million tonnes with increased tonnage on the Mount Isa corridor, especially from the north-west minerals province.

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

PRIVILEGE

ALP Membership List

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (11.30 a.m.): I rise on a matter of privilege suddenly arising. This morning, I was asked about an alleged meeting involving certain people in Townsville and whether I had raised these matters with the member for Townsville. I want to advise the House that, in relation to this alleged meeting of the Socialist Left on 4 June 1996, the question alluded to a membership list and that Karen Ehrmann supposedly attended the meeting. This membership list was, in fact, tabled by Frank Tanti on 5 March 1998, among other manufactured and fictitious documentation.

I am advised by the member for Townsville, and I so advise the House, that this membership document has been manufactured for bogus and fraudulent reasons. It is entirely and mischievously politically motivated. This membership list was among other material tabled by Tanti. The fact that the author is anonymous and that the material was clandestinely delivered to Tanti

should speak volumes for its lack of authenticity. In other words, it is an absolute fraud, which is exactly what we have seen from the Opposition today. It is dishonest and fraudulent.

WATER BILL; VEGETATION MANAGEMENT AMENDMENT BILL

All Stages; Allocation of Time Limit Order

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (11.31 a.m.): By leave, without notice: I move—

> "That under the provisions of Standing Order 273, the Water Bill and the Vegetation Management Amendment Bill be declared urgent Bills and the following time limits apply to enable the Bills to be passed through their remaining stages at this day's sitting—
>
> Water Bill
>
> (a) Report from Committee of the Whole House by 3.30 p.m.;
>
> (b) Third reading by 3.35 p.m.; and
>
> (c) Title agreed by 3.40 p.m.
>
> Vegetation Management Amendment Bill
>
> (a) Second reading by 10.30 p.m.;
>
> (b) Report from Committee of the Whole House by 11.20 p.m.;
>
> (c) Third reading by 11.25 p.m.; and
>
> (d) Title agreed by 11.30 p.m.
>
> At the times so specified, Mr Speaker or the Chairman, as the case may be, shall put all remaining questions necessary to pass the Bills, including clauses and Schedules and any amendments en bloc to be moved by the Minister in charge of the Bills, without further amendment or debate."

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (11.32 a.m.): I second the motion moved by the Leader of the House.

Mr BEANLAND (Indooroopilly—LP) (11.32 a.m.): I rise to oppose the motion moved by the Leader of the House. Clearly, this motion is about saving the bacon of the Minister for Environment and Heritage and Minister for Natural Resources. We have seen this happen in the past. As I indicated in this place yesterday, this Minister brought in a pile of amendments—some 63 pages, 148 clauses— to this Bill. That is one of the reasons why this Bill is taking so long to pass. There are also some amendments to be moved from this side of the House.

However, this Bill has a number of contentious parts to it. The shadow Minister intends to move seven or eight amendments, which we will have to work through, and the time will also be taken up by moving through the Government's amendments. I am sure that, in the next couple of hours, we will be through those amendments. However, the Minister's additional amendments will take up a lot of time.

Quite clearly, there is not only the Water Bill but also another Bill to follow, introduced by the same Minister. I do not know how many amendments that Bill will have. We will probably end up with a welter of amendments to that Bill also. We do not need to stop at 11.30; we could continue to much later this evening. I am not sure why we need to finish at 11.30.

However, I think that it speaks for itself that once again the debate in this place is being gagged. I think that is unnecessary, because I believe that without this stack of amendments the Bills would have been passed in the normal course of business.

Hon. V. P. LESTER (Keppel—NPA) (11.34 a.m.): Quite honestly, I am just dumbfounded that—

A Government members interjected.

Mr LESTER: That shows how much the members opposite care about country people. They just want to muck around and stop us from having our voice heard. The members opposite should never again say that they support country people because, in relation to vegetation management legislation, this will be the second time that the debate has been guillotined. If I recall, there was also a guillotine applied to the debate on a previous Water Bill. So that means that the debate on water legislation has been guillotined twice as well. The members opposite talk about their care for the country, the voice of the people and open and accountable government. They are not fair dinkum at all. The members opposite are interested only in the south-east corner of Queensland.

I think that it is an absolute disgrace. These are two of the most important Bills ever to come before this Parliament, yet the members opposite do not want the people to have their say. Every member of this Parliament who wishes to have a say should be able to have a say, not only during the second-reading debate but also in the Committee stage if they so desire. This motion is another disgrace. The members opposite should be absolutely and thoroughly ashamed of themselves.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (11.35 a.m.), in reply: Could I just say to the members of the House that on Tuesday morning I spoke to the Opposition in relation to what business the Government needed to get through this week and offered them the option of what times they wanted to sit. The Opposition chose not to sit on Tuesday night. The Opposition informed me that they did not wish to sit on Tuesday night and now they want to whinge. The members should judge for themselves.

Mr SPEAKER: The question is—

Mr BORBIDGE: I rise to a point of order.

Mr SPEAKER: Is this a point of order? We have closed the debate.

Mr BORBIDGE: I just wanted to—

Mr SPEAKER: No, we have closed the debate.

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

AYES, 40—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Kaiser, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

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

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

Resolved in the **affirmative**.

CRIMINAL LAW AMENDMENT BILL

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (11.42 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the criminal law and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (11.43 a.m.): I move—

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

The Criminal Law Amendment Bill 2000 represents part of an historic move to ensure that the criminal justice system is fair to all Queenslanders. The Bill arises out of the report of the Task Force on Women and the Criminal Code. It is also part of a broader attempt by this Government to reform not only the "black letter" of the law but the culture of the legal system to make it more responsive to the needs and rights of women.

From ancient times the symbol of justice has been the goddess. Themis, the Greek Goddess of Justice, stands outside our Supreme Court. Despite this, we have developed a male dominated system that has been criticised for condoning "the rougher than usual handling" of women. For some time there has been consistent and high-level criticism of the "masculine environment" of the courts, as documented, for example, in the report of the Australian Institute of Judicial Administration on Courts and the Community.

This Government is committed to addressing this and we have adopted a number of strategies, including the appointment on merit of women to the bench—17 women having been appointed during the term of this Government to positions including President of the Court of Appeal, Chief Judge of the District Court and Chief Stipendiary Magistrate. We have Australia's first female Director of Public Prosecutions. The establishment of the Task Force on Women and the Criminal Code is yet another aspect of this process, which has been undertaken in conjunction with the Honourable Judy Spence, Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading.

The Task Force on Women and the Criminal Code was established in November 1998 in response to a pre-election commitment to—

> establish a broad-based consultative task force to consult widely on the Queensland Criminal Code in relation to its impact on women. The task force will include sexual assault workers, Aboriginal and Torres Strait Islander women, women from non-English speaking backgrounds, disability workers, legal practitioners and police.

The terms of reference of the task force were broad and required it to report on the three general subject areas of women as accused, women as victims and court practices and procedures. The report of the task force, tabled in Parliament on 14 March 2000, was influenced by an extensive consultation process which included personal consultations throughout Queensland by task force members with key interest groups and the general public, and the release of six issues papers and a legal discussion paper.

The report contained numerous recommendations for criminal law reform. Not all recommendations have been accepted by the Government. However, the Government is continuing to consider the report, which is wide ranging and covers more than just matters of law reform, but issues of resources, services and support, community education and even the culture of the legal system.

On 8 May 2000, the Government announced it would be preparing legislation to respond to some of the recommendations of the task force. These are the recommendations that the Government felt needed to be acted on quickly. This Bill makes significant amendments to a number of pieces of legislation, including the Criminal Code and the Evidence Act. The task force process has recognised that women have an equal right to participate in the law reform process—a right that has not always been acknowledged in the past. The reform process is also about balancing the rights of those accused of crime with the rights of those who are the victims of crime and of witnesses generally. The Government recognises that the right to a fair trial and the presumption of innocence require that an accused person be allowed to confront his or her accuser and to test the evidence called against him or her through cross-examination.

However, the Government also recognises that a witness giving evidence in court is performing a public duty and is entitled to be treated with dignity and respect, and encouraged, not discouraged, from reporting crime. An accused does not have the right to harass, intimidate or traumatise a witness.

The Bill creates a new scheme in the Evidence Act 1977 to prohibit an unrepresented accused from cross-examining, in person, children, people with an intellectual impairment and victims of sexual or violent crime. Instead, the accused will be encouraged to obtain legal representation, but if he or she fails to do so, a grant of legal assistance will be made for the purposes of having the cross-examination conducted by counsel. A similar scheme has been recommended by the Queensland Law Reform Commission in relation to child witnesses. The commission has delivered an initial report on the evidence of children and will furnish a further report.

The Bill also addresses criticisms that courts do not or cannot protect witnesses by making a number of other significant amendments to the Evidence Act 1977. Firstly, courts will have a discretion to disallow a question as to credit if the court considers an admission of the question's truth would not materially impair confidence in the reliability of the witness's evidence. This will prevent unnecessary and irrelevant attacks on the character of a witness, but will not prevent relevant questions being asked.

Secondly, courts will have a discretion to disallow a question if the court considers that the question uses inappropriate language or is misleading, confusing, annoying, harassing, intimidating, offensive, oppressive or repetitive. The court will take into account any relevant characteristics of the witness, such as any mental, intellectual or physical impairment the witness has or appears to have, age, education, level of understanding, cultural background, or relationship to any party in the proceeding. These considerations are particularly important when the witness is a child.

Thirdly, the factors that a court is to take into account in declaring a person to be a special witness have been expanded to include age, level of understanding, relationship to any party in the proceeding and the nature and subject matter of the evidence. In addition, the Criminal Law (Sexual Offences) Act 1978 will extend the restrictions on the use of sexual history evidence to all sexual offences. The Act will acknowledge that, just because a person has engaged in consensual sexual activity on other occasions, it does not mean that the person is more likely to have consented to the conduct at issue or is less worthy of belief as a witness.

The Bill also makes some significant changes to the way evidence is received in courts. The Evidence Act will be amended to create an exception to the hearsay rule in certain criminal proceedings. This will address one of the key recommendations of the task force—how the court can hear the voice of the homicide victim, when the best source of evidence about a crime has been eliminated by the crime itself.

The scheme is based to an extent on the New South Wales and Commonwealth Evidence Act provisions, with some significant limitations. The New South Wales and Commonwealth Evidence Acts in turn were enacted in response to the Australian Law Reform Commission report on evidence. The scheme will apply only to charges of homicide or other offences against the person. It will allow evidence of a representation, such as a statement, to be given by a person who saw, heard or otherwise perceived the representation, where the representation was made by a person, such as the victim of the crime, who is now unavailable. "Unavailable" means dead or mentally or physically incapable of giving the evidence.

Before the evidence can be admitted there must be factors making it highly probable that the statement or representation is reliable, or unlikely to be a fabrication. If hearsay evidence is admitted under this provision, the hearsay rule does not apply to hearsay evidence adduced by another party about the same matter. This might be a different version of the same episode or another statement or representation about the same issue which explains or rebuts the other evidence. The court retains a discretion to exclude the evidence even if it otherwise complies with the Act, and must warn the jury that hearsay evidence may be unreliable, of the factors that may cause it to be unreliable, and the need for caution before accepting it.

An amendment to the Criminal Offence Victims Act 1995 will make it clear that it is not mandatory for a victim of crime to give the prosecutor details of the harm suffered, and the absence of those details at sentence does not of itself give rise to an inference that an offence has had little or no impact on the victim. This addresses concerns raised by the task force that there are some victims who choose not to provide victim impact statements or may be unable to do so, and this should not be used to assume that no harm has been suffered.

The Bill makes a number of historic changes to the Criminal Code. Section 31 will be amended to redraft the defence of duress, which can be used to excuse a crime committed by a person subject to a serious threat. This amendment will allow a wider range of threats to constitute the defence, provided the conduct in question is a reasonable response to the threat and the person reasonably believes there is no other way to escape the carrying out of the threat. The amendment addresses the need to strike a balance between the community's expectations about when acts committed under coercion should be excused and when, despite the coercion, a person should be held accountable for their actions. The existing limitations on the use of the defence, for example, that it is not available to a charge of murder or grievous bodily harm, will continue to apply.

The practice of female genital mutilation, also known as female circumcision, will be specifically outlawed. As long ago as 1994, the Queensland Law Reform Commission recommended that a specific offence be created. The practice has already been outlawed in most other Australian States. Legitimate medical procedures are excluded from the definition, as are sexual reassignment procedures. It will also be an offence to remove a child from the State with the intention of having female genital mutilation performed on the child.

The Bill also makes a number of changes to sexual offences in the Criminal Code. The offence of carnal knowledge of girls under 16 will now apply to "children" not "girls". The purpose is to remove a loophole which prevents women being charged with having sexual intercourse with underage boys. Section 228, which deals with obscene publications and exhibitions, will be amended to remove any doubt that the section also covers the distribution of obscene computer images.

Sexual offences such as rape and sexual assault have been consolidated into one chapter. The offence of rape, which at present only covers carnal knowledge and sodomy, has been extended to include penetration by the offender of the vagina, vulva and anus of the victim by any body part or object, and penetration of the mouth of the victim by the offender's penis. This conduct was previously included in the offence of sexual assault. This addresses a key recommendation of the task force, supported by a large number of submissions to it, reflecting that women regard other types of penetration, for example, forced penetration by a bottle or a stick, as rape.

An extended definition of rape has operated in other States, such as Victoria and South Australia, for some time. Consent will be defined as "consent freely and voluntarily given by a person with the cognitive capacity to give the consent". This definition comes from the 1995 Criminal Code, introduced by my predecessor, the Honourable Dean Wells. I pay tribute to the enormous work done by former Attorney-General Wells, who initiated an extensive review of the Criminal Code.

Although the 1995 code was repealed by the Borbidge Government, it has formed the basis of much of the subsequent amendments to the Criminal Code.

The term "cognitive capacity" recognises that a person must have the ability to understand the nature and effect of giving consent, but it does not equate to "legal" capacity. It will bring in the existing case law about an incapacity to consent, for example, due to youth, intellectual impairment or intoxication. There are also a number of other minor technical amendments to the Criminal Code, including the repeal or redrafting of archaic provisions.

Finally, the Bill makes a number of amendments to address the way the criminal justice system deals with people with an intellectual disability. A new scheme has been created in the Bail Act which allows the police or a court to release without bail a person who has, or appears to have, an intellectual impairment, either by permitting the person to go at large, or by releasing him or her into the custody of another person who has the care of the person or with whom the person resides. The mechanism will only be considered if the person would otherwise be released on bail but the person does not, or appears not to, understand the nature and effect of the terms of bail, so that the making of a bail order would be inappropriate.

For example, a person who posed an unacceptable risk of endangering the safety or welfare of the victim of the offence, or any other member of the public, would be refused bail and therefore would not be eligible for release under this scheme. Instead of signing a bail undertaking, the person is given a "release notice". If the person is released into the custody of another person, that person is also given a copy of the notice, although no responsibility attaches to that other person.

Failure to appear in court in accordance with a release notice may result in the court issuing a warrant for the arrest of the person, directing that the person be brought before the court. The issuing of a warrant will ensure that the courts' processes are not compromised, however, unlike a breach of a bail undertaking, no offence is committed by the failure to appear. The Bill also extends sections 9 and 9A of the Evidence Act 1977 so that the scheme that allows a child to give unsworn evidence will also apply to any person who does not understand the nature of an oath, for example, a person with an intellectual disability.

Finally, I would like to extend my thanks to the members of the Task Force on Women and the Criminal Code for their hard work and dedication: Virginia Sturgess as chair, Zoe Rathus as deputy chair, and the other members, Josephine Akee, Stephanie Belfrage, Dr Lesley Chenoweth, Leanne Clare, Susan Currie, Monique Dawson, Joy Deguara, Catherine Dineen, Kay Halford, Katie Holm, Donna Justo, Isabelle Kearsley, Nitra Kidson, Di Macleod, Catherine McCahon, Heather Nancarrow, Dr Margaret Mobbs, Louise Shephard and Netta Tyson.

The task force brought together women from the Government and the community and included representation from lawyers, police, indigenous women, the Country Women's Association and women with expertise in sexual violence, domestic violence, issues facing women from non-English speaking backgrounds and issues facing women with disabilities. I commend the Bill to the House.

Debate, on motion of Mr Springborg, adjourned.

PROPERTY AGENTS AND MOTOR DEALERS BILL

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (11.57 a.m.), by leave, without notice: I move—

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

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Ms Spence, read a first time.

Second Reading

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (11.57 a.m.): I move—

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

The Property Agents and Motor Dealers Bill 2000 repeals the Auctioneers and Agents Act of 1971 and introduces long awaited reforms to strengthen consumer protection and to modernise licensing systems. The Bill seeks to balance the interests of traders subject to licensing arrangements and the needs of consumers for appropriate protection in their dealings with traders.

Development of the Bill

During the past 10 years, the operation of the Auctioneers and Agents Act has been assessed in the course of a number of reviews, including the Commonwealth Vocational Employment, Educational and Training Committee, the Prices Surveillance Authority review of partially registered occupations and the Auctioneers and Agents Overett review. More recently, the ability of the existing Act to deal with rapacious individuals exploiting ill-informed investors—marketeering—has been tested and found wanting. Following a public forum on marketeering that I convened in March last year, I set up a property marketing working party to identify the problems in the property marketing industry and to advise me of solutions.

The members of the working party were representatives of industry and consumer organisations. At the same time, Professor Bill Duncan of the Queensland University of Technology was engaged to examine the laws applying to real estate practice and conduct and to make recommendations to me for appropriate reforms. On 22 July 1999, I tabled in this House the report of the working party, Professor Duncan's report and an investigative report on the marketeering phenomenon by an independent consultant. A common theme has emerged from the working party, Professor Duncan and, indeed, successive reviews of the Act: that it is unable to accommodate evolving contemporary business practice or emerging community expectations of appropriate consumer protection.

The Bill before the House will introduce reforms that reclaim a proper balance between the interests and needs of traders operating in the marketplace and the consumers who deal with them. In achieving this balance, the provisions of the Bill recognise that the sphere of transactions being regulated is complex. To take just one example, both vendors and purchasers in the real estate market are, in essence, ordinary consumers deserving of protection. It is a complex piece of legislation. To assist honourable members in reaching an understanding of it, I will focus on the more significant innovative provisions.

Licensing

As with the existing Act, the Bill provides for the licensing of real estate agents, auctioneers, motor dealers and commercial agents. A restricted letting agent licence category is also provided for those who deal only with letting units and collecting rents in multi-unit building complexes. As a major innovation in this Bill, some property developers will also be required to be licensed. This arises from recommendations made by the working party and Professor Duncan.

Under the new provisions, property developers will be required to be licensed if they operate their business selling property direct to the public. The licensing requirement is triggered when a developer completes more than six direct selling residential property transactions in any 12-month period. If a property developer appoints a real estate agent, auctioneer or pastoral house to sell the property, the property developer will not need to be licensed. The qualifications for a licence are to be based on competency and suitability criteria appropriate to the particular category of licence. The competency criteria may include specific educational qualifications prescribed by regulation. However, the non-competency barriers to entry under the existing Act are abolished in this Bill. Such barriers include requirements to have particular types of premises, residence in Queensland or passing set examinations.

For the new property developers' licences, prescribed educational qualifications will not apply, as the primary object of the licensing requirement is to ensure fitness and propriety, not technical competency. Property developers differ from other categories of licensees dealing in real estate in that they are not acting as agents on behalf of an owner but are in fact themselves owners or part owners. Mandatory code of conduct provisions will apply to all categories of licence.

Cooling-off Period for Marketeers

A reflective and well-informed consumer is unlikely to be ripped off. As a corollary, a major investment decision made in haste, without prior thought and without the benefit of external professional advice may well be unwise. The practice of marketeers to sell their properties to a "cold" audience on the pretext of offering tax advice is designed specifically to lure the unwary into such unwise decisions. The Bill protects potential victims of marketeers by introducing a five-day cooling-off period in all contracts for the sale of residential property that result from an unsolicited approach to a buyer. The cooling-off period is triggered where

the approach is to attend a property information session, the object of which is to sell residential property for purported investment advantages to the buyer. It does not matter if the approach comes from a real estate agent or property developer.

Warning Statements on Contracts for Sale

All contracts for the sale of residential property are to be required to have, as the first page, a warning statement to assist consumers to understand the implications of entering into a contract to buy a property. If the contract is one that requires a cooling-off period, the warning statement will explain the cooling-off process. For all other residential property contracts, the warning statement will explain that there is no cooling-off period and will advise the potential buyer to seek independent legal advice before signing the contract documents. To ensure that consumers have their full attention drawn to the warning, it will be a requirement that the warning is initialled.

Full Disclosure

To supplement this reform, real estate agents and property developers will be subject to stringent disclosure obligations. They will be required to inform buyers of any personal or business relationships they have with any person, such as a mortgage broker, lawyer or valuer, whom they may recommend to the buyer to perform professional or business services in connection with the purchase of a property. Disclosure will also be required if they recommend the services of anyone who has an expectation of referral of business from the agent or developer. The object of these provisions is to enable consumers to be better informed about matters that may artificially affect purchase prices before they enter into binding contracts.

False or Misleading Representations Stamped Out

It will be an offence for a person to make a false or misleading representation about property. This provision reinforces existing provisions in the Fair Trading Act against misrepresentation and provides an easier route to taking effective disciplinary action against perpetrators. With regard to the sale of land, the Bill makes it clear that included within the definition of false or misleading representations are claims made about the value of the land at the date of sale, the potential income that can be made from renting or leasing the land, the date and amount of consideration paid for previous sales of the land and how the purchase of the land may affect the incidence of income taxation for the buyer caught by the prohibition.

To supplement this provision, the Bill gives power to the chief executive to require a licensee or registered employee to substantiate representations made about property. This power will be of great assistance in investigating complaints of false or misleading representations which are used to pressure people into entering into contracts to buy property. This measure goes to the heart of the marketeering problem. If, for example, it is alleged that an agent or developer made false or misleading statements about the financial benefits of investing in order to induce a person to buy the property, the chief executive will be able to demand the alleged offender provide evidence that substantiates the representation.

Restrictions on Appointment of Real Estate Agents

The appointment of agents, especially in the real estate sector, has been, as honourable members will be aware, a vexed area which is beset with recurring problems and gives rise to far too many complaints against licensees. The existing Act merely requires that the appointment of an agent be in writing. Most real estate agents do use a standard form of appointment. However, for many people, including agents themselves, the standard form is not user friendly and its format and language are somewhat verbose. In cases where a standard written appointment form is not used but the transaction concerns the sale of residential property, the standard REIQ sale contract is also sufficient to satisfy the requirement for a written appointment of the agent acting for the seller. However, problems arise if a formal appointment has not been made until after an offer to buy the property has been made.

In a highly charged atmosphere, it often happens that neither the agent nor the vendor has devoted adequate time to reflect on the contract of appointment. Many complaints are received about agents failing to specify crucial details on the contract form such as expenses, the amount of deposit and the date of settlement. The Bill provides for all appointments of licensees to be in writing using an approved form. The approved form will include a statement that the appointing vendor/client is advised to obtain independent legal advice before signing the appointment. It will have to be initialled at the time the contract is made to ensure that the client has read and understands the warning statement. The approved form will cover all the essential

details to enable a client to understand the terms of the appointment and the agent to understand the extent of the authority granted by the client to act on the client's behalf.

Many complaints are made about the expenses incurred by the agent and billed to the vendor. Accordingly, the amount an agent is permitted to expend for expenses on the client's behalf will be clearly set out in the approved form. This includes details of the source and estimated amounts of any rebates and discounts or commissions the agent expects to receive for items the agent is authorised to incur as expenses. For example, the discount an agent receives for bulk advertising placement will need to be disclosed. At the end of the appointment, the agent will be required to account to the client for expenditure. This will include details of the source and amount of rebates, discounts and commissions received on account of expenses incurred in connection with the transaction and all amounts received for referring the client to anyone else for services in connection with the transaction.

Honourable members will also know that many complaints are received from consumers each year arising from problems with exclusive and sole agency arrangements. The existing Act does not set a clear limit on the maximum term of appointment. Consumers may find themselves bound by an exclusive agency agreement for a term of many months during which they are effectively prevented from dealing with their property themselves or through another agent. Where the consumer is dissatisfied with the agent, they are still bound by the terms of the agreement. Often such consumers suffer the penalty of paying the exclusive agent's commission whether the agent brought about the sale or not. This Bill for the first time regulates sole and exclusive agency appointments. The maximum term of a sole or exclusive agency is to be set at 60 days for all licensees.

Regulated Maximum Commissions—All Licensees

For the regulated occupations, the Bill makes provision for setting maximum rates chargeable for fees, commissions and other rewards by regulation. These powers are retained as a consumer protection measure, to allow commissions to be regulated for transactions, particularly residential property sales, in which consumers may be most vulnerable.

Registration of Licensees' Employees

The Bill provides for employees who perform activities on behalf of licensees to be registered. This requirement covers real estate salespersons, motor salespersons, property developer salespersons, commercial subagents and trainee auctioneers. The category of trainee auctioneer replaces the existing requirement for persons who want to obtain a qualification to be an auctioneer to first be licensed as a provisional auctioneer. This change will introduce a cheaper, more accessible and more appropriate route for training potential auctioneers.

Certain obligations are placed on principal licensees to give registered employees an employment authority that sets out the duties the employee is authorised to perform for the licensee. The employment authority must be consistent with the employee's registration certificate, including any restricting conditions. The retention of a registration system for salespersons and other employees is a vital component of the licensing system. Honourable members may recall that there have been past proposals to abolish employee registration.

A lapsed Bill before the last Parliament proposed a fundamentally flawed and unworkable provision imposing a duty on licensees to be solely responsible for the eligibility and suitability of their salespersons. Licensees were to be held vicariously liable for their employees' contraventions of the legislation. Such a proposed regime was fair neither to licensees nor to consumers dealing in good faith with licensees.

The system proposed in this Bill promotes a partnership between licensees and Government and a shared commitment to ensuring that employees are registered and appropriately supervised when they perform activities on behalf of a licensee.

Committee Functions Given to Department

Licensing and registration of employees is to be a function of the Department of Equity and Fair Trading. This is a significant departure from the existing system that places responsibility for both licensing and registration decisions and all adjudication of consumer claims and misconduct charges with the Auctioneers and Agents Committee.

This Bill establishes a clearer separation between administrative and quasi-judicial responsibilities. The chief executive of the department is to be responsible for deciding applications for licences and registration certificates and for maintaining a publicly available register of applications, licences and registrations. Minor claims by consumers against the Claim Fund (formerly the Auctioneers and Agents Fidelity Guarantee

Fund), up to an amount of $5,000, will be determined by the chief executive.

Establishment of Tribunal

The Auctioneers and Agents Committee is to be abolished, and adjudicative functions for the legislation are to be undertaken by a new Property Agents and Motor Dealers Tribunal. The tribunal will be chaired on a full time basis by a professional person who is a lawyer of at least five years standing. Other tribunal members will be appointed on either a full-time or part-time basis.

In order to limit potential conflicts of duty and interest, a person who is currently a licensee in business, or the executive officer of a corporation that is licensed under the legislation, will not be eligible to be appointed to the tribunal. A former licensee will not be disqualified from appointment.

The tribunal is to have jurisdiction to review decisions of the chief executive on licensing and registration applications, on the application of a person aggrieved by the decision. Decisions on minor claims against the Claim Fund within the chief executive's jurisdiction will also be reviewable by the tribunal. It will also decide claims by consumers against the Claim Fund in excess of the chief executive's jurisdictional limit of $5,000. Disciplinary charges against licensees and registered employees will be determined by the tribunal.

In order to maintain an appropriate separation of powers, the chairperson of the tribunal will be responsible for conduct of the proceedings of the tribunal and deciding who will sit for a particular hearing. A tribunal registrar who will be a statutory office-holder specifically appointed for that function will have, subject to formal direction by the chairperson, responsibility for the administration of the tribunal.

Operation of the Claim Fund

Consistent with changes to public sector financial administration and audit practices under the Financial Administration and Audit Act 1977, the Auctioneers and Agents Fidelity Guarantee Fund will be replaced by the Claim Fund. Successful claims for financial loss by consumers because of contraventions or other specified wrongs by licensees, registered employees or relevant persons, as set out in the Bill, will be paid from the fund. However, claims against the fund arising from dealings with property developers will not be allowed.

The Treasurer is to be required to transfer amounts, appropriated from time to time, to the fund to meet claims in any particular financial year. Unlike the situation under the existing Act, licensees will no longer be under the apprehension that they will be levied to overcome a threatened shortfall in the fund. The power to require such a levy is abolished under this Bill. A person whose contravention or wrong has caused an allowable financial loss that has been paid from the fund will be liable to reimburse the fund to the extent of the amount paid.

Motor Dealers—New Consumer Protection Measures

The Bill introduces significant new protection measures for consumers in the motor vehicle market. Under this legislation, consumers will enjoy the security of a statutory warranty covering all used motor vehicles sold by a motor dealer or auctioneer.

Mr Seeney interjected.

Ms SPENCE: I say to the honourable member opposite that members of the REIQ, the MTA and other industry organisations are in the gallery above him and will be watching Opposition members' behaviour during this debate. I am pleased that the member has trivialised it to this extent because, obviously, this is the level of importance the Opposition gives to this particular Bill.

Under this legislation, consumers will enjoy the security of a statutory warranty covering all used motor vehicles sold by a motor dealer or auctioneer. For used motor vehicles that have an odometer reading of less than 160,000km and were manufactured less than 10 years before the date of sale, the warranty will be three months or 5,000km, whichever happens first. For used motor vehicles that have an odometer reading of more than 160,000km or were manufactured more than 10 years before the date of sale, the warranty will be one month or 1,000km, whichever happens first. Disputes concerning statutory warranties will be heard by the Small Claims Tribunal.

Used motor vehicle sales by a motor dealer will be subject to a cooling-off period of one business day. This provision will allow buyers a period of reflection on the wisdom of a particular purchase, and allow adequate time to obtain an independent vehicle inspection and to test drive the vehicle before the buyer is irrevocably bound to proceed with a purchase.

As a protection for motor dealers against abuse of the cooling-off system, a potential buyer will be required to pay a small non-refundable deposit when a sale contract is signed. As an additional protection for motor dealers, they will be permitted to give a purchase option to one other potential buyer

while the cooling-off period for a previous buyer is still running. The option holder will have no entitlement to buy the vehicle unless the previous buyer exercises rights under the cooling-off period to terminate the contract.

New Compliance Initiatives

The Bill introduces new compliance strategies as alternatives to prosecution, to ensure acceptable standards of business practice and enhance conformity by licensees with the requirements of the legislation. Codes of conduct, developed in conjunction with industry, will be introduced for all licence classes, including property developers. Codes of conduct will be subordinate legislation, with breaches in appropriate cases leading to disciplinary action against the relevant licensee or registered employee.

Provision is made for licensees to be subject to enforceable undertakings agreed with the chief executive to prevent breaches of the legislation. The District Court will also have power to issue an injunction, in a proper case, restraining a licensee from engaging in improper conduct, or requiring a licensee to act in conformity with legislative requirements.

Consultation and Support from Stakeholders

Consultation with representatives of industry and consumer stakeholders has been an indispensable element in the process of developing the Bill and I extend my thanks to all those who have made considered submissions and engaged in informed and constructive discussions over a lengthy period of time. With this legislation, Queensland is taking a lead, particularly in the area of residential property marketing.

Let me take this opportunity to inform honourable members about the results of consultation on this Bill. Apart from the National Competition Policy process that resulted in numerous submissions, release of the consultation draft of the Bill itself also attracted detailed responses from stakeholders. Some of these responses deserve to be recorded. For example, the REIQ expressed its appreciation of the open consultation process, which has involved both written and oral opportunities to comment on the legislation. I acknowledge that the REIQ chief executive, Don Mackenzie, is in the gallery today. I personally thank him for his support during this process.

The Australian Finance Conference commented that it looked forward to the Bill's introduction into Parliament. The Queensland Resident Accommodation Managers Association noted that it was supportive of the general direction of the Bill and observed that a number of its concerns prior to the drafting of the Bill have been considered.

Ian Herriot of Herriot's Valuers—honourable members may recall he was a major participant in raising the level of public debate on marketeering—commented, "I compliment you and your team on what I consider to be an excellent piece of legislation." The Queensland Consumers Association President, Cherie Dalley, commented that the Bill "represents a major step forward for consumers".

The RACQ commented that it "greatly appreciated" the opportunity to be consulted on this Bill, which was an important matter for the motoring public. Gary Fites, the RACQ General Manager, External Relations, told my office that the statutory vehicle warranty provisions "finally gave Queensland motorists the same protection as the rest of Australia". The MTAQ Executive Director, Tony Selmes, who is in the gallery today, has acknowledged that the Bill will "enhance consumer confidence in dealing with licensed motor traders". I also thank Tony for his assistance in the preparation of this legislation.

I am confident honourable members will agree with me that the initiatives in this Bill are responsible, responsive and workable and will play a leading role in protecting consumers. These reforms are meaningful and workable and, above all else, they strike the right balance between meeting the interests of industry and the needs of consumers. I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

WATER BILL

Resumption of Committee

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) in charge of the Bill.

Resumed from 6 September on clause 19, to which Mr Lester had moved an amendment (see p. 3066).

Mr LITTLEPROUD (12.22 p.m.): Before the debate on this amendment was adjourned last night, quite a few comments were made by members on this side of the House. I was one of those members, and I issued a challenge to the Minister. I said that I was of the opinion that I had heard him on radio say that he had promised that the only allocations of water that would be honoured by him were allocations that were given after a WAMP. I noticed upon reading the Hansard of last

night's debate that in an interjection the Minister said, "That's not true." If that is not true, I challenge the Minister to outline what is true. I now challenge the Minister to get to his feet—

A Government member: He did.

Mr LITTLEPROUD: No, he did not make the statement I sought. I ask the Minister to clear the matter up. It is recorded in Hansard. The Minister said that it is not true, so I ask him to tell us what is true.

Mr WELFORD: As I said last night, it is not true. What is true is that I have made clear that allocations made consequent upon a water resource plan will be more secure than is currently the case under the law. That is the extent of any comment I have made. Under the current law, the chief executive may give or take a water licence at his discretion without appeal. It is true that because in the past—and still currently—people have been able to obtain a licence and have some expectation that that licence will be renewed, there has developed a perception in the community that those licences grant perpetual entitlements to water. However, at law, it is a matter of fact that that has never been the case. Indeed, there have been cases where, in ground water—and, as I understand it, other water—licences have not been renewed.

The difference now is that under the new water resource plans allocations will be secure, in the sense that they cannot be withdrawn at the will of the chief executive, and they are compensable if any change is made to the volumetric allocation made under them within the life of a 10-year plan. That is security not granted by any other State in Australia under the water reform process. It is not true to say that I do not recognise that existing licences exist—on the contrary. The whole point of the water resource planning process is to allocate new allocations under a plan which, so far as possible, gives effect to existing licences.

Question—That Mr Lester's amendment be agreed to—put; and the Committee divided—

AYES, 39—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Elliott, Feldman, Gamin, Goss, Healy, Hobbs, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

NOES, 40—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Hollis, Kaiser, Lucas, Mackenroth, McGrady, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

Clause 19, as read, agreed to.

Clause 20—

Mr WELFORD (12.32 p.m.): I move the following amendment—

"At page 36, after line 26—

insert—

'(8) For subsection (3)—

"land" includes any land contiguous with the land adjoining the watercourse, lake or spring if all the land is owned by the same registered owner.'."

This amendment provides a definition of "land" to be added to subclause 3 of clause 20. I think it is self-explanatory.

Amendment agreed to.

Clause 20, as amended, agreed to.

Clause 21—

Mrs LIZ CUNNINGHAM (12.32 p.m.): I move the following amendments—

"At page 36, line 27, 'or (4)'—

omit.

At page 36, line 29, 'or (4)(a)'—

omit."

In moving these amendments, I acknowledge that the Minister said last night that I had misunderstood or had got a lot of the issues wrong. Perhaps he can tell me if I have got this one wrong.

Clause 20 purports to give people who have land adjoining a watercourse, lake or spring the ability to take water from the watercourse, lake or spring for domestic purposes and the watering of stock. Subclause (4) allows people who rely on overland flow—that is rainwater—that is collected in a dam to also take water for domestic purposes and for watering stock. I know that Agforce is very pleased to see that power enshrined in legislation. Before it was an assumed ability, but it is now enshrined in legislation.

However, the clause that I am proposing to amend, clause 21, goes on to say that—

"If there is a shortage of water, the chief executive may limit or prohibit the taking of water under section 20(3)(a) or (4)(a) for watering a garden"—

and "garden" is defined as an area of land under .25 hectares. The clause continues—

"If the notice is for limiting the taking of water, the notice may be for either or both of the following—

(a) the times when water may be taken;

(b) the volume of water ... that can be taken."

The notice remains in force for the period stated, and a person must not take water in contravention of the notice. The Explanatory Notes state that the penalty is 200 penalty units. In fact, in the Bill the penalty is 500 penalty units, or $37,500.

I asked the Minister in my speech during the second-reading debate how that notice would be given, how people would be informed. He did not reply. I do not believe that it is inappropriate or unexpected that the Minister would limit the taking of water from watercourses, lakes or springs, because since the 1920s the taking of water from those sources has been vested in the State.

This Bill vests the control of overland flow in the State. That is a significant shift. I do not believe it is appropriate that the State should be able to tell people with a domestic dam that they are prohibited from watering their garden. The water is collected in their dam. Again, it is not a ring tank. It is not an off-site storage tank of megalitres; it is a domestic dam. This clause proposes that the executive officer will publish a notice. We are not told where, we are not told how the community will be advised and we are not told how widely it will be published. Once that notice is published, land-holders must not water their garden if their garden is larger than .25 of a hectare, or about half an acre. A lot of places do have big gardens. I do not, that is for sure, but a lot of people do. If we aggregated the amount of land that someone had on a rural property that falls under the definition of "garden", it would probably often be in excess of .25 of a hectare.

The amount of $37,500 is a significant penalty. The Minister has not clarified how that notice will be made available to people for their information. Information is often slow in getting to people in rural communities. They may get their papers only once a week. They may not have good television reception. They may not have a good system of communication. I believe it places the rural community at risk unnecessarily, particularly where it is dealing with the taking of water from people's own dams.

These amendments do not affect the Minister's power as far as taking water, even for watering a garden from a watercourse, lake or spring. They merely remove from this Bill the power of the Minister to penalise people who take water without knowledge of a notice from their own dam to water their own garden in dry weather.

I reiterate what I said in my speech during the second-reading debate: country people already limit themselves. Most people on rural properties, whether it is a small rural property or a large one, have a list of priorities. As the weather gets drier, more and more of their property does not get the attention that it used to get. People with gardens stop watering them and over time they usually end up with fairly hardy plants. However, to place this proposal in the Bill to significantly impact on the use by people of their own dam-collected water is, I believe, unacceptable to the community and I seek the support of the House in moving these amendments.

Mr SEENEY: I support the remarks made by the member for Gladstone. There are a lot of things that I would like to say in this debate but, due to the time limits that have been imposed on this debate, I will refrain from saying them.

I record my very strong support for the comments that were made by the member for Gladstone. This issue flows from the Minister's refusal to accept an earlier Opposition amendment that would have handled the whole concept of overland flows in a much more sensible way. As I said when the Committee considered that amendment, the detail that flows from the Minister's fanatical or zealot-like approach to overland flows is totally unappreciated by members on the other side of the Chamber. This is one of those details. There is a whole host of other details that are understood by land-holders but that the Bill completely fails to recognise.

Due to the constraints that have been put on the duration of the debate, I record my support for the amendments that have been moved by the member for Gladstone and I will leave it there.

Mr JOHNSON: I will follow the example set by the member for Callide and I will not speak for very long on this issue for the same reasons.

I support the amendments moved by the member for Gladstone. However, in doing so, I point out to the Minister that clause 20 relates to domestic purposes and also to watering stock of a number that would normally be depastured on the land. I just raise the issue of travelling stock. I believe travelling stock should be included in that clause. Take the example of stock on a stock route. If there has been a dry stage—and in dry times that could

be for two or three days—cattle that are on the verge of perishing will not be able to be blocked from gaining access to a dam or a bore. I have seen perishing sheep and perishing cattle myself. No doubt the Minister and many other members in the House have, too. I believe that the issue of travelling stock should be included in the Bill for the protection of people who are in charge of those stock.

Dr PRENZLER: I would like to place on record that City Country Alliance members will also be supporting these amendments moved by the member for Gladstone. In reality, these are fairly simple amendments that should be accepted by this Chamber, the reason being that I agree with the member for Gladstone that a lot of people who have small acreage blocks often install a little dam or whatever on their property for the sole reason of preserving some water for periods of dry weather so that they can water their gardens and so on. I must admit that I am one of those people. I believe that these are simple amendments. They will not detract from the whole thrust of this Bill, and I believe that the Chamber should support them.

Mr WELFORD: To address the issue raised by the member for Gregory first, the issue of travelling stock is covered under clause 20—an as-of-right entitlement to take water from a watercourse, lake or spring for travelling stock. So travelling stock are fully secured for any water requirements from a watercourse, lake—

Mr Johnson: Even if it is off a stock route?

Mr WELFORD: Yes.

Mr Littleproud interjected.

Mr Seeney: By publishing a notice.

Mr WELFORD: That is a separate issue. The notice can cover a certain area. Yes, that is true. If the notice covers a particular waterhole in a watercourse that is short on water, then it may not allow stock to take water from there as well. Sorry, let me correct that. Clause 21 applies only to domestic use. It does not apply to travelling stock. Travelling stock is exempt from any notice requirement. If members read clause 21, they would see that it applies only to water taken for domestic purposes. So travelling stock is exempt.

In relation to the matter raised by the member for Gladstone, the reason that I did not respond to the issue about this detail of a notice in the second-reading debate last night ought to have been obvious to her, namely, that some 30-odd people spoke in that debate and all of them asked a series of questions. The member for Gladstone herself asked at least 8 or 10 questions. It was simply impossible in half an hour to address everyone's questions.

I accept the amendments. The purpose of the provision that is in the Bill is, of course, to retain consistency. I think it is desirable generally to retain consistency in the application of all principles across all water sources. Certainly, as a general principle, the rural industry groups do not believe—and this arose in relation to a previous amendment—that we should discriminate in favour of overflow water harvesting to the disadvantage of people who get their water from a river or watercourse. In other words, they do not believe that different principles should apply to the advantage of people who harvest overland flows before it gets to the river when some restrictions might apply to people who are patient enough to take water after it gets to a river.

Nevertheless, the simple reality is that I certainly do not have any intention of denying people access to water for domestic purposes—for gardening—from a dam on their own property. There is no reason in principle why I should not accept the amendments. If it gives the member comfort to know that no future Government would exercise that power, then I am happy to accept these amendments.

Mrs LIZ CUNNINGHAM: I just record my appreciation for that. I am sure that that will give peace of mind to a lot of people.

Amendments agreed to.

Clause 21, as amended, agreed to.

Clauses 22 and 23, as read, agreed to.

Clause 24—

Mr WELFORD (12.45 p.m.): I move the following amendment—

> "At page 38, line 25, 'watercourses and lakes'—
>
> omit, insert—
>
> 'land'."

This amendment just changes the name of the heading.

Amendment agreed to.

Clause 24, as amended, agreed to.

Clauses 25 to 34—

The TEMPORARY CHAIRMAN (Mr Mickel): Honourable members please note that clauses 25 to 34 have not been allocated in the Bill for drafting purposes. The Committee will now proceed to clause 35.

Clause 35, as read, agreed to.

Clause 36—

Mr WELFORD (12.45 p.m.): I move the following amendment—

"At page 40, line 12, 'For planning under this part,'—

omit, insert—

'For advancing the purposes of this chapter,'."

Again, this is an amendment to a heading simply to clarify it and to make it more relevant.

Amendment agreed to.

Clause 36, as amended, agreed to.

Clauses 37 to 41, as read, agreed to.

Clause 42—

Mr WELFORD (12.46 p.m.): I move the following amendment—

"(1) At page 44, lines 14 to 18—

omit, insert—

'(2) The notice may state that an application under this Act, or the repealed Act, will not be accepted, or will be accepted but not dealt with, while the moratorium notice has effect if granting the application would have 1 or more of the following effects on the water, the subject of the proposed plan—

(a) increase the amount of the water taken, or interfered with;

(b) change the location from which the water may be taken, or interfered with;

(c) change the purpose for which the water may be taken, or interfered with;

(d) increase the maximum flow rate for taking, or interfering with, the water;

(e) change the flow conditions under which the water may be taken.'.

(2) At page 44, lines 21 to 22—

omit, insert—

'(4) For water, the subject of the proposed plan, including overland flow water and subartesian water not currently regulated by a water resource plan, the notice may also state that while the moratorium'.

(3) At page 45, after line 17—

insert—

(ca) if a permit under the Local Government Act 1993, section 940[1] is required for the works—the permit has been issued; and'.

[1] Local Government Act 1993, section 940 (Issue of permit)"

Amendment agreed to.

Clause 42, as amended, agreed to.

Clauses 43 and 44, as read, agreed to.

Clause 45—

Mr WELFORD (12.47 p.m.) I move the following amendment—

"At page 46, lines 13 and 14, '52'—

omit, insert—

'44'."

This is just a correction of a section numbering.

Amendment agreed to.

Clause 45, as amended, agreed to.

Clause 46—

Mr LESTER (12.47 p.m.): I move the following amendment—

"(1) At page 47, after line 5—

insert—

'(h) include information about the impact the plan will have on existing entitlements to water in the proposed plan area.'.

(2) At page 47, after line 30—

insert—

'(4) However, a draft plan that is intended to apply to overland flow water, must not contain provisions that limit an owner of land from taking, interfering with or diverting overland flow water to an extent less than the person was able to immediately before the Minister published a notice under section 40(1) for the draft plan.'."

I simply want to point out that clause 46 sets out the content of draft water resource plans. Currently, it lists a range of things that the plans must consider but, again, there is no compulsory requirement for the consideration of existing water entitlements. As such, the value of existing water entitlements can be discounted or, at the very extreme, disregarded in the development of a WAMP. There is no requirement for DNR or the Minister to ensure that the security of existing water entitlements is maintained in every possible WAMP. As it stands, the Bill is immediately watering down the property rights associated with water licences that the State previously issued.

Mr Fouras: Watering down!

Mr LESTER: I would not get too funny about this if I were the member; it is serious business.

The Opposition amendment seeks to reverse that situation by making it a compulsory requirement that existing water

entitlements are recognised in a WAMP and, by virtue of that, every effort should be made to ensure that these entitlements are maintained.

In Alert Digest No. 10 the Scrutiny of Legislation Committee queried the proposed regulation of overland flow in the Bill. They asked the Minister to indicate whether the water in existing dams surplus to domestic and stock requirements could be required to be redistributed. In his reply to Alert Digest No. 11 the Minister indicated that such a decision could occur as a result of a statutory planning process—that is, a WAMP. He further indicated that as an outcome either the entitlement to water could be varied or modifications to works to give effect to the plan may be required as per clause 968. He claimed that any order about modification of works would be subject to an appeal. The Scrutiny of Legislation Committee noted the Minister's response.

The amendment is designed to recognise existing assets and the value of those assets as well as their previous rights to catch overland flow water in a dam. If the Government or community deemed it necessary to wind back an individual's ability to use their dam, they would be required to enter into negotiation with the owner of the dam.

Mr SEENEY: Briefly, while the Minister is getting himself organised, I rise to support the comments made by the member for Keppel. This is another attempt on behalf of the Opposition to have the existing rights of land-holders recognised in this legislation. That has been the general thrust of a number of amendments that we have moved. Once again, because of time constraints I will not go into the detail that I would have liked. This is in line with the arguments of fairness and basic justice put previously in this debate.

Mr WELFORD: The amendment is unnecessary. Existing entitlements are recognised in the legislation under section 47(f).

Question—That Mr Lester's amendment be agreed to—put; and the Committee divided—

AYES, 39—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Healy, Hobbs, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

NOES, 41—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Hollis, Kaiser, Lucas, Mackenroth, McGrady, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

Mr WELFORD: I move the following amendment—

"(1) At page 47, line 12, after 'assessable'—

insert—

'or self assessable'.

(2) At page 47, line 16, after 'a process for'—

insert—

'granting, reserving or otherwise'."

Amendment agreed to.

Clause 46, as amended, agreed to.

The TEMPORARY CHAIRMAN (Mr Mickel): Order! Before I call the Minister, I wish to acknowledge the presence in the gallery of students, parents and teachers of the Good News Lutheran School in the electorate of Mount Ommaney.

Clause 47—

Mr WELFORD (12.58 p.m.): I move the following amendment—

"(1) At page 48, lines 15 and 16, 'economic, cultural and environmental'—

omit, insert—

'cultural, economic, environmental and social'.

(2) At page 48, line 17, 'cultural and economic'—

omit, insert—

'cultural, economic and social'.

(3) At page 48, line 25, '(Water Policy)'—

omit, insert—

'(Water) Policy'."

Amendment agreed to.

Clause 47, as amended, agreed to.

Clauses 48 and 49, as read, agreed to.

The TEMPORARY CHAIRMAN (Mr Mickel): Order! Please note that the following amendment proposes a new clause.

Insertion of new clause—

Mr LESTER (12.58 p.m.): I move the following amendment—

"At page 49, after line 25—

insert—

'Further public notice if proposed final draft water resource plan is substantially different from plan previously advertised

'49A.(1) Subsection (2) applies if the final draft water resource plan prepared by the Minister is substantially different from the plan, notice of which the Minister has previously given under section 49.

'(2) The Minister must again take the actions mentioned in section 49 for the different plan.'."

Clause 49 of the Bill sets out the steps that the Minister must take in releasing a draft water resources plan, or WAMP, notifying the public of its release and inviting submissions. Clause 50 requires the Minister to consider submissions on the plan before the Governor in Council approves the final plan. Clause 51 simply requires the Minister to report the issues raised during the public consultation process and how they have been dealt with.

The problem with the arrangements proposed by the Government is that there is no requirement for the Minister to go back to the public for a second round of consultation if the plan is substantially altered. There is potential for a situation in which the final WAMP may be completely different from the initial draft, but the public and the water users particularly will have no idea of the final WAMP until it is legislated. With no right of appeal provided in the Bill, it will be too late for water users to have any further input into the development of the final WAMP.

The Opposition's amendment requires the Minister to go back to the public for a second round of consultation before finalising any WAMP that has been substantially altered. This provides another safeguard for the protection of existing water entitlements and added protection for both Government and the community to better ensure that the final WAMP has broad community support.

Mr WELFORD: The Government cannot accept the amendment. The specific purpose of putting in clause 48 was to address that very issue of ensuring that the community is given reasons for any changes made to a draft plan. If every time we change a plan as a result of community consultation we had to go back out and consult again we would end up with a never ending circle of consultation—minor adjustments, changes, consultation, adjustments and changes—and the plan would never get done. People need to know that when a draft goes out, submissions are received, the submissions are taken into account and, like any other consultation process in a range of other forums right across Government, the Government takes into account the submissions and makes a decision. I think that is the proper process. We have added the protection in clause 48, as the honourable member for Keppel mentioned, that when the plan is finalised, if there are differences between it and the draft plan, the Minister must issue a report explaining how the public submissions have been taken into account and the reasons for any changes.

Sitting suspended from 1.01 p.m. to 2.30 p.m.

Mr HOBBS: The amendment moved by the Opposition states—

"Further public notice if proposed final draft water resource plan is substantially different from plan previously advertised ..."

A while ago the Minister said that he would not do it, and he talked about minor adjustments and so forth. We are not talking about minor adjustments; we are talking about major and substantial changes.

Take, for instance, the Condamine/Balonne. One would expect that substantial changes would have to be made to that WAMP. The Minister has already indicated that there will be some changes to it. So there needs to be enough time for people to get their mind around exactly what it means to them. Put simply, they have put enormous resources—time and funding—into their own operations. If in some way they will be disadvantaged by the fact that the Minister can just slip through a new process or a new plan, that is not fair. That is why we are saying that if it is substantially different the impacts on people will certainly be varied. I think that needs to be taken into consideration.

Amendment negatived.

Clauses 50 to 53, as read, agreed to.

Clause 54—

Mr WELFORD (2.33 p.m.): I move the following amendment—

"At page 51, line 15, 'the Act'—

omit, insert—

'this chapter'."

This is a very small amendment and is self-explanatory.

Amendment agreed to.

Clause 54, as amended, agreed to.

Clauses 55 to 59, as read, agreed to.

Clause 60—

Mr WELFORD (2.33 p.m.): I move the following amendment—

"At page 54, line 3—

omit, insert—

'(2) Subject to subsection (2A), only 1 water use plan may have effect for the part at any time.

'(2A) Two plans may have effect for the same part of Queensland at the same time if—

(a) one of the plans applies to—

(i) artesian water; and

(ii) subartesian water connected to the artesian water; and

(iii) water in springs connected to the artesian water; and

(b) the other plan does not apply to water mentioned in paragraph (a).'."

This amendment is designed to broaden the purpose for which plans can be prepared to allow a plan to be prepared for the Great Artesian Basin. The community consultative committee has requested that it be possible at some future time as ongoing consultation occurs to prepare a plan for the basin, or at least the Queensland part of it. This amendment allows for that to occur.

Amendment agreed to.

Clause 60, as amended, agreed to.

Clauses 61 to 82, as read, agreed to.

Clauses 83 to 93—

The CHAIRMAN: Honourable members, please note that clauses 83 to 93 have not been allocated in the Bill for drafting purposes. The Committee will now proceed to clause 94.

Clauses 94 to 96, as read, agreed to.

Clause 97—

Mr WELFORD (2.34 p.m.): I move the following amendment—

"(1) At page 65, lines 29 and 30—

omit, insert—

'which the proposed plan is intended to apply a notice requesting the holder to provide proposed arrangements for the management of the water, including, for example, water allocation transfer rules and water and natural ecosystem monitoring practices.'.

(2) At page 66, line 1—

omit, insert—

'operate any infrastructure to which the proposed plan is intended to apply, in accordance with the water resource plan.'."

Amendment agreed to.

Clause 97, as amended, agreed to.

Clause 98—

Mr LESTER (2.35 p.m.): I move the following amendment—

"At page 66, after line 11—

insert—

'(ca) state details of any changes to be made to existing entitlements to water in the proposed plan area; and'."

The reason for this amendment is that, as presented by the Government, clause 98 sets out the content that a draft resource operation plan must include. Once again, there is no reference to existing water entitlements, and it is again our concern that there is no recognition provided to existing water entitlements. The Opposition's amendment requires that any changes proposed to be made in the existing water entitlements must be included up front in the resource operations plan. In this way, uncertainty is reduced as entitlement holders can identify exactly how the plan will affect them and determine the appropriate course of action they should take to protect their interests, initially most probably via a submission as per clause 99 to the chief executive.

It was our intention to divide on this clause as we feel quite strongly about it. However, we record our dissatisfaction and we record that we very much want the Minister to take notice of what would have been our amendment. Time constraints mean that we cannot put the Committee to a division, but the Minister knows very clearly the way we feel about it.

Amendment negatived.

Mr WELFORD: I move the following amendment—

"At page 66, line 25, after 'a process for'—

insert—

'granting, reserving or otherwise'."

This amendment allows for unallocated water to be dealt with by way of licensing.

Amendment agreed to.

Clause 98, as amended, agreed to.

Clauses 99 to 106, as read, agreed to.

Clause 107—

Mr WELFORD (2.37 p.m.): I move the following amendment—

"At page 72, lines 5 to 11—

omit, insert—

(a) the following interim resource operations licences cease to have effect—

(i) licences for the operation of water infrastructure for the management of water to which the plan applies;

(ii) licences for the management of water to which the plan applies; and

(b) the chief executive must grant to each interim resource operations licence holder a resource operations licence, in the approved form and in accordance with the plan, for the water the holder manages and to which the plan applies.'."

This amendment clarifies that resource operation licences can be issued for operations other than operations that are confined to infrastructure.

Amendment agreed to.

Clause 107, as amended, agreed to.

Clause 108, as read, agreed to.

Clause 109—

Mr WELFORD (2.37 p.m.): I move the following amendment—

"(1) At page 73, line 1, 'the water'—

omit, insert—

'any water'.

(2) At page 73, lines 2 and 3, 'the operating arrangements'—

omit, insert—

'any operating arrangements'."

This amendment is complementary to the previous amendment, ensuring that resource operation licences can apply to resources other than for infrastructure.

Amendment agreed to.

Clause 109, as amended, agreed to.

Clause 110—

Mr WELFORD (2.38 p.m.): I move the following amendment—

"(1) At page 73, line 7, 'the operating arrangements'—

omit, insert—

'any operating arrangements'.

(2) At page 73, lines 12 and 13—

omit, insert—

'(ii) give the chief executive information reasonably required by the chief executive about the holder's performance under the licence and information about resource management aspects of the holder's operations for the administration or enforcement of this Act;'.

(3) At page 73, lines 15 and 16, 'the water infrastructure'—

omit, insert—

'any water infrastructure'."

Again, I move this amendment for the same reasons as the previous two amendments. It also clarifies the scope of the information request that the chief executive might make.

Amendment agreed to.

Clause 110, as amended, agreed to.

Clause 111, as read, agreed to.

Clause 112—

Mr WELFORD (2.38 p.m.): I move the following amendment—

"At page 74, line 10, '(made either orally or in writing)'—

omit, insert—

'made, either orally or in writing, by the licence holder'."

This amendment is self-explanatory.

Amendment agreed to.

Clause 112, as amended, agreed to.

Clause 113—

Mr WELFORD (2.38 p.m.): I move the following amendment—

"At page 74, line 28, 'division'—

omit, insert—

'subdivision'."

This is just a correction to change the word "division" to "subdivision".

Amendment agreed to.

Clause 113, as amended, agreed to.

Clauses 114 to 118, as read, agreed to.

Clause 119—

Mr WELFORD (2.39 p.m.): I move the following amendment—

"(1) At page 77, line 19, '(made either orally or in writing)'—

omit, insert—

'made, either orally or in writing, by the holder'.

(2) At page 77, after line 19—

insert—

'(2) Subsection (1)(a) does not apply if the holder has been convicted under section 813 for the non-compliance.'."

This amendment clarifies the power of the chief executive in respect of any cancellations of a licence but does not prevent third parties from claiming compensation for loss or damage.

Amendment agreed to.

Clause 119, as amended, agreed to.

Clause 120—

Mr WELFORD (2.40 p.m.): I move the following amendment—

"At page 78, line 15, 'and'—

omit, insert—

'or'."

The amendment changes one word, "and" to "or".

Amendment agreed to.

Clause 120, as amended, agreed to.

Clause 121—

Mr WELFORD (2.40 p.m.): I move the following amendment—

"(1) At page 78, line 26, 'or water permits'—

omit.

(2) At page 78, line 28, 'or water permit'—

omit."

This again is a technical amendment.

Amendment agreed to.

Clause 121, as amended, agreed to.

Clauses 122 and 123, as read, agreed to.

Insertion of new clause—

Mr WELFORD (2.41 p.m.): I move the following amendment—

"At page 80, after line 25—

insert—

'Security for supply and storage of water allocation

'123A. If a water allocation is managed under a resource operations licence, the licence holder may require the allocation holder to give the licence holder reasonable security for supplying and storing the allocation.'."

This amendment relates to a new clause and it is self-explanatory.

Mr LESTER: This amendment has been included apparently at the request of SUDAW, the developers of the proposed Nathan dam. It would allow the owner of the dam, be it SUDAW, SunWater or whoever, to require water users to pay a security or monetary bond so as to ensure payment of any outstanding or future water storage and supply fees. Such a requirement would normally be a matter for negotiation for inclusion in a normal commercial contract.

SUDAW apparently maintains that it needs this statutory provision as a protection from the Queensland Competition Authority because of its monopoly situation. However, it can be said that this statutory provision is unnecessary and favours the owner of a dam—and that is our concern—instead of the end users who have otherwise been denied the ability to at least negotiate the inclusion of any such provision in their supply contract.

Mr SEENEY: This amendment highlights the farce of this whole process. For the Minister to stand up and say that this is self-explanatory is an absolute joke. I accept that most of the Minister's 148 amendments are minor and fix mistakes. However, this is a major amendment. This is a major change to the way water resource structures are managed. It represents a change in the relationship between the supplier of the water and the user of the water. If we take the information given to us in the briefing, this amendment has been made at the request of SUDAW. If we take the Nathan dam proposal as an example, this amendment gives the operator of the dam, SUDAW—a multinational company—the right to require a security deposit from people it sells water entitlements to.

In relation to normal commercial contracts, it would normally be the other way around. Normally it is the customer who requires some security from the supplier that it will supply the good or service it has been contracted to supply. This amendment completely turns the norm around. For example, if I as a farmer purchase a water entitlement from SUDAW, the operator of the dam, it then has the ability under this legislation to require me to pay some sort of security deposit which is undefined in the legislation—it is defined only as "reasonable"—for the privilege of that company presumably holding my water entitlement and delivering it to me at some later date.

Let us think this concept through. This amendment seeks to introduce this measure to supposedly guard the operator of the dam, in this case SUDAW, against the prospect of me not taking delivery of that water and not consequently paying for the water—so it still gets the money, which is obviously its only motivation to be involved in the first place. Once again, this is the complete opposite of normal contractual arrangements. In such a

case, it still has the water to sell. The farmer or the purchaser of the water loses the service that he contracted to purchase from the supplier. However, the supplier, in this case SUDAW, still has the water. Why on earth is there a necessity to enshrine in legislation the right for it to be able to require an unidentified and unqualified security deposit?

A related clause which is being similarly amended is clause 395, which basically does the same thing but deals with quality. It indemnifies the supplier of the water from any possibility of litigation against the purchaser of the water with regard to damage done by the water or even the quality of the water. With these two amendments, the Minister is enshrining in legislation the right for the operator of the water resource infrastructure—in this case, SUDAW—to require end users of the water to pay a security deposit to guard against the fact that they might not need the water. These amendments remove the risk from the operator of the water storage facility and also remove the risk in terms of the quality of the product that is being delivered.

This very much tilts normal commercial contractual arrangements in favour of the water resource operator. We have to wonder why these amendments has been included in this legislation. They have obviously been included late in the day, because they are included with the Minister's amendments rather than the original legislation. We have to wonder why such amendments are brought into this Chamber to try to change the balance of normal contractual risk between a supplier and a consumer. Out of all the Minister's amendments, the amendment we are considering now and the related amendment deserve more explanation and more comment as opposed to the Minister saying that they are self-explanatory.

Mr WELFORD: I will give the member for Keppel and members on the other side some explanation for this. I want to make a couple of points. Firstly, I do not think it is extraordinary in the sense of a requirement for normal contractual relationships. In relation to other utilities such as electricity, it is quite common for a security deposit to be held by the utilities for the payment of—

Mr Seeney: There is a difference.

Mr WELFORD: There is a difference, and I will explain the difference. It is quite common for utilities to hold a security deposit for recovery of unpaid debts. That is quite common now. It is not as if it is extraordinary. I use the example of someone who has taken the water but has not paid for it. This amendment would allow for a reasonable security to pay for that water. If the water has not been taken, part of the payment the allocation holder pays is partly for storage. The payments are likely to be in two parts, as most water payments are. Firstly, there is a base payment to pay a contribution towards the return on the investment in the storage asset and, secondly, there is a cost for delivery of the water. Therefore, the debt still occurs even if the water has not been distributed in that the infrastructure owner still has an obligation to hold that water. They cannot distribute it to anyone else; they have an obligation under contract to hold that water for the holder, even if the holder has outstanding debts. The security deposit is not extraordinary in that sense.

Let me make a second point about security. I have to say that I share the member's reservations about this, and I questioned it when it was proposed. The way I have sought to confine the limits of what can be expected is to insert that requirement that only a reasonable security can be required. "Reasonable" does not specify an amount—it is not specific—but a reasonable amount in terms of dollar amounts is something that courts are familiar with and able to deal with very readily every day of the week. For example, reasonable fees for unpaid debts under a normal contract are something that courts resolve disputes about every day of the week.

Basically, what "reasonable" does here is simply state what the common law is. As the member said, the infrastructure owner could say, "We will only sell to you on a condition in the contract that you provide security." If I were to give legislative effect to that, for an unlimited security, I would say that would be very unfair. Indeed, under normal contractual arrangements the competition authority could very well bowl it over—indeed, a court would bowl it over—if the security expected in the contract was unconscionable or unreasonable.

I have put in the limitation to ensure that this does nothing more than reflect, effectively, what the common law would require if such a security provision were tested in the court. I think that ought to address it. In that sense it does not imbalance it any more than the common law would already allow. It restrains the infrastructure operator to ask for a security only to the extent that the common law would allow in any event. Subject to those comments, I repeat that I share some reservations.

The other question the honourable member for Callide in particular should ask himself is how keen he is on having the Nathan dam proceed. As the member for Keppel mentioned, a matter was raised by the proponents for that dam about the capacity to do what electricity utilities basically already do, that is, ask for some nominal deposit by way of a security for unpaid water. I do not think that is unreasonable in the circumstances, so long as it is confined to the limits I have set.

Amendment agreed to.

Clauses 124 to 126, as read, agreed to.

Clause 127—

Mr WELFORD (2.52 p.m.): I move the following amendment—

"At page 82, after line 16—

insert—

'(ba) the resource operations licence holder through which the water may be supplied under the allocation;'."

This corrects an omission.

Amendment agreed to.

Clause 127, as amended, agreed to.

Clauses 128 to 136, as read, agreed to.

Clause 137—

Mr WELFORD (2.52 p.m.): I move the following amendment—

"At page 88, line 20—

omit, insert—

'by public auction, public ballot or public tender.'."

This clarifies how a forfeited allocation should be dealt with so that there is no uncertainty.

Amendment agreed to.

Clause 137, as amended, agreed to.

Clause 138, as read, agreed to.

Clause 139—

Mr WELFORD (2.53 p.m.): I move the following amendment—

"(1) At page 89, line 19, '(4)'—

omit, insert—

'(6)'.

(2) At page 89, after line 30—

insert—

'(6) The purchaser of an allocation under this section takes the allocation free of all interests.'."

This amendment makes it clear that when purchasers purchase an allocation, they take the allocation free of any encumbrances.

Amendment agreed to.

Clause 139, as amended, agreed to.

Clause 140, as read, agreed to.

Clause 141—

Mr WELFORD (2.53 p.m.): I move the following amendment—

"At page 90, lines 9 and 10, 'to assign all or part of the benefits of the allocation to another person'—

omit, insert—

'for a seasonal water assignment'."

This simply adds "seasonal water assignment" to the dictionary of definitions.

Amendment agreed to.

Clause 141, as amended, agreed to.

Clause 142, as read, agreed to.

Clause 143—

Mr WELFORD (2.54 p.m.): I move the following amendment—

"At page 91, line 1, 'chief executive'—

omit, insert—

'the chief executive'."

Amendment agreed to.

Clause 143, as amended, agreed to.

Clauses 144 to 152, as read, agreed to.

Clauses 153 to 166—

Mr SPEAKER: Order! Would honourable members please note that clauses 153 to 166 have not been allocated in the Bill for drafting purposes.

Clause 167—

Mr WELFORD (2.54 p.m.): I move the following amendment—

"At page 95, lines 8 and 9, 'through water infrastructure' to the end—

omit, insert—

'through—

(a) existing water infrastructure in an area where a resource operations plan has not been approved; or

(b) proposed water infrastructure.'."

Amendment agreed to.

Clause 167, as amended, agreed to.

Insertion of heading—

Mr WELFORD (2.55 p.m.): I move the following amendment—

"At page 95, line 12, 'water infrastructure'—

omit, insert—

'operations'."

I will not give explanations of each of the following amendments unless members raise issues.

Amendment agreed to.

Clause 168—

Mr WELFORD (2.57 p.m.): I move the following amendment—

"(1) At page 95, line 15, after 'infrastructure'—

insert—

'or manages water'.

(2) At page 95, line 18, after 'infrastructure'—

insert—

'or manage the water'."

Amendment agreed to.

Clause 168, as amended, agreed to.

Mr LESTER (2.57 p.m.): I would like to offer a bit of assistance. The Opposition would be prepared to accept the Minister's amendments in block up to clause 985—that is, up to and including Government amendment No. 107. We wish to debate clause 986 and our time is running out. We prevail upon the Chair to accept this course of action.

The CHAIRMAN: I am happy to do that.

Clauses 169 to 985—

Mr WELFORD (2.58 p.m.): I move the following amendments—

"Clause 169—

(1) At page 96, line 5—

omit, insert—

'contracts for the supply of the water; and'.

(2) At page 96, line 6, 'for the'—

omit, insert—

'for any'.

Heading before clause 176—

At page 99, line 23, 'water infrastructure'—

omit, insert—

'operations'.

Clause 177—

At page 100, line 12, 'the water infrastructure'—

omit, insert—

'any water infrastructure'.

Clause 178—

At page 100, line 25, 'operating the'—

omit, insert—

'operating'.

Clause 187—

(1) At page 106, line 8—

omit.

(2) At page 106, after line 10—

insert—

'(e) an entity prescribed under a regulation.'.

Clause 188—

At page 106, line 19, 'suppling'—

omit, insert—

'supplying'.

Clause 189—

(1) At page 107, line 5—

omit.

(2) At page 107, after line 7—

insert—

'(e) an entity prescribed under a regulation.'.

Heading before clause 190—

At page 107, line 10, 'transferring or'—

omit, insert—

'renewing, transferring, forfeiting or'.

Clause 190—

(1) At page 107, line 12, after 'Amending,'—

insert—

'renewing,'.

(2) At page 107, line 13, after 'amended,'—

insert—

'renewed,'.

Clause 191—

(1) At page 107, line 22—

omit, insert—

'(b) an interim resource operations licence holder;'.

(2) At page 107, after line 24—

omit, insert—

'(e) an entity prescribed under a regulation.'.

New clauses 192A and 192B—

At page 108, after line 20—

insert—

'Transferring interim water allocations to other land

'192A.(1) This section applies only if a regulation provides for all or part of the authority to take water in relation to land to be transferred so that the authority attaches to other land, whether in or outside Queensland.

'(2) The allocation holder may apply to the chief executive to transfer all or part of the authority in accordance with the regulation.

'Forfeiting an interim water allocation

'192B.(1) Subsection (2) applies if—

(a) an interim water allocation holder has been convicted of an offence against this Act; or

(b) the chief executive is satisfied the holder has breached a condition of the interim water allocation.

'(2) The chief executive may deal with the interim water allocation under section 137(2) to (9) as if—

(a) the interim water allocation were a water allocation; and

(b) a reference in the section to a resource operations licence were a reference to an interim resource operations licence.'.

Clause 206—

At page 110, lines 11 to 13—

omit, insert—

'(4) The following entities may also apply for a water licence for taking water or interfering with the flow of water—

(a) a local government;

(b) a water authority;

(c) a resource operations licence holder;

(d) an interim resource operations licence holder;

(e) an entity prescribed under a regulation.'.

Clause 209—

At page 112, line 8, '211'—

omit, insert—

'206'.

Clause 215—

At page 115, after line 14—

insert—

'Maximum penalty—1 665 penalty units.'.

Clause 218—

At page 116, line 9, 'that'—

omit.

Clause 221—

(1) At page 119, lines 9 to 15—

omit, insert—

'221.(1) If a licensee fails to renew a water licence, the licensee, or if the licensee has ceased to be an owner of the land to which the licence was attached, another owner of the land, may, within 30 business days after the licence expires, apply to have the licence reinstated.'.

(2) At page 119, lines 19 to 21—

omit, insert—

'(4) If an application for the reinstatement of a water licence is made, the expired licence is taken to have been in force from the day the application was made until the applicant has been notified of the chief executive's decision on the application.'.

Clause 228—

At page 122, lines 6 to 17—

omit, insert—

'228.(1) Subsection (2) applies if—

(a) a water licence attaches to land; and

(b) the licensee ceases to be an owner of the land; and

(c) before ceasing to be an owner of the land the licensee applied, in accordance with section 222, to transfer the licence to another person.

(2) On the day the licensee ceases to be an owner of the land—

(a) the licensee ceases to be the holder of the licence; and

(b) the other person becomes the new licensee.

(3) However, subsection (4) applies if—

(a) a water licence attaches to land; and

(b) the licensee ceases to be an owner of the land; and

(c) before ceasing to be an owner of the land the licensee did not apply, in accordance with section 222, to transfer the licence to another person.

(4) On the day the licensee ceases to be an owner of the land—

(a) the licensee ceases to be the holder of the licence; and

(b) the registered owner of the land becomes the new licensee.

(5) Within 30 business days after becoming the new licensee, the new licensee must give the chief executive notice that the previous licensee has ceased to be the licensee.

(6) Within 30 business days after receiving the notice, the chief executive must give the new licensee a new licence on conditions that have the same effect as the conditions on the previous licence, other than for the change of name of the licensee.'.

Clause 229—

(1) At page 122, line 20, 'relating to land is in force'—

omit, insert—

'is attached to land'.

(2) At page 122, line 23, '1 year'—

omit, insert—

'60 business days'.

Clause 230—

At page 123, line 27, 'of the licences'—

omit.

Clause 231—

At page 124, lines 2 and 3, 'to assign all or part of the benefits of a water licence to another person'—

omit, insert—

'for a seasonal water assignment'.

Clause 233—

At page 124, line 21, 'chief executive'—

omit, insert—

'the chief executive'.

Clause 244—

(1) At page 128, line 3, 'licence'—

omit, insert—

'permit'.

(2) At page 128, line 5, 'sections'—

omit, insert—

'section'.

Clause 246, heading—

At page 128, line 20, 'licences or permits'—

omit, insert—

'licence or permit'.

Heading before clause 266—

At page 130, line 6, 'destroying, excavating or filling'—

omit, insert—

'destroying vegetation, excavating or placing fill in a watercourse, lake or spring'.

Clause 266, heading—

At page 130, line 7, 'destroy, excavate or fill'—

omit, insert—

'destroy vegetation, excavate or place fill in a watercourse, lake or spring'.

Clause 268, heading—

At page 131, lines 10 and 11, 'destroy, excavate or fill'—

omit, insert—

'destroy vegetation, excavate or place fill in a watercourse, lake or spring'.

Clause 269, heading—

At page 132, line 3, 'destroy, excavate or fill'—

omit, insert—

'destroy vegetation, excavate or place fill in a watercourse, lake or spring'.

Heading before clause 270—

At page 132, line 17, 'permits'—

omit, insert—

'permits to destroy vegetation, excavate or place fill in a watercourse, lake or spring'.

Clause 306—

At page 145, lines 7 and 11, 'licensee'—

omit, insert—

'holder'.

Clause 313—

At page 149, lines 14 and 15, 'each water bore drilled by the holder'—

omit, insert—

'any activity the holder may carry out under this Act'.

Clause 331—

At page 152, after line 10—

insert—

'(6) From the day the licence has effect, a holder of an entitlement mentioned in the licence must not take water under the entitlement.'.

Clause 335—

(1) At page 153, lines 25 to 27—

omit.

(2) At page 154, line 4, 'The'—

omit, insert—

'Unless the licensee otherwise consents, the'.

(3) At page 154, after line 6—

insert—

'(6) If subsection (3) applies because of subsection (1)(b), the amendment may, with the consent of the new entitlement holder and the licensee, include the new holder instead of the previous holder.'.

Clause 339, heading—

At page 155, line 3, 'of'—

omit.

Clause 375—

At page 159, line 1, 'the'—

omit.

Clause 378—

(1) At page 160, line 6, after 'regulator'—

insert—

'must'.

(2) At page 160, line 7, 'must'—

omit.

Clause 384—

(1) At page 162, line 26, '(2)(b)'—

omit, insert—

'(2)(c)'.

(2) At page 162, line 27, 'officer'—

omit, insert—

'person'.

Clause 390—

At page 166, after line 2—

insert—

'(4) If the service provider acts under subsection (3), the service provider must give, to anyone likely to be affected by the action—

(a) notice of the action; and

(b) the reasons for the action; and

(c) if the action is continuing when the notice is given—notice about how long the action will continue.'.

Clause 395—

At page 167, lines 15 to 18—

omit, insert—

'395.(1) A service provider, owner of land, operator of water infrastructure, lessee of a service provider or operator (each "an affected party") is not liable for an event or circumstance beyond the control of the affected party.

'(2) Subsection (1)—

(a) applies only if, in relation to the event or circumstance, the affected party acted reasonably and without negligence; and

(b) does not affect, or in any way limit, the liability of an affected party for negligence.

'(3) In this section—

"an event or circumstance beyond the control of the affected party" includes—

(a) the escape of water from water infrastructure or works; and

(b) flooding upstream or downstream of water infrastructure or works; and

(c) contamination of, or the quality of, water flowing, or released from, water infrastructure or works.'.

Clause 408—

At page 168, line 24, 'approved'—

omit, insert—

'issued'.

Clause 411—

At page 169, line 27, 'committee'—

omit, insert—

'council'.

Clause 419—

(1) At page 173, line 19, 'relevant'—

omit, insert—

'adequate'.

(2) At page 173, line 27, 'on'—

omit, insert—

'to be prepared about'.

(3) At page 174, line 5, 'there is a significant deficiency in'—

omit.

(4) At page 174, line 6, after 'plan'—

insert—

'is inadequate in a material particular'.

(5) At page 174, line 11, 'deficiency'—

omit, insert—

'inadequacy'.

(6) At page 174, lines 13 to 15—

omit, insert—

'(7) The service provider must comply with the notice, unless the service provider has a reasonable excuse.'.

Clause 425—

At page 176, line 1, 'approved'—

omit, insert—

'issued'.

Clause 429—

At page 177, line 12, 'because'—

omit, insert—

'because of'.

Clause 436—

(1) At page 180, line 25, 'information notice'—

omit, insert—

'an information notice'.

(2) At page 181, after line 2—

insert—

'(ba) the division, or divisions, to which the exemption applies;'.

Clause 437—

At page 181, after line 16—

insert—

'(3) If the regulator amends or cancels the exemption, the regulator must—

(a) give the service provider an information notice about the amendment or cancellation; and

(b) as soon as is practicable after amending or cancelling the exemption, give notice of the amendment or cancellation in the gazette.'.

Clause 450—

At page 182, line 21, 'service provider'—

omit, insert—

'local government'.

Clause 452—

At page 183, line 23, 'if the service is'—

omit, insert—

'for'.

Clause 480—

At page 190, lines 7 and 8—

omit.

Clause 481—

At page 190, line 22—

omit, insert—

'(b) a weir, unless the weir has a variable flow control structure on the crest of the weir.'.

Clause 482—

At page 190, line 24, 'prepared and'—

omit.

Clause 483—

At page 191, line 18, '100'—

omit, insert—

'250'.

Clause 485—

(1) At page 192, lines 26 and 27—

omit, insert—

'485.(1) A person must not certify a failure impact assessment containing information the'.

(2) At page 192, line 30, 'giving'—

omit, insert—

'certifying'.

(3) At page 193, line 5, after 'gives'—

insert—

'the chief executive'.

(4) At page 193, lines 6, 8 and 19, 'preparing'—

omit, insert—

'certifying'.

Clause 486—

(1) At page 193, lines 24, 29 and 31, after 'preparing'—

insert—

'and certifying'.

(2) At page 194, line 1, after 'preparing'—

insert—

'and certifying'.

Clause 489—

(1) At page 194, line 21, after 'must'—

insert—

', within 30 business days after being satisfied under subsection (1)'.

(2) At page 194, lines 24 to 27—

omit, insert—

'(3) The information notice must require the owner to—

(a) have the assessment reviewed, corrected or completed and recertified; and

(b) return the recertified assessment to the chief'.

Clause 490—

(1) At page 195, lines 6 to 16—

omit, insert—

'490.(1) The chief executive may reject a failure impact assessment or a recertified assessment if the assessment or recertified assessment is incorrect or incomplete in a material particular or not completed in accordance with the guidelines mentioned in section 482.'.

(2) At page 195, line 17, 'the chief executive must'—

omit, insert—

'or the recertified assessment, the chief executive must, within 30 business days after the rejection,'.

Clause 491—

(1) At page 195, line 19, 'referable'—

omit, insert—

'existing referable'.

(2) At page 195, lines 20 to 25—

omit, insert—

'491.(1) The chief executive may apply safety conditions to a referable dam.

'(1A) For assessing the safety conditions that are to apply, the chief executive may give the owner of the dam a notice requesting the owner to give the chief executive—

(a) within the reasonable time stated in the notice, information that will assist the chief executive in deciding the conditions to be applied; and

(b) the fee prescribed under a regulation.'.

(3) At page 196, lines 8 to 11—

omit, insert—

'(5) The safety conditions must be relevant to, but not an unreasonable imposition on, the dam or reasonably required for the dam.'.

Clause 497—

At page 199, line 8, 'committee'—

omit, insert—

'council'.

Clause 498—

At page 199, line 22, 'committee'—

omit, insert—

'council'.

Clause 500—

(1) At page 200, line 2, 'committee'—

omit, insert—

'council'.

(2) At page 200, line 12, 'means'—

omit, insert—

'includes'.

Clause 515—

(1) At page 201, lines 1 and 2, 'Act'—

omit, insert—

'chapter'.

(2) At page 201, line 6, 'purpose'—

omit, insert—

'purposes'.

Clause 614—

At page 224, line 14, 'or'—

omit, insert—

'and'.

Clause 740—

At page 258, line 20, after 'development condition'—

insert—

'or operations of any kind and all things constructed or installed for taking, or interfering with, water under this Act'.

Clause 747—

At page 261, after line 26—

insert—

'(c) to measure the health of watercourses, lakes, springs and aquifers.'.

Clause 748—

(1) At page 262, lines 15 and 16, 'drilling or taking of or interfering with water'—

omit, insert—

'activities'.

(2) At page 262, lines 17 to 23—

omit, insert—

'748.(1) Subsection (2) applies if an authorised officer reasonably believes 1 or more of the following activities is happening—

(a) unauthorised drilling;

(b) unauthorised taking of, interfering with or use of water;

(c) unauthorised taking of other resources;

(d) unauthorised interference with the physical integrity of a watercourse, lake or spring.

'(2) The authorised officer may enter land to find out, or confirm whether, an unauthorised activity mentioned in

subsection (1) is happening or has happened.'.

Clause 784—

(1) At page 276, lines 27 and 30, 'is'—

omit, insert—

'is for'.

(2) At page 276, after line 29—

insert—

'(2A) Subsection (2) applies for an offence against section 956 only if the appointment of the administrator was made for section 955(1)(a).'.

(3) At page 277, line 1, 'is'—

omit, insert—

'is for'.

(4) At page 277, after line 6—

insert—

'(6) If a person other than the chief executive brings a proceeding under this section, the person must, within 5 business days of commencing to bring the proceeding, give the chief executive notice of the proceeding.'.

Clause 785—

At page 277, line 8, '932'—

omit, insert—

'784'.

Clause 792—

At page 281, lines 14 to 17—

omit, insert—

'(3) If the court makes an order under subsection (2), the court may also order the party ordered to pay costs under subsection (2) to pay to the other party an amount as compensation for loss or damage suffered by the other party because of the proceeding if the court considers—

(a) the proceeding was started merely to delay or obstruct; or

(b) the proceeding, or part of the proceeding, to have been frivolous or vexatious.'.

Clause 813—

At page 283, after line 2—

insert—

'(2) Subsection (1) does not apply to a contravention for which a licence has been cancelled.'.

Clause 851—

At page 290, lines 11 to 14—

omit, insert—

'(2) However, if the decision or action for which the notice was given is in relation to a resource operations plan, the interested person may only appeal to the extent—

(a) the decision is inconsistent with the plan; or

(b) a different decision, consistent with the plan, could have been made.'.

Clause 863—

(1) At page 291, lines 18 and 19, after 'about the decision'—

insert—

'or a compliance notice'.

(2) At page 291, line 19, after 'information notice'—

insert—

'or a compliance notice'.

(3) At page 291, line 24, 'notice of'—

omit, insert—

'an information notice about'.

Clause 864—

At page 293, after line 21—

insert—

'(ca) if the notice states under paragraph (b)(i), that the applicant may apply for arbitration—that the applicant may apply to a court of competent jurisdiction for a stay of the review decision; and'.

Clause 882—

At page 297, lines 7 to 21—

omit, insert—

'(3) Each party to the appeal must bear the party's own costs for the appeal.

'(4) However, the court may order costs for the appeal, including allowances to witnesses attending for giving evidence at the appeal, as it considers appropriate in the following circumstances—

(a) the court considers the appeal was started merely to delay or obstruct;

(b) the court considers the appeal, or part of the appeal, to have been frivolous or vexatious;

(c) a party has not been given reasonable notice of intention to apply for an adjournment of the appeal;

(d) a party has incurred costs because the party is required to apply for an

adjournment because of the conduct of another party;

(e) a party has incurred costs because another party has defaulted in the court's procedural requirements;

(f) without limiting paragraph (d), a party has incurred costs because another party has introduced, or sought to introduce, new material;

(g) a party to the appeal does not properly discharge its responsibilities in the appeal.

'(5) If the court makes an order under subsection (4), the court may also order the party ordered to pay costs under subsection (4) to pay to the other party an amount as compensation for loss or damage suffered by the other party because of the appeal if the court considers—

(a) the appeal was started merely to delay or obstruct; or

(b) the appeal, or part of the appeal, to have been frivolous or vexatious.'.

New Clause 918A—

At page 299, after line 17—

insert—

'Appearance

918A. A party to a proceeding may appear personally or by lawyer or agent.'.

Clause 931—

(1) At page 302, line 14, '100'—

omit, insert—

'500'.

(2) At page 302, after line 15—

insert—

'(8) If a person other than the chief executive brings a proceeding under this section, the person must, within 5 business days of starting the proceeding, give the chief executive notice of the proceeding.'.

Clause 932—

At page 302, after line 18—

insert—

'(1A) Subsection (1) applies for an offence against section 956 only if the appointment of the administrator was made for section 955(1)(a).'.

Clause 966—

(1) At page 307, line 13, after '1997'—

insert—

'for—

(a) operational work for the taking of or interfering with water; or

(b) the removal of quarry material; or

(c) operational work that is the construction and maintenance of a referable dam'.

(2) At page 307, lines 14 to 18—

omit, insert—

'(2) The chief executive must assess the development application against the purposes of this Act to the extent the purposes relate to—

(a) the taking of or interfering with water; or

(b) other resources; or

(c) referable dams.'.

Clause 967—

(1) At page 307, line 22, 'Subsection (2) applies'—

omit, insert—

'Subsections (2) and (3) apply'.

(2) At page 308, lines 10 and 14, 'managing,'—

omit.

New clause 971A—

At page 310, after line 18—

insert—

'When an applicant may appeal to the Land and Resources Tribunal

'971A.(1) Subsection (2) applies if—

(a) an applicant makes a development application for assessable development mentioned in the Integrated Planning Act 1997, schedule 8, part 1, items 3B and 3C; and

(b) the assessable development is related to an activity authorised under the Mineral Resources Act 1989; and

(c) the applicant has applied under the Mineral Resources Act 1989 for authorisation to carry out the activity.

'(2) Despite the Integrated Planning Act 1997, chapter 4, if the applicant appeals against a decision about the development application, the appeal may be to the Land and Resources Tribunal.'."

Amendments agreed to.

Clauses 169 to 985, as amended, agreed to.

Clause 986—

Mr LESTER (2.59 p.m.): I move the following amendment—

"At page 311, lines 11 to 15—

omit, insert—

'986. An owner of a water allocation is entitled to be paid reasonable compensation by the State if a change reduces the value of the allocation.'."

Wherever possible, the Land Court should have the ability to negotiate an agreement between Government and an appellant. That could involve allowing an appropriate adjustment period, determining any adjustment assistance and, failing any negotiated agreement, the payment of compensation. Those powers are set out in clause 882. However, in presenting the Bill the Government has attempted to restrict the provision for compensation only to a situation where an allocation is altered within the 10-year term of a WAMP. Those who lose access to water when their entitlements are converted to allocations at the commencement of a WAMP or at its 10-year review are specifically excluded from compensation by virtue of the Government's proposed clause 986(b). Water entitlement holders are expected to take on the chin any loss of access to water supplies and resultant reduction in their viability or loss of assets value. This is in complete ignorance of the potential costs of such losses to an individual and is clearly unacceptable.

The Opposition's amendment removes the unfair and unjust restriction introduced by clause 986(b) and requires compensation to be paid for any loss of water supply, whether it be at the commencement of a WAMP, during a WAMP or at the 10-year review of a WAMP. I will leave my comments at that to allow others to make a contribution.

Mr HOBBS: This amendment is fundamental. It is one of the core provisions which any reform undertaking should have in place. That is one of the very reasons why, when I was Minister for Natural Resources, we took an enormous amount of time to put together some compensation principles. We consulted with industry and eventually came to a set of words and quite a large document in relation to compensation.

We have a very simple philosophy: if the community requires a natural resource for community purposes, the community should pay. It is as simple as that. In the case of the Water Bill, we are talking about the irrigators. Why should irrigators who have established their infrastructure and who lose water supply have to pay for the community, which wants the water back to send it down for environmental flows? The irrigators must be able to be paid some compensation if that is the case. It is quite simple. This Government has set the precedent in relation to the regional forest assessment. It paid $14m to Boral to take back the timber resource and redistribute it to other millers. So the Government has already set a precedent in that instance.

There is an enormous amount of infrastructure set up along the river networks throughout this State. It is unfair and unreasonable to not provide for compensation if the asset base of those people is to be eroded. If the community requires a natural resource for community purposes, the community must pay. It is as simple as that.

Dr PRENZLER: City Country Alliance members will be supporting the amendment proposed by the member for Keppel. There is no doubt that a guarantee must exist at all times. Our central philosophy is that, if the Government removes assets from people who have built up the value of their water allocations over many, many generations—and under the clause as it stands, this is guaranteed for only 10 years—then reasonable compensation must be paid. That is one of our core policies. Whether it is water, whether it is timber reserves or quotas for milk production, if the Government removes assets, it must compensate. We will have no hesitation in supporting the proposed amendment. I urge the Minister to take note of that. If he is going to devalue people's properties within 10 years of any WAMPs coming into operation, he should reconsider this matter. I believe that it will cause so much heartache in the bush that it will not be funny, and the Minister will get a similar reaction to the one he got with the Vegetation Management Act.

There is no doubt that these people have built up this value on their properties. I come from an irrigation area. The cost of irrigation infrastructure is very, very high. If I was going to buy a property in nine years' time when another WAMP was being proposed and there was the possibility that an allocation was going to be removed from that property without compensation, I am darn sure that I would not be paying top dollar for that property. This provision has to be changed, and we will be supporting the amendment.

Mr SEENEY: I want to speak very strongly in favour of this amendment. It represents the fundamental difference between the approach

that has been taken by the Minister and the State Labor Government and the approach that we on this side of the Parliament advocate. It represents a very fundamental difference. It is an illustration of how this State Labor Government and this Minister have refused, and continue to refuse, to recognise what we believe to be very fundamental rights.

Through a series of amendments, we have tried to illustrate how this legislation is removing the fundamental rights of landowners, of irrigators and of water users. This amendment is the culmination of all the amendments that we devised. It calls for what every other Queenslander in a similar situation has. It calls for what the owner of every other asset has. The owner of every other property right under any other statute has a basic right to reasonable compensation if the State changes, reduces or takes away that property right.

I say again for the record that I would have welcomed the opportunity to debate in full the series of amendments that we proposed. During the debate on the first couple of amendments that we moved last night, we talked about the need to recognise people's rights. We talked about the need to recognise those rights that had become part of the property right that people had owned, traded, paid for and depended on for many, many years.

There have been quasi legal arguments about the fact that the standing in law was not the same as that which had been accepted generally by the market or the people engaged in the industry. Morally, with any sense of fairness at all, it cannot be argued that those rights do not exist. They should be recognised by this legislation and they need to be recognised by this legislation if it is to achieve the ends that the Minister espouses when he talks about security and sustainable management. To attain that security, there has to be secure ownership of those rights. Those rights need to be given the same standing as every other property right that every other Queenslander has. This amendment recognises that fact, because it guarantees the holders of those rights reasonable compensation if they are taken away.

This legislation contains no mention of reasonable compensation. There is no right of appeal. The current situation has been built up over many years by Governments of both persuasions. I reject totally the nonsense that the Minister came out with when he claimed that conservative Governments had somehow corrupted the system. The system has been built up over many years by Governments of both persuasions. This legislation basically wipes the slate clean. The Minister says all the fine-sounding words about trying to make sure that the new allocations and the new licences are fair and do not disadvantage people, but why not provide for it in the legislation? If that is the intent, why not enshrine it in the legislation in the way that our amendments have proposed?

There is no guarantee for the land-holders, for the water users. There is no guarantee for the people who depend on those rights, who have paid for those rights, who have valued those rights and whose very businesses depend on them. There is no guarantee now at the beginning of the transition period, at the beginning of the planning process or when a WAMP is established. There is absolutely no guarantee.

In fact, the member for Warrego and other members in the Chamber have given examples referring to a particular WAMP on the Condamine and the Balonne where those rights are being severely eroded through the WAMP process. In any catchment in Queensland there is no guarantee with any WAMP. We cannot blame people for feeling insecure, suspicious and angry that they are faced with that situation. There is no guarantee that those rights will be respected. There is not even a provision for a right of appeal. There is no guarantee that they will even receive a hearing. They can go along to the local WAMP consultative committee, but they do that with a great degree of cynicism, because the whole consultation process with regard to these WAMPs and with regard to so many other things that the Department of Natural Resources is doing is seen in a very cynical light. That is the only option they have. They can go along to the local consultative committee and listen and, rather than putting forward a case for their own specific situation, they can contribute generally to the consultation process, but they do not even have a right of appeal.

The WAMP document looks at everything else. It looks at the whole range of things. It looks at issues ranging from the hydrological flows to the frogs in the river and the weeds on the banks. However, there is no compulsion in the WAMP document. The ones I have seen do not do it, so there is no need and there is no attempt to look at the effect of the planning process on the existing rights. There is no attempt to look at the effect that the propositions contained in the planning process have on the rights of existing land-holders.

The Minister's approach has been to devalue and to talk down the legal standing of those rights, but they must be respected. That is the fundamental difference between members on this side of the Chamber and those on the other side. That is the fundamental point that we have been trying to drive home through the consideration of all these amendments. Regrettably, we have not had a chance to debate them in full. This amendment is probably the most crucial, because what this amendment does is ensures compensation if those rights are transgressed. I freely concede that there are areas in Queensland, regrettably, where some of those existing rights will probably have to be reduced to achieve the sort of sustainability that we all look to, that we all believe in and that we all aspire to. If we do that, we need to do it for the community good. We must do it for the greater good, and if we are going to take away an individual's rights for the greater good, then the individual is deserving of compensation. That is a basic tenet of public administration, whether it is building power lines, roads or dams or any other sort of public infrastructure.

What the Minister is doing here is not all that different. He is taking back for the greater public good a right that a person has enjoyed. That is necessary in some instances; I have no argument with that. Whether it is or not does not really matter. What we are doing is establishing a legislative framework to allow this to happen in a whole range of catchments across Queensland. There needs to be provision in the Bill that will protect people who are unduly affected. It is no good standing up and saying that the intent is to do this or to do that. It is no good having the hand on the heart stuff such as, "I will make sure that this does not happen." It needs to be part of the legislation; there is no reason it cannot be part of the legislation. There is no security at the moment, absolutely none. There is absolutely no security in this transition period and there is absolutely none at the end of the 10-year period, and that is not a long time frame in terms of the infrastructure and the businesses that we are talking about.

I accept the point that the Minister makes that the security is probably greater between those two points, between the start of a WAMP document and at the end of the 10-year period, but there is absolutely no security now and nor will there be in 10 years' time, and that is not a situation that contributes to sustainable management or sustainable development. It is not a situation that anybody could argue even approaches anything like fairness and justice. It is not a situation that I will ever support.

Mr JOHNSON: I want to reiterate what some of the previous speakers have said here this afternoon in relation to the amendment to clause 986 moved by the member for Keppel.

I have to say to the Minister that this is probably one of the most crucial parts of this Bill that we have debated last night and today. I appeal to the Minister to listen to what the members on this side of the Chamber are saying. Many of the members on this side of the Chamber are speaking with real experience in this industry. The member for Callide has just spoken and the member for Lockyer has spoken previously. Both of them are fully au fait with what is going on in this industry. If this is going to be responsible legislation, we have to make responsible amendments to it. The Minister moved a host of amendments last night and again today. I believe that the amendment we are presently debating is absolutely paramount to the ongoing viability of these irrigation operators in question.

The most important factor here is the unlimited compensation. It must be unlimited. If it is not unlimited, who is going to go out there—as the member for Warrego said this afternoon—and invest countless hundreds of thousands of dollars in hard-core assets to build up these irrigation operations?

Dr Prenzler: Who is going to buy the property?

Mr JOHNSON: Absolutely. As the member for Lockyer said, who is going to buy the property? I will come to that in a moment. Why would anyone invest money in these assets? To take the interjection from the member for Lockyer, while in most cases this is absolutely magnificent farming land, it is absolutely worthless unless it has a secure water supply.

The other issue that I want to address this afternoon is the issue that the member for Callide thoroughly canvassed—the right of appeal. A lot of farmers have not only invested money in their land but they have borrowed money. In a lot of cases, that money has been borrowed not at present day interest rates but at the interest rates of 10, 15 or 20 years ago. Some of those farmers are locked into high interest rates.

The point I make is that we have to understand what this is going to mean to the future viability of their farms. The rural industries in this State have been subjected to much heartache and trauma over recent years with low commodity prices and ongoing

drought that we certainly do not need to place in their way impediments that will further harden the job for somebody who is able to take advantage of irrigated pasture.

Another important factor to remember here is the flow-on benefits from irrigation to the people in the dryland areas, such as the area that I represent. We often rely on those people for back-up in dry times, whether it is feed for livestock or topping off cattle or for store cattle or store sheep, or whatever the situation is.

I appeal to the Minister to please show compassion and try to understand what the member for Keppel is trying to achieve with this proposed amendment to clause 986. We are certainly not making an issue of this for the sake of it. It is so important. People out there are relying on the Minister this afternoon to show that understanding by accepting this amendment moved by the member for Keppel, because it is absolutely paramount to the viability of this document.

A viable piece of legislation must include provisions for right of appeal and unlimited compensation, because without those two we will see irrigation farmers go to the wall in that 10-year period. We have talked about the 10-year period but, as the member for Callide said, it does not take long for 10 years to go. The Minister will know how quickly the past 10 years have gone. A lot of these operations cannot be set up overnight. In most instances it will take three or four years before a new enterprise can make a return.

So I am saying that it is absolutely paramount that the Minister accept this amendment so that we can instil into this legislation the security that is needed for these farmers, and I am talking about that right of appeal and the unlimited compensation. I trust that the Minister can accommodate that.

Mr WELFORD: As one of the speakers said, it is true that this issue is a fundamental point of departure in the approaches that the respective sides of the Chamber have taken. Let us understand the current position. The current law provides that the chief executive may take away a person's licence and pay no compensation. If the WAMP process on which the previous Government embarked were taken to its logical conclusion and any Government sought to implement it under the current law, they could do so without any compensation. That is the current law.

The law that we propose says that, when an allocation is made as an outcome of the WAMP, we will underwrite the security of that allocation by guaranteeing compensation in the life of the plan. That is a legal entitlement which we are granting under this new law that, to the best of my knowledge, will not be available in any other State of Australia. No other State of Australia is providing for compensation on the adjustment as an outcome of rural planning.

However, I accept the general force of the arguments that the members opposite are making. It is not as if the Government has simply dismissed summarily the arguments about compensation. For many, many months I had lengthy discussions with rural industry representatives about this. It comes back to this: it is very difficult to establish appropriate formulas for identifying what is the appropriate compensable component of a person's current licence. That is the complexity that causes me and the Government to resist signing what this amendment would ask for, namely, a blank cheque.

Sure, for quite some time when the Opposition was in Government it similarly resisted signing that sort of blank cheque. But at five minutes to midnight before the last election, it had a one-page document that set out some general principles that purported to provide compensation for these issues. So it is understandable that the members opposite take that argument forward politically. Given their past commitments, it is a legitimate position for them to argue.

However, my Government's view is that that commitment is not sustainable and, in any event, there are better ways to sort out the issue. To the best of our current understanding, I am not aware of any catchment in the State where the issue of impact on people's current access is material other than perhaps the Condamine/Balonne. Part of the reason that we have a problem in the Condamine/Balonne is that successive Governments have allowed development to occur there notwithstanding the Murray-Darling Basin planning in other States to put a limit on that development.

But as in all the other catchments, all the water users, even in the Condamine/Balonne, are committed to managing their extraction of water from the catchment in a way that seeks to achieve sustainability. All of them have acknowledged that they are prepared to consider some uncompensated adjustment. Yes, they have argued for compensation, but they are prepared to consider uncompensated adjustment to the way in which they have used resources in the catchment because they accept, as indeed other industries accept, that

they need to manage their resources as far as possible to be sustainable in the long term.

In the years ahead, we will firm up the science that underpins that sustainability. That process of adjustment to a more sustainable management of natural resources, whether that be water or anything else, will be an adjustment that those land-holders and rural industry businesses will seek to make within the operation of the marketplace. Some of them will make the adjustment and continue to operate. Others may sell their business. Others may take other steps in terms of business planning and make commercial decisions about whether they could continue to operate in a climate of sustainability. But as a general rule, all of them are committed to trying to achieve whatever level of adjustment they can in practical terms to progress towards sustainability.

As part of the planning process, this Government is not going to ask of any resource user an adjustment that would make them not viable. That is the commitment that we have made throughout all of these planning processes. The members opposite have accepted that a good planning process is required. Both sides of the Chamber have accepted that sustainability needs to be achieved. We are going to do that through a negotiated process, which I have already commenced. As I say, the only catchment where I think this is an issue in any way, shape or form is the Condamine/Balonne and currently we are negotiating that process. I think that we can eventually achieve a sustainable outcome.

Mr LESTER: The Minister refers to the Condamine/Balonne. That is an example right from the very start. In the few seconds that I have, I just simply ask the Minister to count to 10 and really think about the hurt and the concern of the people out there in the bush. It is really their bread and butter, it is their lifestyle; it is an extremely serious issue.

As a baker in Clermont, I would have hated to have woken up one morning and found that the supply of flour that I had to bake 6,000 loaves of bread per week would instead allow me to bake only 4,000 loaves of bread. The simple facts of life are that, if that occurred, I would not have the viability, I would not be able to employ the staff and there would be a problem making any money out of that business. This is a very serious issue, it really is. I will not say any more. We will exercise our option to call for a division.

Question—That Mr Lester's amendment be agreed to—put; and the Committee divided—

AYES, 37—Black, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

NOES, 37—Attwood, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Hamill, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Musgrove, Nelson-Carr, Palaszczuk, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

The numbers being equal, the Chairman cast his vote with the Noes.

Resolved in the **negative**.

Question—That all remaining clauses, amendments by the Minister be agreed to—put; and the Committee divided—

AYES, 37—Attwood, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Hamill, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Musgrove, Nelson-Carr, Palaszczuk, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 37—Black, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

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

Resolved in the **affirmative**.

Bill reported, with amendments.

Third Reading

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (3.38 p.m.): I move—

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

Question put; and the House divided—

AYES, 37—Attwood, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Musgrove, Nelson-Carr, Palaszczuk, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 37—Black, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

The numbers being equal, Mr Deputy Speaker (Mr Kaiser) cast his vote with the Ayes.

Resolved in the **affirmative**.

VEGETATION MANAGEMENT AMENDMENT BILL

Second Reading

Resumed from 24 August (see p. 2784).

Hon. V. P. LESTER (Keppel—NPA) (3.45 p.m.): Industry groups remain strongly opposed to the Vegetation Management Act 1999 and the August 2000 version of the State policy for vegetation management on freehold land in the absence of any commitment by the State Government to compensate farmers for the resulting loss of value of their asset. This is an issue from which we cannot step aside.

In relation to the debate on the Water Bill and the Vegetation Management Bill, for want of a better word, we have been given the raw end of the prawn. There have now been two Bills associated with water to which the guillotine has been applied. Now this is going to be the second debate on vegetation management to which the guillotine has been applied. One cannot say for one moment that we on the coalition side of the House have not been responsible in the way that we have debated these issues. We did not filibuster in the last debate and we certainly will not filibuster in this debate. In the debate just concluded, we dealt with the clauses and spoke only about the issues. We did not window dress, and I do not think we had to be pulled up on any occasion for straying from the subject.

The simple facts of life are that water and vegetation management are key factors in the fight for survival of anybody in this country of ours. Over time sons of farmers and graziers have looked forward to the day when they could go on the land, make a few dollars, employ a few people, buy a new motor car occasionally, buy a new header, buy a new tractor, send their children to boarding schools—do all those wonderful things. Being able to do all those things means that money is being put into the economy.

I can well remember when I worked in my bakery in Clermont that whenever the seasons were good I would do much, much better with my business, and everybody else in the town would do very much better as well. There would be a wonderful feeling of accomplishment, a wonderful feeling of the town going ahead. There would be a wonderful day at the cattle sales—a wonderful day all round. Yet it is so sad to see how in recent times the heart of those people on the land has literally been taken away from them. That zest to go on and expand their properties, to find innovative ways to produce, is all being slowly taken away from them for a number of reasons, including the deal that the State Government is handing out to people on vegetation management and water.

Primary industry has a number of concerns. We received indications that the issues raised by the Queensland Farmers Federation in previous correspondence and in discussions with the Government would be addressed. We were hoping that the issues of concern to us would be addressed. I set out in detail the outstanding issues.

Mr DEPUTY SPEAKER (Mr Kaiser): Order! I am sure the member will not mind if we take a moment to acknowledge the presence of the students and staff of the St Paul's Lutheran School of Caboolture. Thank you for your indulgence.

Mr LESTER: I pass on my best wishes to them as well. I trust that they will enjoy the experience here and will try to go on and do something good with their lives. It is great that they are here.

The Vegetation Management Bill 2000 contains some amendments that were not discussed at the meeting with the Premier held on Wednesday, 23 August 2000. It is disappointing that stakeholders were not given an earlier opportunity to discuss those amendments. What we have here is a last minute get-together for a discussion of a few minutes, and that is pretty terrible. The people in the country are being paid lip-service. It looks good in the Courier-Mail for the Minister to go out and have a photograph taken on the banks of a creek or whatever. However, when it comes to the real issues when we really need him to help us—although we are working on him—we find he is quite disappointing.

The following amendments are of particular concern to industry groups. I will talk about the issues that are of concern to the industry, because they are the people who have to make the money; they are the people

who have to employ people; and they are the people who really make our land great.

Today those in industry and those on the land know that they have to look after their land. They are conscious of some of the difficulties of the past. With modern science and careful management, we can enhance our land whilst looking after it. Industry has mentioned the fact that section 16 is proposed to be amended by inserting section 16(3), which states—

> "The Minister must also give each owner of land that is in the stated area a written notice inviting the owner to make a submission about the declaration."

According to a document tabled at a meeting with the Premier and industry groups on 23 August 2000 entitled Vegetation Management Act 2000—Proposed Amendments, this was a promise to industry. Since December 1999 industry has been continually seeking the insertion of an appeals provision to test the declaration of areas of high nature conservation value and areas vulnerable to land degradation. That was also stated in a letter to Terry Hogan dated 13 December 1999. Industry has sought to have an appeals provision inserted. That has been mentioned in all correspondence and discussions since. The basic elements we want in this Bill are those we wanted in the Water Bill. Of course, I refer to compensation and an appeals provision.

The amendment requiring that land-holders be consulted about declarations of an area provides an inadequate response to the concerns of Queensland farmers and other industry groups. In the most recent discussions with the Department of Natural Resources on this matter on 3 August 2000, it was suggested that the need for an appeals provision would be overcome if there was reference to an independent statutory panel which was able to examine objections prior to the declaration of those areas. Industry believed that such a panel would have provided the opportunity for independent scientific testing. Unfortunately, this suggested proposal has not eventuated. When on earth is industry going to be listened to? I have to ask that question. Industry seeks urgent consideration of the proposal to provide an independent panel to consider objections prior to declarations of areas of high nature conservation value and areas vulnerable to land degradation.

Section 19(1) of the Act sets out the criteria to be considered by the Minister for an area to be declared an area of high nature conservation value. Section 19(1)(E) of the Act originally referred to an area of high biodiversity. This section has been of particular concern to farming groups. The paper outlining the QFF's concerns about the Act was sent to the Minister for Environment and Heritage and Minister for Natural Resources and the Premier early in January this year, so they knew what was happening. There are concerns about section 19(1)(E) and they were raised on page 1 of that paper. That issue was again raised on page 3 in the QFF's response to the Vegetation Management Act 1999 sent to the Minister and Premier on 31 January 2000.

There has not been an opportunity to discuss with the department the amendment of section 19(1)(E), as this amendment was not raised at the meeting with the Premier on 23 August 2000. There appears to be some hopscotch here. Things are coming in and out and nobody is sure what is going on. This section now reads—

> "... an area that makes a significant contribution to the conservation of biodiversity."

This amendment remains of concern to industry. This criterion remains too broad and leaves very little planning certainty for land-holders. It is a varied process. Nobody is certain as to what certainty is. It is not clear what a "significant contribution" could consist of. Simply saying "a significant contribution" is garbage. It does not mean a thing. It can be interpreted differently by different people.

In relation to the advice of the department, "of concern" regional ecosystems could be considered to make a significant contribution to the conservation of biodiversity. Farmer groups seek to discuss this amendment as a matter of urgency. They have tried in the past and have not been happy. The Queensland Farmers Federation and other groups note that some urban areas will not be faced with the same rigorous standards on areas vulnerable to land degradation as other regions throughout the State. Although most urban local government areas will have regimes in place to address land degradation issues relating to development, there is a potential problem for those urban areas without those regimes in place.

The definition of "routine management" in section 84(5) of the Act has been amended. Section 84(5)(A) now reads—

> "for establishing a necessary fence, road or other built infrastructure that is on less than five hectares."

It is noted that this would be consistent with section 84(1)3A(G)(II) for built infrastructure. However, it is of concern that the caveat will apply to not only built infrastructure but also fences and roads. There is a need for urgent clarification from the Office of Parliamentary Counsel as to whether the insertion of "on less than five hectares" in section 84(5)(A) relates to clearing native vegetation for establishing built infrastructure only or relates to clearing native vegetation for establishing a necessary fence, road or other built infrastructure.

In relation to State policy for vegetation management on freehold land, the August 2000 version of the draft State policy appears to be quite different from the December 1999 version. The following comments refer to specific sections of the policy as indicated. Section 8.4.2 under the statutory framework states—

> "... applications assessed against a code for IDAS in a regional vegetation management plan may be granted for a longer period than the two years stated in section 8.4.2."

The QFF and other groups have consistently sought a term of approval capable of delivering long-term planning certainty for land-holders. All anybody wants is long-term planning certainty. We all want it, whether one is on the land or not. However, we do not have it.

Industry groups have been seeking a 10-year term of approval since December 1999. They have sought this term of approval in all correspondence and discussions since then. They seek urgent amendment of section 8.4.2 of the State policy for vegetation management on freehold land to provide a 10-year term of approval for applications assessed against a code for IDAS in a regional vegetation management plan.

I turn to the code for the clearing of vegetation. In relation to AS2, there has been consistent argument against a rigid minimum distance of 200 metres for remnant vegetation corridors. As stated in previous correspondence on this matter, any distance greater than 100 metres in width would be increasingly unmanageable on most grazing properties and could seriously fragment a property to the extent of making it unworkable. Groups seek amendment of AS2 such that the second dot point would read "in corridors connecting remnant vegetation at least 100 metres wide".

As stated in previous correspondence, groups believe that the requirement for land-holders on properties in areas other than coastal areas as identified in the Explanatory Notes to retain vegetation along each side of a watercourse to at least 200 metres for rivers, 100 metres for creeks and 50 metres for waterways is too restrictive. This is an issue for Agforce and some cropping industries. The horticulture industry has indicated that some growers in the Brigalow Belt, New England Tablelands and other areas could be adversely affected. We have to look hard at that.

The third dot point on AS5 refers to the retention of vegetation in at least 30% of the contributing catchment area above the existing identified potential discharge area, with priority given to identified recharge areas. I seek advice from the Minister on what he intends to do on a number of these issues.

I turn now to the issue of compensation. The State must provide an adequate compensation package and transition incentives to offset any diminution in land values following the implementation of vegetation management controls where a land-holder's rights and legitimate and reasonable expectations have been diminished, and to encourage voluntary retention of vegetation.

The development permit, in the form of a property specific management plan, will be the basis for determining the impact on each property and for assessing the level of incentives, adjustment and compensation payable by the State. The property management plan forms the right to compensation in the event that the development approval is adversely affected by a subsequent planning process.

There should be provision for the concept of a duty of care which is defined at a regional level in the regional vegetation management plans and described spatially in property plans, that is, the development permit. The duty of care would separate private benefit issues from community benefit issues.

I refer to the issue of compensation incentives and adjustment. The Bill should provide a transition incentives package where a property's market value is diminished by the grant of a development permit on the basis of a before-and-after test. Those things forming part of an individual's duty of care would not be compensated. However, there would need to be scope to exercise discretion through an appeal process where a land-holder reasonably expected to be able to undertake certain development—for example, where locally accepted and proven practice in, say, developing slopes is prohibited in the regional vegetation management plan.

Financial incentives and adjustment will be payable as agreed between the parties or determined by the Land Court. The Land Court must have regard to: the capacity of the land to sustain the existing use; any change to the value of the property because of the approval of the regional vegetation management plan or property management plan, that is, a before-and-after test determining any change to the market value of the property because of the restrictions or prohibitions imposed as a result of the plan; and any change in the profitability of the property because of the approval of the regional vegetation management plan or property management plan.

One thing that seems to be forgotten is any impost on profit. There does have to be compensation for that. What is the point in having a property if it suddenly does not make as much profit, its value goes down and the land-holders are forced out the back door? Those on the other side of the House never seem to understand that profit is not a dirty word. It gives people incentive to go on and spend and employ.

The Land Court must also have regard to any agreement with the land-holder. These agreements will allow for a range of compensation to be considered, beyond monetary amounts—for example, low interest loans, restructuring assistance, ex gratia payments, an offer of alternative/additional land, management assistance, fencing and so on. Any such agreement would offset monetary amounts paid as compensation.

The land-holder will be expected to enter into an appropriate agreement with the State, for example a covenant, describing matters such as the terms of the assistance provided and the land-holder's obligations in managing the land. Ongoing incentives should be provided to encourage voluntary retention of vegetation as described in the development permit, such as rate relief, rent relief, fencing assistance and so on.

Compensation is imperative. "Discussion" needs to become part of the vocabulary of members of this State Government. They just do not appear to have the capacity to discuss issues at length. They discuss things a little, but then it seems to be all over. Sometimes, to get to a proper agreement, protracted discussions are necessary. Time and effort need to be put in. Some of the greatest decisions in the world have come about because people have gone to the trouble of discussing issues over a long period of time. Japan has progressed well since the Second World War. Things are not fixed too quickly in that country. Protracted discussion is required—it goes on and on—but at the end of the day a deal that is good for all concerned is brought about.

There have to be fair dinkum rights of appeal. There has to be compensation when part of a property is no longer able to be used for the purpose it was bought and developed for. People are compensated if their house is taken away to provide for a highway here in Brisbane. There seems to be one rule for the urban area and another for people in the bush. It is with great concern and great disgust that I find there seems to be contempt for the people in the bush—the people who produce and are so innovative.

Honourable members should take the time to go on to properties and see what has been done with water and so on. People have used every possible innovation to expand their properties and to employ people. These people really need Governments to get behind them and not belt them across the nose all the time. I think people in the country have a magnificent way of being able to pick themselves up and fight again.

One only needs to get in an aircraft and fly over Brisbane to see that there do not seem to be any tree-clearing guidelines around Brisbane. I have seen magnificent hills and pristine areas all around Brisbane cleared by developers.

Mr Johnson: Topsoil, too.

Mr LESTER: The developer takes the lot—the topsoil and the whole lot. I do not think there are many provisions in the Act to deal with that sort of thing. So trees are being knocked down. The trees around Brisbane and around the coast are much closer; they are a lot less close out in the bush. But it is the people in the bush who are copping it.

I can assure the Minister that we are going to mix it with him in this debate. We look forward to discussions at the Committee stage. I have to say once more before closing that we are deeply disturbed that again the guillotine has been applied. I have to ask: how often is the guillotine applied when we are debating a Bill relating to the city or a Bill relating to indigenous people? I am not in any way being derogatory of those people on this very wonderful day. However, the fact remains that the Government does not apply the guillotine to those types of debates but it does so to legislation that affects people in the bush. This Government gives those people a terrible hiding. We do not see Matt Foley applying the guillotine to debates involving his portfolio. It

only ever seems to be applied to debates affecting those in the bush.

Mr Sullivan interjected.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Order!

Mr LESTER: Madam Deputy Speaker, I thank you for your protection from the absolute rudeness of that gentleman opposite.

I will conclude now and let some others have a go. We in the bush are starting to get a bit fed up with our treatment by this Government. It is about time this Government started to consider us in the bush. It should give us a fair go and give us the same deal that it gives the people of Brisbane and others.

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (4.11 p.m.): Once again we find ourselves debating a piece of legislation that represents one of the Beattie Labor Government's most outrageous assaults on the property rights of Queensland landowners; legislation that, with one sweep of the Premier's pen, will effectively remove any distinction between leasehold and freehold title in this State; legislation that allows the Government to assume responsibility for land management from the very people who own the land; legislation that will bog rural and regional Queensland down in a morass of red tape and regulation; and legislation that will see this Labor Government strip hundreds of millions of dollars out of rural industries and the State economy.

The reason we are again debating the Vegetation Management Act and these amendments today is that the Beattie Government got it wrong to start with, and it has got it wrong again, because the Premier and his inept and out-of-touch Natural Resources Minister refused to engage land-holders in the development of a practical and conciliatory policy for the management of vegetation.

Government members: We don't agree with that.

Mr BORBIDGE: If Government members listen, they might. They instead chose to manufacture a public campaign of misinformation and deceit about the extent of tree clearing in Queensland and about the attitude of land-holders to managing their land. From his lofty position of judgment in the leather seat of the Government jet, 10,000 feet above the ground, the Premier tried to paint land-holders as environmental vandals out to plunder and destroy their properties. The State was on fire, he said. Land-holders were destroying their properties and had to be stopped, he claimed. That was the spin. But rather than take on board the recommendations of the Vegetation Management Advisory Committee, rather than work with the land-holders and rural industry, rather than even consult with them, the Premier, in his infinite wisdom, chose to ignore them and cook up his own answer.

The legacy of the Premier's bungling of the tree-clearing issue is the Vegetation Management Act, legislation that land-holders do not support; legislation that farm organisations do not support; legislation that the Department of Primary Industries does not support; legislation that the Department of Natural Resources officers out in the field do not support; legislation that even the environmental organisations do not support; legislation that was uncovered for all the stakeholders at only one minute to midnight at the end of last year, just before the Beattie Government used its one-seat majority to guillotine debate and prevent non-Government members from representing the interests of freehold landowners in their electorates, as it is doing again today.

Mr Sullivan: You ran a filibuster for two weeks before that.

Mr BORBIDGE: Over the course of the Beattie Government's campaign against land-holders, there has been one constant, one thing that has prevailed, and that has been the Premier's out and out dishonesty.

Mr Sullivan: We saw it coming. You planned it, and you knew what you were doing.

Mr BORBIDGE: I will say it again for the Government Whip: the Premier's out and out dishonesty. The path of development of these tree-clearing laws to this point is littered with the Beattie Government's broken promises.

Mr Sullivan interjected.

Mr Seeney interjected.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): I ask the member for Callide and the member for Chermside to step outside and continue their discussion.

Mr BORBIDGE: It started right back in the lead-up to the 1998 State election, when the then Opposition Leader, the member for Brisbane Central, launched Labor's environment policy that said his Government would—

> "Examine the scope for a variety of incentives for landowners to enter into voluntary conservation agreements and nature covenants over their private land."

Those were the words of the Premier. What happened? The Premier welshed on his election promise and instead introduced the mandatory tree-clearing restrictions that we debate today.

Then there was the Premier's claim that he was forced to introduce his laws to prevent even tougher restrictions taking effect under the Commonwealth's Environment Protection and Biodiversity Conservation Act. What was the truth? Senator Hill told the Senate in February that land clearing was not included in the Act as a matter of national environmental significance that would allow the Commonwealth to intervene. He said it purposely was not included after negotiations with the States because the responsibility for land-clearing legislation should clearly remain with the States; in the case of Queensland, with Queensland.

Then there was the claim that these laws were needed because of severe salinity concerns in Queensland within the next 20 years. But the Natural Resources Minister had to admit that there was no scientific data at that stage to indicate the extent of any salinity problems. With the release of the draft salinity strategy by the Murray-Darling Basin Commission just this week, the Minister had to again admit that he got it wrong, that his claims were out by as much as 20 or 30 years.

Mr Welford: You can't tell the truth. Tell the truth for a change.

Mr BORBIDGE: The Minister is a dud, d-u-d, and what is more, he is destroying the viability of tens of thousands of Queensland farmers.

Mr Welford: Tell the truth.

Mr BORBIDGE: Fancy a member of this Government saying that we should tell the truth—the pack of rorters opposite who cheated their way into office!

Then there was the Premier's assurance that the new tree-clearing restrictions in the Vegetation Management Act would not be applied to applications that had been made to clear vegetation on leasehold land under the previous permit system. The Premier's office even issued a media release which said so but which later had to be retracted when the controls were brought in for leasehold land and applied to all those existing applications made under the previous rules. Lie after lie after lie. That is the benchmark of this Government and everyone who comprises it.

Then there was the secret DPI report which costed the impact of the Vegetation Management Act at over half a billion dollars. Does the Minister remember that one? It was the report that shot holes right through this legislation. It was the report he scuttled off to Cabinet to hide from the public.

Then there was the claim that the new tree-clearing laws were about protecting the environment and farmers' futures—a furphy that was later exposed at Winton, when the Premier told a delegation of land-holders from Aramac that he wanted to get elected again, and no Government, especially his, could do so without the green vote.

That brings me to the daddy lie of them all: the promise made at the Winton Cabinet meeting and again at Roma. I wonder whether the Premier remembers it. He should, because he promised Queensland land-holders that he would not proclaim the Vegetation Management Act on freehold land without a compensation package. Another lie! That was the promise that the Natural Resources Minister reiterated in the 1999 Estimates committee hearings, when, after questioning by the member for Keppel, he said—

> "As I have done in my discussions with rural industry in relation to water resource issues and the outcome of the catchment planning and water allocation management planning process, we intend to put together a substantial industry package in consultation with industry to ensure that any adjustments under any changed guidelines that impact on the business viability of rural primary producers will be addressed. We acknowledge that a decent incentives package is required and our State will play its part."

They are the Minister's words, and they amount to another broken promise. Here we are debating amendments to the Vegetation Management Bill that will see the Premier and his Natural Resources Minister break yet another promise and proclaim these tree-clearing laws with regard to endangered vegetation on freehold land in a week's time without compensation, without incentives, without any regard whatsoever for the very real financial impact that the restrictions included in the Vegetation Management Act and this Bill will have on hardworking land-holders all over Queensland. This is being done in total ignorance of the realities of land management in this State. For instance, much of the clearing that takes place in Queensland is in fact regrowth control and that regrowth control is a very necessary management tool used in order to maintain a property's viability. The Government is acting seemingly in complete

oblivion to the fact that these laws will force people off their properties.

Allow me to read to this Chamber just one of the hundreds of letters that my office has received on this issue, a letter that captures the feelings of land-holders all over the State regarding this legislation, the Beattie Government and the Beattie Government's abysmal, disgraceful, inept and incompetent Natural Resources Minister. It states—

> "Dear sir, please find enclosed listing of our property 'Moonya', The Gums (FOR SALE). It is now open, for any one Member of the Government, or Government, including (Mr Beattie), to purchase.
>
> It is a place that will return to natural scrub and forest in a few years.
>
> Timbers are brigalow, belah, lime bush, iron bark, brushwood, and lots of others, varieties of wattle, turkey bush and others, no need to be replanted.
>
> As we tried to keep regrowth down to sell 'Moonya', now, because of what is going on in Government, stopping us from keeping regrowth under control.
>
> Also a large variety of wild life kangaroo's, wild pigs, foxes, hares, etc, also snakes & lizards.
>
> Yours faithfully,
>
> Property Owners
>
> M C Linke L Linke."

Those words are a plea from the bush that the Minister has ignored, a plea from the people he has declared war on.

What this Minister is doing with this legislation is making the divide between the city and the bush greater than ever, because either through hostility or ignorance or being held captive to the Greens on deals that were done prior to the last election, he is destroying families, destroying family incomes and destroying family farms. This Minister is a wrecker and a destroyer. He should hang his head in shame for the lies that have been told by the Government on this issue. That letter is just one of many that have been received by my office and the offices of my colleagues. I note that those people have written to the Premier. I suspect that they will not be getting a response. It is definitely one of the more dispassionate letters. Many of these people are out-and-out desperate with worry as to how these laws will impact on their viability, the value of their properties and their futures.

Mr Lester: Suicides and everything are increasing.

Mr BORBIDGE: As the honourable member for Keppel said, the suicide rate, which is already bad, is a matter of grave concern. Many of these people are doing it very tough, and what the Minister is doing with this legislation is a disgrace.

The Opposition remains completely opposed to the Government's Vegetation Management Act. It remains appalled at the manner in which the Beattie Government has developed these laws in isolation and without consulting the people who actually own the land over which these laws will dictate new draconian management terms. However, we also acknowledge that the Premier and this Labor Government are wedded to this Bill regardless of its impact on land-holders and seemingly regardless of the impact on the Government itself—which is somewhat surprising, because the Beattie Government is hardly in a position where it can afford to generate any further unnecessary electoral baggage.

If this Government remains committed to this flawed legislation, we in Opposition remain committed to reminding the Government of its promises. The Premier has tried to make a lot of his apparent honouring of his commitment to land-holders at the Roma Cabinet meeting to amend the Vegetation Management Bill to remove the reference to so-called "of concern" vegetation. He has tried to sell it as a win for land-holders and in doing so he has tried to deflect attention from his other commitment at Roma and Winton, which was to provide compensation for freehold land-holders before proclaiming the Vegetation Management Bill. He has tried to deflect land-holders' attention because, with the passage of this amendment Bill and its proclamation next week, he will have broken yet another promise and lumbered rural and regional Queensland with a massive cost burden.

Quite aside from that promise, what the Premier is effectively trying to do is to make one small group of the community shoulder the cost of his Government's environmental objectives. Regardless of however flawed these laws may be, it is unjust and unfair to expect one group of the community—in this case freehold landowners—to pick up the tab for the introduction of laws that are purported to be in the best interests of the general community.

The Opposition firmly believes that, if the State deems it necessary to restrict or resume the property rights of someone or a group of people, then it is only right and proper that the State compensates those people

appropriately. That is not a new principle; that is not an outlandish principle. It is a principle that Governments, generally speaking, have abided by in a whole manner of situations such as land resumptions for the construction of roads, dams and so on. That principle has never been betrayed as it is being betrayed by this Minister, this Premier and this Government. It is a principle with regard to which the Vegetation Management Advisory Committee made unanimous recommendations. That group was composed of not only land-holders but also local government representatives and representatives from environmental groups as well. It is a principle that all the stakeholders in this issue still hold to.

So regardless of any of these amendments, regardless of any claims by the Premier that removing the provisions regarding "of concern" vegetation has somehow compensated for all his other commitments, none of the stakeholders can support this Bill or, indeed, the Vegetation Management Act. Why? Because the Beattie Government has not just broken its promise to compensate those land-holders who will be hurt by this Bill; it has squibbed on the fundamental principle that the State should share the costs of compliance with the State's own demands.

This Chamber does not have to take my word for it. I have already outlined the extent of the opposition to this plan by individual land-holders. Allow me to provide honourable members with some further insight on the extent of opposition to this Bill and these amendments by quoting a few of the reactions from some of the State's leading farming organisations, organisations that had previously indicated they were prepared to offer at least a modicum of support for the Beattie Government's moves on tree clearing as long as provision was made for compensation. This is what the Queensland Farmers Federation had to say—

> "As an initial comment, QFF remains strongly opposed to the Vegetation Management Act 1999 and State policy for vegetation management on freehold land (August 2000 version). In the absence of any commitment by the State Government to compensating farmers for the resulting loss of value of their asset this is an issue we cannot step aside from."

Even the Canegrowers' Harry Bonanno came out to slam what the Innisfail Advocate reported as the Beattie Government's latest turn-about on tree clearing in a report this week. This is what that report said—

> "Canegrowers' chairman Harry Bonanno said he was amazed and disturbed at the apparent dismissal of the rights of freehold landholders embodied in the Government's proposed amendment of the Vegetation Management Act 1999.
>
> He said the proposed changes made the legislation unworkable, leaving canegrowers with no option but to oppose it publicly.
>
> In a letter sent to State Premier Peter Beattie, Mr Bonanno expressed concern that the Vegetation Management Act 1999 could be proclaimed without any provision for compensation for landholders adversely affected by the new rules.
>
> Queensland primary producers with endangered ecosystems on their farms will be forced to retain these habitat types at their own cost for the benefit of the entire community, regardless of their farm business plan.
>
> This is grossly unfair.
>
> In other States where legislation of this type has been introduced, the State Government has provided compensation.
>
> The Queensland Government has clearly abrogated its responsibilities in this matter."

The opposition is pretty clear. These organisations were prepared to work with the Minister in good faith. Groups were prepared to give up some ground to help achieve the Government's objectives in return for some accommodation by the Government of the very real costs of achieving those objectives. With those sorts of reactions from organisations that were previously prepared to accommodate the Beattie Government's objectives, we may only begin to gauge the anger that is brewing among the grassroots land-holders right across rural and regional Queensland. The land-holders are going to have to wear the cost of this Government's punitive tree-clearing laws.

As I stated earlier, the coalition remains completely opposed to the Beattie Government's vegetation management legislation. As the shadow Minister has indicated, we will be moving a series of amendments aimed at improving the Bill—at least to some extent, if we get the opportunity. But just as the Minister cowardly gagged the debate on the last sitting day of last year, he has cowardly gagged this debate this time around. The Minister is a political coward who will not face the music.

Mr WELFORD: I rise to a point of order. I find the Opposition Leader's remarks offensive and untrue. I ask that they be withdrawn. It is most unbecoming of him and his position to go on like that.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Will the Leader of the Opposition withdraw.

Mr BORBIDGE: What am I withdrawing? The Minister has gagged the debate. He is a coward.

Madam DEPUTY SPEAKER: Order! Would you withdraw those comments.

Mr BORBIDGE: It is not unparliamentary.

Madam DEPUTY SPEAKER: It is most unparliamentary

Mr WELFORD: I find it offensive. Withdraw it.

Mr BORBIDGE: If the honourable member finds it offensive, I withdraw. But I just ask: why did the Minister have to gag the debate the last time? Why is he doing it now?

Madam DEPUTY SPEAKER: Order! The member for Surfers Paradise will resume his seat. His time has expired.

Mr SLACK (Burnett—NPA) (4.32 p.m.): I note that the Attorney-General and Minister for Justice declared a pecuniary interest in the Water Bill. In light of that, although I believe that my pecuniary interest in relation to this legislation before the House is an interest in common, as members would realise I hold a considerable amount of land with my family and I declare a pecuniary interest in respect of the tree-clearing legislation. Obviously, in holding that land, my family has been involved in tree clearing on that land. I approach this debate on that basis. I have a fairly extensive knowledge of rural industry, particularly the cattle industry, and my family has held land for many generations. In some quarters it is believed that my family were the first family to run cattle on the south side of the Brisbane River, so my family has had some experience.

I must admit that, at the time the tree-clearing laws for leasehold land were introduced, I was a little bit apprehensive about their implications, particularly in relation to having to get a permit, the time involved in that and the restrictions that would come from it. Having said that and implemented the requirements of the tree-clearing permits in relation to leasehold land, I can say that, in general, if the laws are implemented properly, they protect the land, they protect the environment and they are of benefit to cattle people. I admit that, and many other cattle people recognise that. An increasing number of those people recognise that good land management is in their interests.

Most land-holder families protect their land. There are exceptions to that, but many of those families have been on that land for many generations and they want to see their land preserved for future generations. That is part of their purpose of being on that land. In many circumstances, as the members for Keppel and Surfers Paradise have said, those people hold on to the land even when they are not earning a basic wage. However, they desperately hold on to that land because they want to see it remain productive for future generations so that those future generations are able to make a living out of it.

I can say, through the experience of making leasehold land applications for tree clearing, that the situation has not been as bad as some people would paint it. However, having said that, a different situation applies in relation to freehold land. Freehold land has always been taken to be in a different category from leasehold land. It has always been recognised that leasehold land is leased from the Crown; freehold land is purchased in fee simple, the term meaning that people feel that they own the land and that they can carry out the management practices that they believe will ensure that the land remains productive for future generations.

This legislation that is before the House, and the legislation that was debated in this House previously, cuts across that concept. I believe that the Government could have resolved this issue a lot better than it did. I also say, I believe fairly, that the Government has bungled it. Many land-holders, having seen the outcome of the application of the requirements for leasehold land, were prepared to adopt that type of management on their freehold land. However, when the Minister announced in this Parliament that he did not see any difference between leasehold and freehold land, that triggered an immediate reaction, which the Minister would have to acknowledge. There was panic clearing. In some circumstances, many of the land-holders involved did not think of the consequences of that panic clearing; they just went into it. I know; I have seen that occur around my area. Land that people usually would not have cleared is now being cleared. I believe that that land would never have been cleared to the extent that it has been cleared—

Mr Pearce interjected.

Mr SLACK: No, the member should listen to this. The Minister interjected on the shadow Minister or the member for Surfers Paradise

that it was rubbish that the officers of the Department of Natural Resources did not support this legislation. I can assure the Minister that I have had discussions with some of those officers, and they agree with what I am saying to the Parliament now. Had the legislation been allowed to take its course in a proper manner; had issues been resolved properly between industry representatives, the conservationists and all the other parties involved; had the Minister and the Premier assured the land-holders that that was the case; and had the land-holders been prepared to take their word for that, I believe that we would not have seen the panic tree clearing that we have witnessed in this State.

Putting that failing aside, there was then the Government's bungling of the issue with the Commonwealth. The Government said that it would bring in land-clearing laws and place restrictions on freehold land, but that the Commonwealth had to foot the compensation bill. That was a bungle. The grossly unfair part of this legislation, which everybody is talking about, is the fact that there is no compensation. The Premier gets up—

Mr Welford: The Commonwealth said they'd contribute to a compensation package and they haven't done it.

Mr SLACK: That may be so. However, the Minister has the responsibility for this legislation. He has the responsibility to be fair to all Queenslanders. The Premier gets up in this Parliament and espouses the principle of a fair go for all Queenslanders. The Australian ethos is of a fair go. I can tell the Minister that this legislation does not give all Queenslanders a fair go. I can demonstrate that quite succinctly.

For instance, let us look at a freehold property covered partially by timber classified as endangered species. There are many such properties. Many properties contain a significant proportion of endangered species. I have been to one such property. Half its land area was classified as being covered by endangered species. In relation to this land, I rang the Lands Department and asked the officers how much of the standing timber could be cleared. If my memory serves me correctly, it was 40% or 60%. Any potential buyer of that property automatically discounted its price by the amount of land that could not be cleared—in this case, the 40% or 60% of the property covered by that stand of timber.

The Minister cannot say with any honesty in this Parliament or anywhere else that land-holders are not being placed in an unfair position with respect to compensation in these instances by this Government. It is grossly unfair and the Minister knows it. The Minister should not espouse the principle that his Government is a fair one. It is expecting the land-holders who will be affected by this legislation, that is, those who have endangered species, to bear the cost of it on behalf of the wider community. That is where this legislation is patently wrong.

I spoke about my family holdings. As I said before, we cleared that land very carefully according to the book, and a good outcome was achieved. Having said that, I would also say to the House that, in looking at the properties as a whole, we have applied tree clearing to about 50% of the properties. So 50% of the properties remain untouched and probably will remain untouched. Throughout Queensland there are many properties in a similar position.

The other day there was an outcry about AMP applying for a permit. My understanding is that only about 2% of AMP's land-holdings are actually cleared. There is an ongoing argument as to whether trees are regrowth or virgin timber. Most of it is regrowth. From experience, I can assure the Minister that, in most cases, the remaining timber that is virgin timber is thickening. It is not in the state it was in originally when Australia was first settled. There are reasons for that, such as a lack of fires, the pressure of stocking and so on, and this has led to changes in the ecology. A property of ours that was open grazing country is now fairly heavily timbered. If this legislation is passed—and it will be—there is no doubt that there will be economic losses in respect of that property if some of the timber cannot be cleared.

This legislation sounds like ideal legislation when it comes to environmental issues, the Kyoto agreement and so on. However, let us look at an example that highlights some of the unexpected results of legislation such as this. Since the leasehold land has been cleared, leaving shade lines in place, we have had an explosion in kangaroo numbers. The shade lines and the additional water on the property have produced an ideal environment for them. Those lines of timber provide an ideal environment for them to live in and from which they can graze. Consequently, there has been a big explosion in numbers. I believe that has been upheld by scientific research by a gentleman from the University of Southern Queensland. Land-holders will have to either put up electric fences on their properties or engage in heavy shooting campaigns to exterminate the kangaroos in order to ensure their own survival—a negative

outcome for the kangaroo. At the end of the day, most properties tolerate a certain number of kangaroos; people like to see wildlife. But there comes a time when, for their own survival, people have to cull kangaroos. At the end of the day, I believe this will lead to the installation of more electric fencing, which will eliminate kangaroos. In the longer term, this will lead to a decline in kangaroo numbers.

I know that other speakers on this side of the House feel sufficiently outraged by this legislation to want to make a contribution to this debate. I can give another example of how these things have some unintended consequences. The Minister would be aware of the bilby experiment in south-west Queensland. In all good faith and with good intentions the Government purchased a property to ensure an increase in bilby numbers. A letter was sent to us asking for a contribution towards increasing the numbers of bilbies. It sounded good; take away the cattle and the bilby numbers would increase. In fact, I understand that the Minister's research showed that the numbers decreased. And why was that? The cattle protected the bilbies against the dingoes. They foraged among the cattle, and the cattle chased away any dingoes. When the cattle were removed, there was nothing to protect the bilbies. So when the bilbies came out to eat, the dingoes got the bilbies and bilby numbers decreased. I stand to be corrected, but I understand that the Minister is now allowing cattle back into that area. The wildlife and the marsupials adjusted to the conditions that arose through our management of our properties over time.

I assure the Minister that there is revulsion in my electorate and in others at this legislation, based principally on the fact that the Minister has bungled it and has not gone about it in a correct and fair way. The Minister and the Government should be ashamed of the lack of compensation.

Mr FELDMAN (Caboolture—CCAQ) (4.46 p.m.): There are many facets of our culture and heritage that are important to Australians, and one very prominent part of that culture revolves around the absolute immutability of freehold title and the rights bestowed by that tenure. Freehold title is the cornerstone of our society. It is the ultimate dream of most Australians to own their own home or a property that has been handed down to them through three or four generations. Many rural Australians work from dawn till dusk for most of their lives just to be able to establish a property to pass on to their children. That same process was repeated generation after generation as industrious pioneers aspired to own their own little piece of Australia. It has not been easy. These founders of our nation have endured flood and famine. They have battled depressed commodity prices and financial pressures, but they have loved the life; they owned their property, generally in partnership with their bankers. And I acknowledge what was said by the previous speaker: they were masters of their own destiny.

Those people have an affinity with their land and, with few exceptions, they are ultimately conservationists. They know the capacity of their property and they know that, to achieve maximum viability, they must respect the land and operate it in a sustainable way. They have pride of ownership and have been prepared to invest in their properties with the confidence and security afforded to them by freehold title.

Anyone who requires further evidence of the security of freehold title need look no further than the judgment by the Full Bench of the Australian High Court. This assumption of absolute rights bestowed by freehold title is not just a figment of the landowners' imagination. It has been codified by the courts of our nation. In August 1923 in the case of the Commonwealth versus the State of New South Wales the High Court of Australia clarified those rights as being—and I cannot help but quote it again; and probably other speakers will do the same—

> "... the most extensive in quantum, and the most absolute in respect to the rights which it confers, of all estates known to the law. It confers, and since the beginning of legal history it always has conferred, the lawful right to exercise over, upon, and in respect to, the land, every act of ownership which can enter the imagination."

But they did not expect this legislation to enter their imagination.

This judgment was referred to by the High Court in the case of Mabo v. Queensland (No. 2) (1992) and most recently in Fejo v. Northern Territory in 1998. At paragraph 93 of that judgment, Justice Kirby quotes directly the passage quoted by Justice Isaacs in the Commonwealth v. New South Wales of 1923. The evidence is crystal clear. This Government has thumbed its nose at the rulings of the High Court of Australia, reinforced at least twice by the same authority and as recently as 1998. It does not have that right.

This Government does not have the right to ride roughshod over the rights of the citizens of this State. It demonstrated that cavalier and

dictatorial attitude, as the honourable member for Keppel said, when it used its numbers to gag the debate and railroad this legislation through the Parliament. But to attempt to take away the basic right of Queensland landowners is an even more serious breach of the powers mandated to this Government by voters who expected it to use those powers far more responsibly than it has with this piece of legislation.

This is a knee-jerk reaction by a Government that does not understand the nature of farming in this State and does not care. It is driven and controlled by the loony Left environmentalists and cannot come to grips with the fact that the vast majority of supposed tree clearing is actually regrowth control, a phenomenon which is not so prevalent or necessary in other States. No doubt we are paying the price for what those other States have done. This Government cannot accept the fact that the vast majority of landowners are deeply involved in the sustainability of their farming operations. Many are involved in Landcare groups and take a proactive approach to sustainable property management.

I am afraid that all of the farmers up in Caboolture, where I live, and in Kilcoy and Woodford, where I grew up, kept their chain to the acre; they looked after the land. This Government cannot accept the fact that those farmers have the sustainability of their farming land at heart. Were the Government to take an encouraging rather than bludgeoning approach to conservation, the result would be a far more satisfying and satisfactory outcome.

Restricting the ability of a freehold landowner to use his land to make a lawful living amounts to theft. There is no other description for it. This legislation has the potential to cost some freehold landowners their livelihood and their rights—rights which have been so clearly codified by the ultimate court of the land—and they have been taken away from them without compensation. As the previous speaker said, they have done it hard and have done it hard for a long time. Now they are going to do it even harder, but I do not see them cry. Will the Minister be prepared to face those people, look them in the eye and say, "I'm sorry. But to appease the environmentalists I have had to prevent you from making a living and have condemned you and your family to financial hardship." Maybe he will have to get his boss to do that. His boss is good at saying sorry, due mainly to the damage that he has done in the short stint he has had at the helm.

The City Country Alliance supports the right to farm. We acknowledge that much of our farming and grazing is carried out on leasehold land and that lease conditions can change from time to time, provided that those changes are made in compliance with the terms of that lease. In fact, it is rather ironic that in earlier times one of the main requirements to comply with the lease conditions was that the leaseholder had to undertake to perform a nominated amount of clearing and pasture development per year—very ironic. Now the opposite is the case.

With conditions becoming more and more restrictive, as unpalatable as that is, that has always been the risk with leasehold tenure. But it should be vastly different with freehold title, to the security that one would expect from freehold title. The extra cost of freehold land should be reflected in that superior security—the type of security that was outlined three times by the High Court and the type of security that encouraged banks and financial institutions to lend money against freehold land as one of the best and most secure forms of collateral. But with one stroke of the legislative pen, the Minister has undermined confidence in the security of freehold title. Many a rural bank manager will be preparing the "for sale" signs as he analyses the debt to equity levels of his farming clients whose equity has slumped because of the devaluation of their freehold land. This legislation has savaged not only their equity but also their cash flows as they struggle to maintain gross income without the opportunity of further development.

The Federal Government has realised the inadequacies of this legislation in its original form and has refused to fund it. To seek to gazette part of this Act would be an absolute travesty of parliamentary procedure. The Act must be repealed in its entirety and the Government's next attempt to come up with replacement legislation must be again debated fully in this Parliament. We reject this legislation in its entirety.

Mr NUTTALL (Sandgate—ALP) (4.55 p.m.): Some commonsense at last! The management of our vegetation cannot be conveniently dismissed as an issue that is encompassed solely by State boundaries. Our plants, animals, rivers and soil types do not recognise State boundaries. Queensland is the only remaining Australian State to have retained a significant proportion of its vegetation cover. Every other State has zealously cleared theirs.

The Federal Government is now handing out hundreds of millions of dollars to repair land degradation in other States caused by overclearing. In some States, such as Western Australia, land damaged by salinity brought about by overclearing will never recover. Queensland is the only Australian State to take action on vegetation management before running up huge repair bills. This is an investment in our State's and also in our country's future.

Retaining vegetation not only protects the land so it remains viable for agricultural and other uses for generations to come; it also protects our biodiversity. The farmers who use our agricultural land for grazing or cropping do not do this for Queensland; they do it for Australians and for our international markets. Their products do not stay in Queensland; they are exported to the kitchens of Sydney, Melbourne, Canberra, Tokyo, London and any other international city that honourable members may wish to name. It is sound land management that underpins the productivity of our land, and of course managing vegetation is a key component, yet the Federal Government continues to insist that it is a State issue.

Our Government made a commitment to farmers that the protection of the of concern regional ecosystems, that is those ecosystems vulnerable to extinction, would be removed from the Vegetation Management Act if the Commonwealth did not provide funding support. This commitment was made after our Government put forward $111m over four years to support our new vegetation management guidelines. We sought from the Federal Government $103m over four years—a small contribution compared with the dollars paid out to other States to repair the damage caused by their failing to act soon enough.

The Federal Government has failed to deliver on assurances given to Queensland during the preparation of those guidelines. Why has it failed to deliver? The media has consistently reported divisions within the coalition as the reason for Federal Cabinet's failing to agree on funding support for Queensland. Perhaps an article in the North West Star back on 10 April sums up the divisions within the coalition. The article sums up a speech given by Senator Robert Hill to the National Party's central council meeting in Longreach. It states—

> "Federal Environment Minister Robert Hill has urged Queensland National Party officials not to ignore scientific advice about the state's environment."

It goes on to say—

> "Members of the National Party policy-making forum reacted angrily to Senator Hill's plea, saying scientific predictions about tree clearing rates, salinity and water use did not apply to Queensland."

Subsequently, we now know that representations by the National Party led to Federal Cabinet being deadlocked and doing nothing to support Queensland. Only the National Party could understand the logic, because there are only losers from the Commonwealth's decision, particularly farmers and the people whom the National Party purport to represent.

Recently, a delegation of Queensland's rural industry leaders went to Canberra to talk to the Prime Minister about a financial package to support Queensland's new tree-clearing guidelines. However, they found that the National Party had been there first. The 17 August edition of Queensland Country Life quotes Agforce president, Larry "Action"—I mean, Larry Acton—

Mr Sullivan: There is no action there.

Mr NUTTALL: No, that is right. Larry Acton is quoted as saying—

> "We said we strongly supported a legislative framework in Queensland provided it gave some authority to a regional process with regional solutions based on good science."

The article in Country Life goes on to say—

> "After the meeting Mr Acton expressed some surprise that the Commonwealth did not table its views on ways to resolve the matter."

The article states further—

> "I gained the impression there is not going to be a decision made in the immediate future."

Even an approach to the Commonwealth from our key rural industry groups—Agforce, Canegrowers, Queensland Fruit and Vegetable Growers and Cotton Australia—could not get a cent for our farmers, not one cent. The Premier and the Minister for Natural Resources have remained true to their word throughout the preparation of these tree-clearing guidelines.

The Bill was introduced in December last year to provide a flexible and balanced framework for sustainable land management well into the future. It was developed following extensive consultation among all stakeholders, including our rural industries, conservation

groups, the urban development industry, local government and Government agencies. It was developed because, among other things, land clearing has long been recognised by the scientific community as a significant factor in land degradation, the loss of biodiversity and accelerated greenhouse gas emissions.

We should keep in mind that discussions about a planning regime for tree clearing have been going on for well over a decade. Consultation means listening to the views of others and, where possible, factoring those concerns into the preparation of policies or legislation. This Government has gone out of its way to consult with a whole range of stakeholders on the new vegetation management guidelines. Unlike other States where new regulations occurred without consultation, this Government has involved farmers, green groups, urban developers, indigenous groups and the community in the preparation of these guidelines. We have listened and we have come up with the best possible outcome to underpin the protection of our biodiversity and sustain our primary production.

At the Roma Community Cabinet meeting in March this year, the Premier promised farmers that we would amend the legislation to remove protection for the of concern vegetation communities if the Commonwealth did not provide funding support. That is what the legislation we are debating today achieves. Rural industry has sought an opportunity to have a strong local input. With this legislation, the onus will be on local communities to create a level of vegetation protection beyond endangered regional ecosystems in order to underpin their prosperity for years to come. Both endangered and of concern regional ecosystems will be protected on leasehold land.

Some 73% of all State land is leasehold, and I will comment on that later in my speech. However, on freehold land only endangered regional ecosystems will be protected, with local groups having the ability to go beyond this level of protection. More than 20 regional vegetation management committees will be established over the next few months to develop plans for the future. The committees will use the legislative framework to develop a local approach to land management. The committees should consider the new guidelines as minimum standards for managing vegetation to sustain our land and protect our biodiversity. There is no reason why these regional groups cannot go well beyond the level of protection prescribed in the guidelines, and the Government is encouraging them to do that.

It is now history that, after strong representations from the National Party, the Prime Minister turned his back on the farmers of Queensland and refused to provide any funding support for the most pressing environmental issue of our time. As I said earlier, there are deep divisions within the Federal coalition and disagreement between the National Party and the Liberal Party on the importance of vegetation management to our long-term environmental and economic wellbeing. These divisions have paralysed the Commonwealth. It is a disgraceful do-nothing attitude which has not only disappointed Queenslanders but all Australians and the international community. This occurred despite having some $400m in a kitty set aside to fund any measures that improve our country's greenhouse gas emissions. No amount of political rhetoric from the Commonwealth or the Opposition in this Chamber can disguise their failure to act, their failure to support the leadership shown by this Government to introduce sound planning controls on tree clearing for the first time in this State's history.

Eight months ago we applied regulations protecting both the endangered and the of concern vegetation on leasehold land, which comprises 73% of all land in Queensland. Once the amended Vegetation Management Act is proclaimed, regulations protecting endangered vegetation types will be applied to freehold land. The regulations on leasehold land will remain the same. Once the Act is proclaimed, it will require any land-holder wanting to clear vegetation, whether on leasehold or freehold land, to apply for a permit. As I have said, the new Act will introduce clear and consistent guidelines for vegetation clearing on freehold land in all areas of this State. It will complement arrangements that have been in place for leasehold land since 1995, and leasehold land covers some 73% of the State.

Why the hysteria on the part of the Opposition? The new legislation provides for the protection of endangered ecosystems on freehold land. Endangered and of concern regional ecosystems on leasehold land are protected under the Land Act 1994. Why is tree clearing such an important issue for us in Queensland? There is evidence that the rate of clearing in Queensland continues to increase. Using satellite technology, the Statewide land cover and tree study found that the average annual clearing rate for Queensland for 1995 to 1997 was a staggering 340,000 hectares per year. That is

18% higher than the 1991 to 1995 rate. There was also a significant change in where the clearing occurred. The clearing rate on leasehold land decreased whilst there was a 55% increase in the rate of clearing on freehold land in the 1995 to 1997 period compared with the 1991 to 1995 period. On the basis of the Bureau of Resource Sciences data, Queensland now accounts for 81% of all the clearing that took place in Australia during the 1991 to 1995 period.

I spoke earlier of consultation. A Vegetation Management Advisory Committee was established by the Minister for Environment and Heritage and Minister for Natural Resources in March of last year. VMAC, the Vegetation Management Advisory Committee, was made up of key stakeholders, including the Queensland Farmers Federation, the Queensland Conservation Council, the Local Government Association of Queensland, the Urban Development Institute of Australia and the Landcare and Catchment Management Council. VMAC reported to the Minister on its agreed position on a number of vegetation management issues and documented the outstanding and unresolved issues. Further negotiations between the Government and stakeholders on the outstanding matters have continued since December last year.

During February and March of this year the Minister for Natural Resources conducted a series of vegetation management information sessions right across Queensland. The community will be involved in the development of regional vegetation management plans, with scientific and technical support from Government agencies. These plans will show the location and type of vegetation within a region and they will identify areas that should be retained and/or managed in a particular way, based on a community agreed approach. They will also include regional codes against which vegetation clearing applications will be assessed. All in all, this legislation is legislation for the betterment of land care in this State, which we support wholeheartedly.

As I have said, there has been widespread consultation on this issue. The hysteria should be taken out of the debate. There are a large number of circumstances in which leasehold land-holders can clear without applying for a permit. I do not intend to go into those today. This is good legislation which I believe the Government has done a lot of good and hard work on. Where possible, it has tried to take into account the considerations of all parties concerned. I commend the Bill to the House.

Mr SANTORO (Clayfield—LP) (5.11 p.m.): It gives me no great pleasure to speak to the Vegetation Management Amendment Bill, because in my view and in the view of the Opposition it represents another of the Beattie Labor Government's ever-growing list of legislative misadventures and failures. This Bill is before the House today as one of a number of Bills whose timetables have been savaged by the Government's absolute inability to organise anything more difficult than a chook raffle. Even that is debatable, because in a previous, premature incarnation this legislation went nowhere at all.

Honourable members will recall that the Queensland Vegetation Management Act 1999 was passed through the House—"bulldozed" is probably a more apt term—and then went into the limbo of this Government's peculiar form of voodoo administration. The Premier wanted the Commonwealth to cough up more dough, as we just heard from the honourable member for Sandgate. The Premier thought he was playing clever politics—he loves to think he plays clever politics—but he was wearing the dunce's cap on that occasion, as he does so often. They say "if the cap fits, wear it". Well, he has been wearing it so often that we would almost miss him without it.

The facts are—the facts, as opposed to the addled collection of random sound bites we are now so accustomed to hearing from the other side of the Chamber—that the Premier went off half-cocked in December 1999 and shot himself in the foot. Now he has Queensland land-holders in the line of fire. We on this side of the House are vehemently opposed to his plan to shoot them in the foot, too. We hear so often from those who sit on the Treasury benches about how they govern for all Queenslanders. An awful lot of Queenslanders think that is baloney. A lot of Queenslanders know it is baloney.

Let us be clear about this. Let us be genuinely clear—not the sort of opaque, muddy-brown clarity the Premier and his Ministers, particularly his Environment Minister, serve up when their backroom mix-masters get going on what they want to be clear about. Queensland is not just Brisbane Central. It is not just Everton. The honourable members for those electorates should take note. Queensland is not just Brisbane, the nearby hinterland and the north and south coasts. Nor is Queensland in any way similar to Victoria or even New South Wales. It certainly is not the fabled Fabian land that some of those opposite seem to think it is.

Queensland is a developing State. It is a great place to live and to bring up a family. It is a great place to be practical, to be a pioneer, to be forward thinking and to contribute to all of the many facets of the economy we have grown here and which, whenever the Labor Party lets them—which is nowhere near often enough—Queenslanders want to keep growing.

Queensland's development will not be helped by the Big Brother elements of the Vegetation Management Bill—a dog's breakfast piece of legislation that should really be titled the "Pull My Chestnuts Out of the Fire Bill". Not that the Bill will, despite the Premier's recent protestations in this place as to the warmth of his relationship with the real hard man of Labor politics. But that is another issue for another time. The Premier's chestnuts are really roasting on this one.

It is true that this legislation will remove controversial parts of the existing unproclaimed Act that the Premier was forced to assure farmers would not be brought in without adequate funding to compensate affected land-holders. That is a plus. Let us recognise that and give credit where credit is due, after all. The Government does deserve some credit for having come belatedly, but only partially, to its senses.

Let us be clear about something else, too. It is something very important to understand in the wider context of the Government's attempts to cosy up to the green vote ahead of the election it will be going to next year—the election it will be going to on the back of a jailed former candidate; the election it will be going to on the back of a record of delivery that looks sick even when it does manage to prop it up for a photo opportunity; the election it will be going to on the back of a succession of special pleadings and jobs for the boys that is frankly amazing, from an outfit that is forever bleating about its honesty and accountability; the election it will be going to with one record that stands head and shoulders above the benchmark across Australia, that is, its record of fingering someone else for the blame when something goes wrong.

Take this very legislation for example. This Government, in particular the Premier and his Minister, wants Queenslanders to believe that this revisitation is all down to the fecklessness of the Howard Government in Canberra, but it is not and Queenslanders are far too sensible to be fooled into thinking it is. The people know that no other State has tried to pickpocket the Commonwealth to pay for its home-grown legislation of choice.

The Premier likes to tell us that he has all the bright ideas. He likes to tell us this so often that—I am sorry to say this, because I know he will think it is rude; he does think it is really rude of people to be rude to him—we are all getting a little tired of being told. It would be different if they were all bright ideas, but one needs more than a mirror to beam at if one is going to be really bright. The Premier then tells us that it is someone else's job to pay for them. It is never his job. It is never his Government's job. Anyone else will do as a target for these standover merchants.

The people are awake to this constant refrain, too. They know that the Premier has had two years and more to find out that it is actually his job to balance the books and to fix up issues such as those that are being addressed by this legislation. They are wondering when exactly he will find out and when he will call a press conference to tell them about this truly radical and ground-breaking discovery.

But the really sad thing is that this is all about jobs. Honourable members will recall that the Beattie Government is all about jobs, jobs, jobs. It keeps telling us that, too. Those opposite have made it their mantra. Those on the front benches and those desperately hoping to get there—especially the three tenors up the back who are forever auditioning for the chorus in the absurd musical chairs remake of 101 Dalmatians that we see going on over there—

Mr Sullivan: You have got a comedy writer.

Mr SANTORO: I do not need any comedy writer when I have this cast in front of me. It all develops and unfolds and it is very easy to talk about.

Mr Sullivan: You aren't becoming more human on the backbench, are you?

Mr SANTORO: I will certainly be a hell of a lot more human than the member for Chermside will ever be when he is finished in this place.

Government members know that what they are really doing is killing jobs right across Queensland—no more so than in the bush, on the farms and on the pastoral properties that are the backbone and the heritage of our State. In their hearts they know, although they clearly do not care, that where vegetation management law, Labor-style, is concerned it will be Queensland's innovative, forward-thinking agricultural and pastoral

entrepreneurs—so many of them family businesses, the very lifeblood of our society and its many communities—who will pay for this Labor Party experiment.

It should come as no particular surprise to those opposite, then, to hear that the view held by the people who are actually going to be most affected by this legislation is that the Government has robbed farmers of existing property rights. That alone makes this Bill very contentious. Here is one instance in which the Premier's promise to continue governing as if he is not under a distractingly dark cloud should instantly be set aside in favour of commonsense.

The fact is that the Greens and the Queensland Government are trying to stop tree clearing in Queensland—just stop it, period. Yet Queensland is a developing State, as I have just said. We must never forget that—especially those of us who live near the beginning of the bitumen rather than well beyond the end of it.

Queensland has large amounts of vegetation that can be cleared economically and sustainably. That is a fact, too—a fact that is too often forgotten in criticism from outside Queensland about our environmental credentials and a fact comprehensively obscured from the mind of the Minister and, it would seem, the Premier.

Queensland farmers have always agreed to measures that will protect endangered communities—communities of animals and plants—and rightly so. But in the present political environment it is no wonder they are now seeking measures to protect that other set of endangered communities—farmers and rural settlements. Farmers have always agreed—and indeed the Queensland Farmers Federation, to its credit, has led the way on this—to provide a high level of protection in "of concern" ecosystems. They have done the hard yards. I know from those to whom I speak from among those who are my friends that they are quite prepared to do more hard yards yet. But the problem is that this legislation, which the Beattie Government wants to proclaim within the next couple of weeks, is another attempt to grab control of private land and private lives—and, of course, private profit.

There is no Federal imperative driving this Bill, despite what Government members may seek to say. That is another fiction from the honourable member for Brisbane Central and his Minister. This is a State issue. In answer to an interjection by the honourable member opposite, I repeat: this is a State issue. It is simply not a Federal issue, as claimed by the Premier.

Mr SULLIVAN: I rise to a point of order. There was no interjection from anyone on this side. The member for Clayfield deliberately misled the House. No-one from this side spoke or interjected, so why would he say that he was responding to an interjection?

Mr DEPUTY SPEAKER (Mr Reeves): There is no point of order. The Speaker reminded all members about frivolous points of order.

Mr SANTORO: Just to be totally fair to the honourable member for Chermside, who obviously was not listening, the honourable member for Kallangur said, and he repeated on two occasions, "Have you spoken to Senator Hill?" Other members heard it. It is a pity that the honourable Government Whip is so inattentive, as he usually is, that he missed out on that one also.

As I said, there is no Federal imperative driving this Bill. The bottom line is—and I mention the bottom line because this is one of the key terms that seems to enliven the Premier; it is a favourite of his—that this Minister and this Government are presiding over legislation that will rob farmers of their existing property rights. That is the fundamental issue which underlines the concerns of Opposition members. No reasonable Queenslander can possibly feel comfortable with that.

The Premier and the Environment Minister plan to take away from a large number of farmers the right to further develop their land. They are happy, apparently, to have a negative impact on farmers' future incomes and, therefore, standard of living. If they tried that malarky in the city, they would cop more than just a blast, and rightly so. But it appears to be open season on rural and regional Queenslanders, especially those who hold title to a bit of dirt and hope to turn a profit from it. Has the Premier provided any compensation for the loss of the value of the farm? The answer is: no. Is he going to provide any compensation for the loss of the value of the farm if this pernicious piece of legislation gets through? The answer is: no. Does he have the slightest twinge of conscience about that? The answer, of course, is: no.

The restrictions on clearing are not to be put into place to benefit farmers; the Government admits that. They are there to benefit the wider community—or so the Premier and this Government would like us all to think. These restrictions are ill thought out. They are, put plainly, wrong. And they are being put into place to benefit the Government in terms of the green vote. That is plain wrong

also. The farmers are being made to pay for the Queensland Government to meet what it has decided are its environmental responsibilities. And let us be clear about that, too. The Premier likes to be clear about things, or so he tells us. This has nothing to do with Kyoto. In the scheme of things, it has nothing to do with global warming. It has nothing to do with greenhouse. It is not a Federal responsibility, as claimed by the Premier. It is about managing a State issue.

Let us be clear about this, too: the bottom line is that the cost of this exercise is down to the Beattie Labor Government. If the Premier wants to spend Queensland taxpayers' money on this exercise—on this exercise which takes this Government's policy position, as usual, a step or two too far—then he must justify it and, therefore, he must also find the money. In other States where vegetation management legislation was introduced—vegetation management legislation that matched conditions in those States, as ours purports to reflect Queensland conditions—the States themselves paid the compensation. For the benefit of Government members, particularly the honourable member for Kallangur, I repeat again: those States paid for their own legislation. If the Premier wants to get his own political agenda up, he should pay for it, and then he should have to justify that expense to the people whose money it is. What he is doing with this Bill is shirking his responsibilities. We need to pause to consider the real facts in all of this.

With vegetation management, as with water, what this Government is trying to do is take something from people without compensating adequately for their loss. In some jurisdictions—the courts, for example—that is called theft. In the Beattie Labor Government, it is called buying votes—green votes in this instance. Consider this: if land were to be taken from the Premier's own backyard in Brisbane for the public good—say for a road or a bikeway, or perhaps an electricity easement—he would be seeking compensation. But here we have the Premier seeking to take away from farmers the use of their land, as the Premier and the Minister would say, for the public benefit, without any compensation. The fact is that this legislation will cost individual farmers millions of dollars in lost value. The fact is that the Premier is trying to blame the Commonwealth for the fact that there is no compensation money. The fact is that the Premier knows it is his job to find that money, and his political duty to justify that expenditure to the Queensland taxpayer.

Other speakers on this side of the House have given detailed presentations on the technical aspects of the Bill. I commend their contributions to those opposite, who might, if they study Hansard, still learn a thing or two. The issues surrounding vegetation management in a diverse State such as Queensland, in the varied mix of climates and soil types and landforms and geology we have, are complex. This complexity makes it easy for those who want to pull the wool over the eyes of the people. They can quote big numbers and be fairly safe in assuming that no-one will actually do the mathematics required to check up on them. The basic dishonesty of the Government's approach to vegetation management is, however, plain for all reasonable Queenslanders to see. It is an affront to long-held and historic property rights. The Premier wants to remould Queensland. My guess is that the vast majority of Queenslanders—in the city just as in the country—do not want their State to be remoulded in the form the Premier apparently seeks, or to have their own lives remoulded as a result.

In November 1997 the coalition Government signed a partnership agreement with the Commonwealth concerning the availability of funds to Queensland under the Natural Heritage Trust. This agreement committed Queensland to reverse the long-term decline in the quality and extent of Australia's native vegetation cover and, on both leasehold and freehold land, to have effective measures in place to retain and manage native vegetation, including controls on clearing. These measures were to be by agreement—that is, by genuine agreement, not like the agreement that we heard referred to previously by the honourable member for Sandgate and as we undoubtedly will hear referred to by other members opposite who will speak—and essentially they were to be voluntary. We never saw the pictures of cataclysm from which the hard Greens make their living. We saw the primacy of freehold title as crucial. We still do. The Beattie Government does not. That is the political bottom line. It is here today in this flawed and sorry little piece of legislation from a Government that is itself flawed and sorry. This legislation and this Government have a lot in common. They have another thing in common: neither of them will ever work.

It is for these reasons and the other reasons that have been outlined by members who have spoken before me that I will be joining my colleagues in opposing this legislation.

Hon. B. G. LITTLEPROUD (Western Downs—NPA) (5.27 p.m.): I welcome the opportunity to speak to the Vegetation Management Amendment Bill. I want to place on record once again that this is the second time the legislation pertaining to this matter has come before the House. The first time around, debate on the Bill was guillotined, and we already know that there is limited time in which to debate this Bill. It has been guillotined again. This issue is very important to rural landowners across Queensland. The Government's actions speak volumes for its ignorance with regard to the wellbeing of people in inland Queensland.

Today will go down as a pretty black day for rural landowners across Queensland. We have seen all sorts of attacks on freehold property rights and water allocation rights. We will finalise two Bills in one day: the Water Bill and the Vegetation Management Amendment Bill. Neither of them provides for compensation. No economic impact reality has gone into the formulation of either of them. The Government is just trampling all over the rights of landowners—and, in this case, freehold landowners.

I want to suggest to the House that there is another way, and it has proven itself. I recall that, in the mid 1980s, soil conservation was a very serious issue across the agricultural belt of Queensland. There were all sorts of suggestions as to what should be done. There was good scientific work being done by the DPI, and the people in the farming industry themselves were doing their own research. It was not long before everyone was doing their own property development plan to implement soil conservation measures: contour banks, strip cropping, pasture strips and all those sorts of measures. But it became pretty obvious after a few years that if such measures were to be really effective, there had to be a whole-of-catchment plan for soil conservation. So it fell on the Bjelke-Petersen Government of the time to address the problem.

We argued in our party room about how we would go about it. We could have taken the sort of line that this Government has taken: complete arrogance and using the big heavy stick and coming over the top. On the other hand, we could have taken the advice of the farmers, who said, "You tell us what to do. We will do it voluntarily." That is the path we chose. I can still recall sitting in the committee room with Neil Turner as the Minister. We argued hard and long and came up with the suggestion that the only way to go about tackling the problem was to get the people educated as to how to approach whole-of-catchment management, go out and sell the policy, and those who did not fall in initially would soon see that they were being unfair to their neighbours. The reality is that, after 10 years, there is now catchment management all over the agricultural belt of Queensland, with all the people doing it voluntarily and getting some sort of assistance from the Federal Government.

So there is another way. Soil conservation was done by the National Party Government, and we did it perfectly. Had we still been in Government, we would have addressed this problem properly as well, in a spirit of cooperation. That is what the Agforce people were looking for. They have been to see the Minister and the Premier and they have said, "We can do it voluntarily. We know there are better, improved ways of doing it now." People have done the wrong thing in the past, but as they go about planting out their properties they take cognisance of all those things that can be done better and, given the flexibility of the management of their own properties, they are looking after their own assets and they will be prepared to do it. However, that has never been the case. There has been all sorts of filibustering by the Premier and all sorts of promises trying to push the Federal people into a corner, but it has come back to haunt him. The chance was there, the offer was there, but the only party that could deliver it to the Agforce people was the National Party, because we believe in voluntary guidelines. The Agforce people, I think, would welcome a Government that would do that. The Bill before the House today tramples all over the rights of these people. There will be no guidelines; the Government will dominate.

The next thing that I fear is the process and the reality of these regional plans. I think that the Minister is having a bit of a grin because he has a trick up his sleeve, and that is that he knows that he is going to stop all clearing. There will be no more clearing across rural Queensland until such time as these plans are put into place and, as I understand it, the plans have to meet the demands of a Statewide code. It will take approximately two years for those regional plans to be put together because their formulation will necessitate all sorts of consultation at a regional level. Then each plan will be submitted back to the department or to the Minister. I can just imagine that the Minister, with a wry grin on his face, would find some fault with it and say, "Go back and redevelop that", and what should have taken two years could end up taking three or four years—and all the while nothing is going to happen.

So it would fall very nicely into the plan of the present Government. It would enable it to say, "We can stop tree clearing in any way whatsoever. We will have a fake front." There would be consultation going on and all these local plans being put together, but all the while the Minister has the chance to put the knife in and frustrate and delay and things will not get done. This will be to the Labor Government's advantage at the ballot box because people in the city will be told, "Oh, we have got all these plans implemented across Queensland. We know what is going on. We are in control of tree clearing", but nothing will be happening. So Labor will pick up the vote in the city, which is all it worries about, but it could not care less about the economic impact on the people in rural Queensland.

I put on record that that is my fear, that it will take at least two years to draw up all these plans. A lot of these people have already been flogging themselves to meetings all over the State trying to give some information to the Government that has already been ignored. They will not be in a very good mood to go back and do it all again. I can imagine how the Minister would get some sort of satisfaction out of, once again, being the person who will frustrate and hold up all these sorts of plans. We could get the situation where those people who currently are desperate to control some of the regrowth on their country may well find the guidelines as they apply to regrowth may make it impossible for them to go ahead.

As I understand it, when regrowth reaches more than 70% of the mature height of the trees around it, it is no longer considered to be regrowth. In the meantime, of course, while nothing is being done the productivity of properties is going down the hill. So I think that this Government is being rather devious in the sorts of things it is doing. It is showing no consideration whatsoever for the economic impact on those people who in many instances bought properties believing that if they could achieve their true capacity they would be able to repay the loans. There are also those people who converted leasehold land to freehold land by paying market price to the State Government to gain the freehold title to the land. Of course, they have been paying that money in but now the Government is taking their rights back off them. All those rights that went with freehold land have been taken back without any compensation and without rebating any of the money that has been paid in.

So it is not surprising that there is so much angst out there in the bush. Just imagine the feeling that will be out there in the next few years. Today the water rights of rural Queenslanders have been trampled, and now we have before us another piece of legislation that tries to fix up a piece of legislation that was guillotined through this place in December last year. There is still no compensation. There is a promise of all sort of plans, but really they are only plans to frustrate the whole process. If people in the agricultural belt had been given the chance to do it their own way—they are quite willing to cooperate—the problem would have been solved long ago.

Hon. T. R. COOPER (Crows Nest—NPA) (5.35 p.m.) I, too, want to add some comments to what has already been said. I am fully aware that others from this side of the House want to make a contribution. Again, it is unfortunate that, on an issue so serious and so important as this, we are yet again facing the guillotine, as happened earlier with the Water Bill.

Both of these pieces of legislation have a huge impact on people in rural and regional Queensland. What worries me is that those on the other side of the House, for whatever reason, do not really have a deep understanding of what they are doing to people in regional and rural Queensland. That is what fills us with concern, because there will be this feel-good type of situation. Those opposite feel that they have done well in the RFA, and it is a disaster. They feel that they have done well on the Water Bill, which is a disaster, and they feel that they are doing well in this Vegetation Management Act, which is another disaster for the rural community, who do not need this legislation. Most in the bush have demonstrated very clearly that they want to leave the land in a better state than that in which they found it and that they can do that by sheer experience and education rather than by legislation. That is why this Bill is so totally unnecessary. It is pure politics being played to convince the city vote and the green vote that great gains are being made. I worry about the after-effects of these various pieces of legislation on the future of Queensland agriculture. That is what concerns members on this side of the Chamber greatly.

It is also a slap in the face for rural people, an implication that they do not know what they are doing. They have had vast experience—generations of experience—in managing the land and they know that they can do it a darn sight better than anyone opposite and those who will be responsible for carrying out the provisions of this legislation. Those on the regional committees that we have heard about and the departmental people, who have not had that practical

experience, are going to assert themselves over people who have had that experience and have that genuine love and affection for the land but who also at the same time know how to be productive.

Mr Lester: The regional committees are a bit of a problem, too.

Mr COOPER: I mentioned the regional committees because they will act, in many respects, like tin gods giving their advice and employing delaying tactics and so on in order to prevent the progress of people who genuinely want to make their land more productive. The sight that we have all seen on television is very good at conveying the political spin. It depicts the same tractors, the same chains and the same trees being pulled over and over and over again, giving the impression—

Mr Pearce: The same thing is happening, isn't it?

Mr COOPER: No. It depicts the same tractor, the shame chain, and the same trees. People get the impression that there is this continual clearing of land, and it is simply not true. A lot of land is being cleared, as we have said before, as a result of panic clearing and so on, but this is grossly exaggerated. It is so unfair because people in the cities get the wrong impression. What we want them to have is an honest impression of what is going on.

As the member for Fitzroy knows, I have been involved in the land for quite a deal of time myself. Frankly, I am going back there. I am looking forward to it very much. I know very well that I am one of those who treats the land with the utmost respect and have taken great care in the clearing and the planting of trees and so on on my place. I have done that by learning from people who have been there before and done that. I will now go back and have to go through all this bureaucratic red tape tangle that is simply not necessary and I will have to go cap in hand to bureaucrats and pay $250 for a permit that I might get to enable me to carry on my business. I will suffer from the red tape tangle that is simply not necessary.

Dr Prenzler: I wonder how long it will take you to get your permit.

Mr COOPER: That is the worry, because all these maps, plans and regional committees have to be set up, and that will take two or three years at least. This Bill will have an impact on productivity and therefore on the employment of people; it will be an impact on the people who vote for those opposite as well as for us. The Water Bill and this Vegetation Management Amendment Bill will affect the same people right across-the-board. As I said, these Bills are simply not necessary; they have been introduced to convince some that the Government is doing something and to please the city people, who will not be affected by this Bill.

In relation to the requirements for permits to clear, it has now been revealed that any land-holder wishing to clear vegetation on leasehold or freehold land would have to apply to the DNR or, in some cases, would have to go to their local authority for a permit regardless of whether the vegetation is classed as of concern or not of concern. So even if the vegetation is not of concern, freehold land-holders are still going to have to get a permit. The $250 fee is one thing; the delay is another. At least land-holders can proceed with clearing regrowth, as well as clearing for fence lines and firebreaks. Quite frankly, that is only commonsense, anyway.

As I have said, I am mindful of the time because this debate is being gagged again which, therefore, means that members are not going to be able to express themselves in the way they would wish. As I say, the after-effect of this legislation is that, when it is put into action, everything goes dead. The legislation has been passed, the hype and publicity goes away and the people are left to suffer. That is what is so cruel. It is timely to remind members that we on this side of the House in Government will make major changes to this legislation and, if not, repeal it. We stand for voluntary guidelines. We stand for putting faith and trust in the people who are very good managers and know what they are doing and working with them and educating them. If the Government did that, it would gain those people's respect and cooperation. However, if the Government puts in this legislation, the people will hate it forever. That is why the land, the jobs, the productivity and everything else will suffer as a result of this stupid piece of legislation.

As we know, back in December 1999 the first Vegetation Management Bill was passed. We also know that for quite some time leasehold land had been regulated under a system of regional tree-clearing guidelines. However, as we also know, those guidelines were replaced with the Vegetation Management Act. The VMA was also intended to protect endangered and of concern vegetation on freehold land. Under that Act, vegetation is regarded as endangered when less than 10% of its pre-clearing extent, that is pre-1788 levels—if we can work that out—remains or when 10% to 30% remains but covers less than 10,000 hectares.

Vegetation is regarded as of concern or vulnerable when 10% to 30% of its pre-clearing extent remains or when over 30% remains but covers less than 10,000 hectares.

That is the sort of stuff that these regional committees have to sort out. Members can imagine how much time that is going to take when people want to get a permit and get on with the job of improving their productivity. The VMA also provides for the protection of land declared by the Minister for Natural Resources as vulnerable to degradation or having high conservation values. Regrowth control will be prohibited in such declared areas. Under that Act, regrowth is defined as vegetation that is less than 70% of its undisturbed virgin height and less than 50% of its undisturbed canopy cover.

As the member for Burnett pointed out, regrowth grows as thick as hairs on a cat's back. It is far, far thicker and more difficult to control than what was there in the first place. The land simply cannot be allowed to go back to that state. Once the land has been cleared, people cannot clear it again; the cost is enormous. People must be able to keep that regrowth under control. However, someone is going to have to decide whether that regrowth is less than 70% of its undisturbed virgin height and less than 50% of its undisturbed virgin canopy cover. By the time that is worked out, the regrowth will be out of control. That is just too stupid for words.

The legislation states further that clearing will also be prohibited within 200 metres of rivers, 50 metres of creeks and 20 metres of gullies. Tree clearing on freehold land will now be an assessable activity under the Integrated Planning Act. We know that this Government has suspended the maximum 60-day time limit that usually applies for the assessment of applications under the IPA. So there are further delays. In terms of clearing being limited to 50 metres on either side of creeks and 20 metres of gullies, in some of this country there are gullies running through it. If 20 metres either side of the gully is preserved, it will preclude people from being able to carry on doing their usual tree-clearing exercise, their productivity exercise.

The red tape that is going to be involved in this legislation is going to be prohibitive. All land-holders will have to apply to the DNR or local government for a permit to clear leasehold or freehold land regardless of the vegetation category, that is, endangered, of concern, or not of concern. Really, land-holders are now very much left in a cleft stick. It is just a pity that more members opposite are not able to get out a little more often into these areas that are affected by the legislation that they introduce. That is the worry. Often members opposite never know about the cause and effect of the legislation that they introduce. They introduce the legislation, it gives them that warm and fuzzy feeling, but members on this side and the people who live in those regional areas have to live with the after-effects of it.

I will not go on, because I know that other members wish to speak. I believe that on many occasions I have made my point about this legislation. I know that there are members opposite, including the Deputy Speaker, the member for Logan, who make an effort to try to understand the effects of the legislation that is introduced by the Government on the people who have to live with it. I can only encourage more members opposite to do that and to try to understand and watch the effects of this legislation. Through their weight of numbers, this legislation will be passed. We are all fully aware of that. However, once that is done, I ask members opposite to keep an eye on it and listen to members on this side and other people who know about the various adverse effects of this legislation so that, at least while they are still in Government, amendments can be made to it to try to make it work. I encourage members opposite to do that because, as I said, members on this side know the adverse effect that this legislation will have on our people. It is going to hurt.

Mr HOBBS (Warrego—NPA) (5.46 p.m.): Tonight, I am pleased to speak to the Vegetation Management Amendment Bill. Many members have already mentioned that this is not the way in which legislation should be passed through this Parliament. The Act is certainly not model legislation in that it caused great anger and anguish in rural communities. I do not think that I have seen such a level of anger among people in rural communities for quite a long time. There were rallies against this legislation in Winton and Roma. Nearly 2,000 people attended the rally at Roma. So quite a substantial number of people are angry about this legislation. They have to be angry to reach the stage at which they march on a town.

I believe that it was foolhardy of this Government to try to put legislation in place and then request that the Federal Government provide $103m for it. That was quite an unbelievable demand. Quite frankly, I would not have given a bent razoo for that legislation for which the Government wanted that $103m from the Commonwealth. I am pleased that the Federal Government has given this

Government just exactly that. It has got what it deserved.

There is no doubt at all in my mind, and certainly in the minds of many people who understand rural industry, that the biggest tree clearers in Queensland's history have been the Beattie Government and certainly the Goss Government. Members on this side really tried to help put in place a process whereby there would not be anxiety and people would not feel the need to clear their country.

Mr Bredhauer: Panic clearing.

Mr HOBBS: There would not have been panic clearing. It is as simple as that. Those people were panic clearing because, if they were going to be stopped from clearing their land, they wanted to do it then. We can understand that. That is human nature. That is just the way it is. Many people have also tried to take out permits just as a precautionary measure so that if there are any compensation claims later on, the Government knows that those people tried to take out a permit and that their intentions were quite clear that they were going to clear some country.

Another important issue that people must understand—and we have been trying to say this, and finally after two years the Minister recently admitted it—is that 60% of the annual clearing that is done in Queensland is of regrowth. It has been cleared probably once, twice or three times beforehand, and 40% of what is cleared will go back again to regrowth.

The country in Queensland is far different from that in the southern States, where in some places if trees are cleared they do not grow back. In Queensland we have tree species that grow vigorously. They do grow back. There is no reason at all why, if the country were cleared for grazing purposes, burnt as it normally is and allowed to regrow, that cycle could not continue for 1000 years. Those trees would always be there. Some of the species may change as time goes by. They always have. When Captain Cook sailed up the east coast, he saw smoke; the trees were burning. Many explorers wrote in their journals about huge open plains. People need to understand that there are more trees in Queensland today than there were at the time of white settlement.

The Library produces some very good briefings on legislation. The briefing to this legislation contains an article by Phil Dickie titled "Death by a thousand cuts", which states—

> "There are vast plains stretching into the distance ... that was standing scrub when we came here."

The early explorers also made observations such as, "And behold I see the inland plains stretching west beyond the reach of vision" and, "A man could gallop a horse without impediment and see whole miles ahead." Today those areas are covered by timber. Things change; that is the way nature is. We no longer have the fires that occurred in days gone by when the Aborigines burnt the country. There was no controlled burning; it was just burnt. That kept the timber down. We certainly have more trees now than we did before.

Another argument cited by the Minister in relation to tree clearing is that we must stop tree clearing so as to prevent salinity. Salinity has been a serious problem in other States and we are alert to it. We must conduct a study to ascertain the state of play in Queensland. However, the problem here is nowhere near as bad as it is down south. In the western areas of the State and in the Murray-Darling Basin there would be three, four or five times more trees in some of those catchments than there were previously. The Minister cannot say that we will have salinity problems if we do not stop tree clearing, given the number of trees that we have already.

Mr Welford: I have noticed you thickening over the last few years, too.

Mr HOBBS: I am actually getting a bit thinner—a bit like the Minister. A fair few of us in here are getting a bit thin on top.

It is also important to acknowledge the rights attaching to freehold land. It is not like leasehold land, where we pay a lease and away we go. In some cases, in a sense we have to buy freehold land twice. But we actually own something. If the Government wishes to take back that land, there should be some compensation. For example, if someone took the wheels off our new motor car and did not pay us compensation, we would think that was unfair. If someone came to our house in Brisbane and removed the verandah because they wanted some firewood, we would be pretty cranky about that. We would no longer be able to utilise that resource. If this has to happen, compensation should be paid.

We wish to move some amendments to this Bill, because we would like to see some important changes, particularly in respect of compensation. Local government is also involved in this Bill through the IPA and the IDAS system for processing applications for tree-clearing permits. Local government will have a lot of difficulty handling all of the applications for tree-clearing permits. Appropriate resources need to be put into the

department in order for it to manage that process. The Department of Natural Resources will have to conduct a lot of training in the regions to ensure that its officers can process permits fairly quickly. The Minister has gone about this in totally the wrong way. This will just create further anxiety and problems for people out there.

When I was Minister we put in place tree-clearing guidelines for leasehold land. Some 900 people across Queensland were working on those. Thirty-four different groups battled their way through meetings to reach agreement on some sustainable tree-clearing guidelines for leasehold land. That process took about two years. This Government has come in and virtually thrown out those guidelines; it wants these people to do this all over again. We can understand fully why people have told the Government to jump in the lake. They do not want to have to do all of this again. People put a lot of time and effort, on a voluntary basis, into trying to help the Government to put together a package that would be in place for years to come. They did not expect that to be thrown out upon the first change of Government. We believe the tree-clearing guidelines were sustainable. They were ticked off by almost everybody. The only group that would not tick them off was the conservationists. It would not matter what we did; they would not tick it off.

There is a lot of work to do with respect to this legislation. We are still most unhappy with it. It does not resolve the issues and, in fact, makes it much more difficult for people in rural areas.

Debate, on motion of Mr Black, adjourned.

MACKAY; SUGAR INDUSTRY

Mr MALONE (Mirani—NPA) (5.57 p.m.): I move—

> "That this House condemns the Beattie Labor Government for its failure to provide adequate support for the sugar industry and for roads, water, education, health and social infrastructure in the Mackay region."

The Mackay region is going through one of its worst seasons in history. The situation facing the Mackay sugar industry, with its crop down about 60% to 65% on normal levels and possibly with losses of up to $200m this year, is the culmination of two or three bad years. We have had instances of the orange rust phenomenon. Mackay Sugar is looking at shedding more than 110 jobs. Over the past couple of years there have been plagues of rats. I have contacted both the Minister for Natural Resources and the Minister for Primary Industries and asked them to visit Mackay to inspect the area. As yet I have not received a reply. I wonder where they are in terms of looking after the Mackay district and its sugar industry.

This is having a huge impact on the region. We are getting no real support from the Queensland Government. My colleagues will speak about the sugar package brought in by the State Government, which is utterly useless in terms of addressing the problems of the Mackay district. As I said, the Mackay sugar industry is going through a very difficult time. The whole economy of Mackay relies on the sugar industry.

In relation to our hospitals in Mackay, there have been times when the renal unit has not been able to cope with the number of patients that have to use it. My understanding is that 10 places are funded by Queensland Health at the Mackay Base Hospital. At present 14 patients are being treated at that renal unit. A number of patients have had to move to Townsville to be treated. Unfortunately, as more come on line they will have to move out of the district to be treated in a renal unit. This is not good enough. We have a base hospital at Mackay that is supposed to look after and service the district. The renal unit is just part of the difficulty we are having with the Mackay Base Hospital, and my colleagues will also raise issues in respect of that.

The intensive care unit is another example. We have had no real feedback or comment from the Minister in respect of the ICU unit in Mackay. There is certainly plenty of speculation that the unit is being downgraded. I understand that meetings have been held to inform the nursing staff of the downgrading of the unit. This has been denied by both Queensland Health and the manager of the Mackay Base Hospital. It is possibly being downgraded to a high dependency unit, where patients can be ventilated for only 24 hours and then must be transferred to another area. This is very unfortunate, of course, because the closest area they can be transferred to is either Townsville, Rockhampton or Brisbane. That would be a huge impost on the patients' next of kin and certainly their dependants.

As I said, this is not good enough. We have not heard any comment from the Minister in respect of this, even after her attack on me and the member for Whitsunday in respect of this matter. I think it is utterly terrible

that we can have a situation in which the Mackay Base Hospital is not catering for the needs of the district.

Queensland Rail is one of the largest employers in the district. It is looking at shedding over 100 positions in the next few months and is offering voluntary redundancies. This is all coming about simply because it is trying to cut costs. The unfortunate part about that is that Sarina relies very heavily on Queensland Rail. Its economy is very dependent on the employment of railway workers. The fettlers who look after the rail line between Goonyella, or even further west than that to Peak Downs and back to Hay Point are an excellent group of people. They do excellent work. I have actually been on the line with them. They use very innovative processes to repair the line and track where there are bogholes. It looks as if those people are going to be put on contract.

Queensland Rail's driver-only operation is going to severely deplete the number of drivers required to run Queensland Rail trains. A lot of railway workers have actually bought houses in Sarina—Queensland Rail houses, and now it looks like they are going to lose their jobs. What a great disaster that is for the place! With the downturn in the sugar industry, this is the last thing we need.

I was chuckling to myself this morning when the Premier was talking about how many jobs his Government has created. I can tell him that he has lost about 100 out of QR, one of the Queensland Government owned corporations. If the Government cannot even look after them, if it cannot even employ its own workers, how the hell is it ever going to make sure that our small towns continue to exist? The same thing happened last time Labor was in Government, when Queensland Rail shed hundreds of jobs in Sarina.

I move on to councils. Over the past three years the weather conditions in Mackay have been severe and we have seen a deterioration in the condition of the roads, the repair of which is not being funded by Government oriented—

Mr Mulherin: What about the Federal Government? What about your Federal mates?

Mr MALONE: The member for Mackay would know that the TIDS program is coming through the Queensland Government.

The sugar roads are deteriorating. No work is being done on them. When we left Government there was a promise that we would look after the sugar roads in Sarina and district, but that is not happening. This Government has not spent one iota—not one cent—in the Mackay district on the sugar roads. Yet it expects us to believe that it is looking after Queensland and looking after Mackay! We have dangerous roads all round the place.

Another issue that needs to be raised is Dalrymple Bay. Over a long period Dalrymple Bay has not paid rates—it has not paid the general rates; it has not paid anything. There has been plenty of contact with David Hamill in respect of making that happen. The Sarina Shire Council is $400,000 behind the eight ball, yet this Government continues to not recognise that fact and Dalrymple Bay continues to not pay rates.

Turning to education, I point out to the Minister for Education that this year because of the day eight enrolments, nine of my schools lost one teacher simply because they were one or two children short of the day eight enrolment minium. That is not good enough. At Finch Hatton—and I am sure that he is well aware of this—when there is a heavy downfall of rain, water runs down the light fitting in the classroom. If I had not raised this issue, I am sure that the hole in that roof would still be there. I see that the Minister is on the phone. That is great; he will find out what the position is.

Mr Wells: No, not at all. I'll answer you now, if you like.

Mr MALONE: The Minister can answer me when it is his turn to speak. The preschool at Marlborough State School is one child short of reaching the minimum for enrolment. The nearest preschool is at The Caves or at Carmila, which is over 100 kilometres away, yet this Minister and this Government cannot find the money to ensure that the Marlborough State School is able to open its preschool. The facilities are all there waiting to be opened, yet this Government cannot fund it. I need to speak to the Minister about that. That is not right.

We have the difficult problem of drugs in Mackay. The problem—and the member for Mackay would be well aware of this—is that a lot of crime is related to drugs. The police in Mackay are certainly trying to control it, but it is not good enough. I have written to the Premier in respect of trying to run a drug court in Mackay, and I will table the letters if necessary. There are three drug courts on trial around Brisbane for 30 months, all within about 100 kilometres of each other. That is a great help for places such as Mackay!

People in Mackay are agitating for the Government to do something about this. It

walked away from providing funding for the Life Education Centres. People such as Geoff Woods are trying very hard to make sure that the drug education van in Mackay works, but it is all based on volunteers. No more does this Labor Government fund drug education in Mackay. Big deal! We need detox units and a rehab unit. In conjunction with that, we certainly need a drug court.

The effort that goes into making places such as Mackay work—

Time expired.

Mr SPEAKER: Order! Before calling the member for Hinchinbrook, I recognise in the public gallery overseas international exchange teachers and also Queensland international exchange teachers. Welcome.

Mr ROWELL (Hinchinbrook—NPA) (6.07 p.m.): It is good to see them here. I rise to second the motion moved by the member for Mirani. I wish to place on record the tremendous support provided by the National/Liberal coalition to help the sugar industry recover from one of its worst ever downturns via the Commonwealth's sugar assistance package. The package delivered $83m of direct assistance through hardship relief and interest subsidies to access up to $400m in finance for crop replanting. The totality of the Commonwealth's package showed how seriously the coalition regards the situation and the level of commitment to assisting the industry to recover.

The Queensland coalition, at both a State and Federal level, has had to deliver this package. We understand how difficult things are in regions such as Mackay, and it was quite important that we delivered that package. The industry has criticised the Beattie Government's claimed $10m loan scheme as inadequate—and rightly so. Minister Palaszczuk has already been forced to amend it because no-one could access it.

There is little substance behind the froth and bubble of the Beattie scheme. The 6% interest payments were waived in the first year. Supposing the full $10m was borrowed in the first year, that was worth $600,000. For the next two years interest is payable, and the Government's contribution is the difference between the 6% interest rate and the going commercial rate of about 8%—$200,000 for each of those two years at a full uptake. On a best-case scenario, the Beattie Government is contributing $800,000 in assisting the industry recover from one of its worst downturns—a lousy $133 for each of Queensland's 6,000 canegrowers, which is less than 1% of the Federal coalition Government's package.

The Beattie Government is doing nothing about assisting the sugar industry in this State. The paltry package presented by this Government shows what little regard it has for primary industries in this State when major problems occur. However, the Mackay area was very badly affected and the Mackay cooperative decided to do something about assisting farmers. There was a major problem in Mackay with regard to orange rust, which was proving disastrous for the industry in that area. Some crops consisted of 100% of the Q124 variety. This variety is very susceptible to orange rust. Of course, many farms had over 50% of that variety as its crop. Levels of that variety throughout other regions of north Queensland are as high as that, if not higher. The State scheme was absolutely ridiculous. The Mackay cooperative did something about it. It had no option but to put together a package which would assist farmers in replanting their crops.

However, that is not the only problem throughout the north and in Mackay, because rats are also a major issue. In order to solve this problem we traditionally use baits, and thallium baits have been used in the past. Over the past few years, natural predators have also been considered, such as owls. It is interesting to note that the owl is the predator of the mahogany glider, an animal held in high regard and one reason why a lot of properties have not been cleared in north Queensland. Farmers then began to use the chemical Klerate. However, that proved to be detrimental to the health of the owls and its use has subsequently ceased. They then used a product called Racumen, but there have been problems with that chemical in complying with requirements. This situation has been extremely difficult, because at the moment the industry is in the process of obtaining approvals to ensure that that chemical can be used in the future.

Greyback cane grubs are another problem which is devastating the industry from Innisfail in the north to the Mackay region. I have written to the Minister for Primary Industries in relation to this problem. Additional funding is needed for both the rat problem and the greyback cane grub problem. Yes, the State does give some money to the BSES, but that money is inadequate when there are major outbreaks of pests and diseases.

Time expired.

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Education) (6.13 p.m.): I move the following amendment—

"Delete all words after 'That' and insert the following—

'this House acknowledges the commitment of the Beattie Labor Government to regional and rural Queensland and in particular the capital works budget for the Mackay region which this year totalled over $217m dollars.'."

The Beattie Labor Government is spending serious money on improving and building new educational facilities in Mackay. My department is providing more classrooms, amenities, staged development and infrastructure work at a total cost of more than $5m in this financial year alone. At Eimeo Road State School we have begun the Stage 1 redevelopment of the site—the construction of an administration block, classroom blocks, amenities block, covered play area and car park. This is currently under construction at a cost of $2.6m. Stage 2, which is the construction of the second unit of the preschool, is currently in the planning stage and is estimated to cost $700,000.

At Glenella State School construction of the new preschool is to proceed this financial year. This is Stage 1 of the master plan for the site and is estimated to cost more than half a million dollars. At Hampden State School we are constructing a replacement amenities block. This is under construction at a cost of more than a quarter of a million dollars. At Mirani State School we are also constructing a replacement amenities block. This is in the planning stage and will go to construction later this year at an estimated cost of almost $300,000. At Eton State School we are providing an additional two classrooms to meet enrolment growth at a cost of $250,000.

At Marian State School we are also providing an additional two classrooms to meet enrolment growth at a cost of $250,000. At Victoria Park State School we are providing additional classrooms to meet enrolment growth at a cost of $160,000. At Mackay North State School we are installing an electronic security system at a cost of $38,000. At Pioneer State High School we have replaced rusted roof purlins in the covered area at a cost of $60,000.

Mr Mulherin: The member for Mirani never did anything about that.

Mr WELLS: Yes, the member for Mirani never did anything whatsoever about that. Indeed, it was necessary for the member for Mirani to be informed about it.

Mr Malone: We expected you to fix the roofs up like you did with Finch Hatton.

Mr WELLS: I am terribly sorry to interrupt the member for Mirani during the speech he is making. However, I would point out that he did not have enough material to fill up his own 10 minutes in the debate. He should not try to poach some of my time. As they say on the ads: wait, there's more. The installation of airconditioning under this year's round of Cooler Schools Program is about to begin. Airconditioning will be installed in 28 schools in the Mackay region at an estimated cost of $7.7m. The elements of the program include the completion of the installation of airconditioning at full State cost in resource centres—libraries—in all schools in the area. This is estimated to cost more than $1m. Each school site will require some upgrade to their electrical system to cater for the operation of the airconditioning system. This is estimated to cost $2m. The subsidy component of the project that allows parents and citizens associations to access a State Government subsidy on the cost of installing airconditioning in classrooms is estimated to cost almost $5m. But there is still more!

This Government has honoured its commitment to the first ever purpose-built regional conservatorium in Australia. I acknowledge the long representations of the member for Mackay towards the establishment of that superb conservatorium. In 1998, this Government made an undertaking to commit $3m to the new building. That commitment has now been honoured. After full investigation, the new auditorium will be located at the university campus of the Central Queensland University. I have announced a number of other planning projects, including the fact that Mackay State High School and Mackay North State High School will both receive $3m each through the Secondary Schools Renewal Program—$3m to each of those schools.

The Government is planning a new school at Eimeo, which is north of Mackay. It is planned to open in 2002 or 2003, depending on the outcome of the current public consultation process. The estimated cost of Stage 1 is $10m. The approved community consultation is under way. Public meetings have been held with the Eimeo Road school community, which 80 people attended, and with Bucasia, which 30 people attended. Also, staff at Pioneer State High School and Mackay North State High School will be consulted, as will representatives of local indigenous communities. More meetings are to be held with staff and with P & Cs. By the end of this year, the community consultation should recommend to me a preferred option of the

type of school and most appropriate opening date. This Government is doing lots.

Time expired.

Mr MULHERIN (Mackay—ALP) (6.18 p.m.): It is a pleasure to rise to second this amendment. In so doing, it points to the sharp contrast between the Beattie Government and the Borbidge-led Opposition. It is the positive versus the negative. It is new politics versus the old way of doing things, the old way which people in the community are thoroughly sick of—opposition for opposition's sake, whingeing and whining for whingeing and whining's sake. In the debate tonight we heard from the members for Mirani and Hinchinbrook. It is amazing that the member for Mirani has not been critical of his Federal colleagues. The Deputy Prime Minister announced major funding under Federal infrastructure packages in the last budget. Not one dinar was spent on roads in the Dawson electorate.

Mr Nuttall: Not one dinar.

Mr MULHERIN: No, not one dinar. What the Beattie Government has been doing in the Mackay region features a record $217m capital works budget, which includes $915,000 for Queensland Heritage Trails; almost $7m for the vision for Airlie Beach; $3m for the new conservatorium at the CQU; $1.4m for water; $12m for the courthouse modernisation program; $6m for health; $2.6m for the water police at Airlie Beach and a new police station on the northern beaches; more than $24m in electricity projects; $23.7m in road projects; $107m for projects in Queensland Rail; an upgrade to the Mackay Airport and sea port; and, of course, the upgrade of the port corporations at Dalrymple Bay. In Education, what is being done now and what is proposed adds up to about $36m. This includes a new school at the northern beaches. Also, $10.8m has been spent in Housing. This is a record achievement.

Achievements have also been made in our treatment of the primary industries that have sustained the Mackay area, such as the sugar industry. It was the Queensland Government that first came out with a package to help struggling sugar producers. In doing so we helped the entire industry—the producers, the millers and those who work in the mills. Our package stung into action a Federal Government that knew what the problems were yet refused to act. It knew about the problems of high interest rates. It knew about the problems created by the GST, by rising fuel prices, by the fact that c.c.s levels were down and by the fact that the sugarcane was rotting in the ground and the rodents had infested some of the sugarcane. Yet it did nothing. It was the positive approach of the State Government to the entire industry that stung the Federal Government into action.

We saw swift action here at the State level. Our scheme is not contingent on commercial lenders, as the Commonwealth scheme is, nor is it tied to an industry rationalisation by Canegrowers, as the Federal Government has demanded. It is interesting that the Federal Government—the member for Mirani was the State president of ACFA—has excluded ACFA from the restructuring. It is talking only about the Canegrowers organisation. It does not understand that the industry is made up of canegrowers, millers and mechanical harvesters. Under the Queensland Government's $3.8m annual investment in the Bureau of Sugar Experiment Stations we are funding a variety of projects that will benefit Mackay—for example, there is work on attacking the rust and rat problems—as well as drive new developments in the industry.

The motion moved by the Opposition today is nothing more than a bit of catch-up politics for the fact that it has been caught out, flat-footed, in an inappropriate response by the Federal Government to the problems in the Mackay area. We will continue to closely monitor and work to address problems in the sugar industry as it emerges from a difficult period.

I will turn to another positive aspect. During the last sittings I mentioned in this House the value adding taking place in the meat industry. What did I find when I undertook a recent inspection at the Mackay meatworks? There is a demand for more labour there. Tremendous value-adding opportunities are being seized there. The Queensland Government is ready to assist with providing further training programs. The Meat Industry Task Force is actively working on that. It is working on tourist industry jobs as well.

This Government is also working on developing that magnificent mango processing plant in the Mackay valley, in the electorate of Mirani. The Opposition never wants to talk about it. Markets have already been found. A manufacturer in the region, Godfrey O'Neill, has found markets in Singapore and the Middle East for what is an outstanding product. I call on the State Development Minister to make sure that officers of his department are up there helping to make sure

that the operation can create further jobs in the Mackay Pioneer Valley.

It is absolutely pointless to sit around waiting for the Opposition to come up with any ideas. In all the years Mr Borbidge has been Leader of the Opposition he has never won a general election and he has never come up with a new idea to develop jobs in regional Queensland. That is the contrast between the Opposition and this Government. The challenge now is for the Opposition to come up with plans for Mackay and the rest of regional Queensland.

Miss SIMPSON (Maroochydore—NPA) (6.22 p.m.): There is a growing concern in the public health service, particularly in the Mackay and district area, about the quality of health services and, most importantly, the adequacy of funding available to those health services. My colleague the member for Mirani has stood up for the health workers and for the consumers of health services in that area. For that he has been personally attacked by the Health Minister. He has not received a constructive response to the very real concerns being expressed by the community.

What we are seeing across the State, and certainly in Mackay, is that more and more health workers are under increasing pressure—as they see that their budgets are inadequate to meet the responsibilities of their jobs and as they see people in pain and discomfort, unable to access services at this major regional base hospital. Under the code of conduct this Government is enforcing, if these health workers were to speak out they would lose their jobs. They are in fear of speaking out about what is really going on in the health services. When the member for Mirani stands up on their behalf, as their voice for the community, the Minister's response is a personal attack.

Our message to this Minister and this Government is that they are making the same mistake that the Goss Government made. The Government is making the same mistake in the way it is managing—or mismanaging—public health services. If the Government does not enter into a proper partnership with the community and health professionals and create an environment in which health workers can deliver quality care and ensure they are not operating in fear of being sacked if they dare to speak out about cutbacks in services, it will see more and more people leaving the very proud public hospital system. That is what is happening.

When specialists and highly qualified health professionals, be they qualified nurses in certain specialised areas or other workers, start leaving the public hospital system, as they are certainly doing in Mackay and other areas, it is very hard to attract them back to the public health system. What does this Health Minister do? She then attacks the specialists and the lack of access to those qualified staff and says, "We can't get the staff. Therefore, we cannot supply the service." That is the real shame of what this Government is doing. It is taking these people out of the system. The people who are losing are those who need access to the public hospital system.

There has been a loss of specialist services from Mackay. What is very worrying is the ongoing situation in the intensive care unit there. I understand that there has been an explanation from the district manager that some of this is temporary, during the redevelopment, but the concerns of the staff are persisting. They say they are concerned that the level of intensive care services previously in place will not be able to be continued. There are many different levels of intensive care practice, but it is linked to the level of service that that hospital will be able to deliver in the future. Once we lose staff with those very specialised skills, be they intensive care nurses who have operated at a high level or others, we will see those patients moved out to Townsville and to other hospitals. As that happens, those staff will become increasingly difficult to replace.

The code of conduct that this Government is enforcing is a real weapon of fear and intimidation. It is a frustration for many health workers. This is why we have seen the AMA move with its report card on the public health system throughout Queensland. It recognises that the story coming out of the mouthpieces of bureaucracy and the Health Minister about the state of the public health system is very different from the story the workers are telling.

Disappointingly, the member for Logan's attitude is to attack the messenger again. He sent a hate-filled message to the doctors who are speaking out. I say to the member for Logan: those doctors care about their patients. He seems to dislike more than just the doctors. He also seems to dislike a range of lower paid, casual workers who are seeing for themselves the problems in these hospitals.

Mackay is a major regional centre. It deserves adequate funding. It is not getting it. More than that, the partnership that is needed with health professionals, to maintain them within the public hospital system, has broken

down because this Government cannot manage it and is not interested in keeping them in the system.

There is also a concern about the lack of adequate funding for the renal unit—that only 10 dialysis places were funded by Queensland Health. I understand that, currently, the base hospital is treating 14 patients under extreme funding difficulty. It is causing difficulties for people who want to be treated in their local community or who want to move back into their local community. There is great pressure on them to relocate to other communities in which those services are available. Mackay needs to have that growth funding available to ensure that there is adequate funding to deal with those renal patients well into the future. It needs to be recognised that some of these people are not able to enter into home dialysis. It may be appropriate for some, but for others—

Time expired.

Mr NUTTALL (Sandgate—ALP) (6.27 p.m.): I am pleased to be able to participate in the debate this evening. I spent some time living in Mackay. I actually bought my first house there and one of my children was born there, so I have continued to have a keen interest in it. Actually, at one stage I nearly decided to settle in Mackay.

It is disappointing to see the motion put before the House by the honourable member for Mirani. I will highlight some of the services provided to the district by the Beattie Labor Government. I will first address the urban and auxiliary fire services. This Government has commissioned a new fire appliance at the northern beaches auxiliary station, to the value of some $240,000. We have commissioned another fire appliance at the Sarina auxiliary station—I think that is in the honourable member's electorate—to the value of some $240,000. A new fire appliance has been commissioned at the Airlie Beach station, again for a similar amount of money. We have provided technical rescue equipment for the local firefighters to the tune of some $30,000. In addition to that, this Government has spent $20,000 on the upgrade of the Mackay Fire Station.

In relation to rural fire services, we have allocated $30,000 for land purchase in the Halliday Bay/Ball Bay area. A light attack fire appliance has been commissioned for Marian, valued at some $47,000 plus. Again, this is in the honourable member's electorate. Another light attack fire appliance has been commissioned at the town of Seaforth to the tune of some $47,000. In Sunnyside—again in the member's electorate; this is the member who is saying that we are not spending any money—$57,500 was provided for a fire appliance. On and on the list goes.

I turn to ambulance services. There is a new ambulance station at Nebo costing $70,000. Guess where that is? In the member for Mirani's electorate! There is a new ambulance for the Mirani area itself costing $214,000. It is difficult, from my point of view, to listen to the member claim that we are not pouring money into the electorate in terms of services.

The volunteer marine rescue boys in Mackay have received $30,000 for a new operations centre and $86,500 for a new 10-metre Cougar Cat vessel.

Mr Mulherin: They do a great job.

Mr NUTTALL: They do a great job, and I acknowledge that. I have a volunteer marine rescue organisation in my electorate. I know that the honourable member for Mackay worked very hard to secure the funding for that Cougar Cat in Mackay.

I turn to the counter disaster and rescue service area. We have provided some accommodation subsidies: in the Mirani Shire, $15,000; in the Nebo Shire, $17,000—again in the honourable member for Mirani's electorate. A flood boat was provided for the SES in Nebo costing $18,000—again in the honourable member for Mirani's electorate. I do not think that is a bad outcome for an electorate, particularly when the member stands in this House tonight and alleges that we are not supporting the district in any way.

What about the funding we are providing for police in the Mackay district? A police shopfront opened in the Canelands Shoppingtown in December last year. The shopfront has been successful in reducing problems with youth. In addition to that, Slade Point now has a Police Beat which was officially opened in July last year. Again, that is having a significant impact. The beat officer operates from an office/residence complex. The beat covers Slade Point, Lamberts Beach and areas of the Mackay Harbour. It has had a major impact on crime in the district.

Mr Horan: Have you got the figures on the reduction?

Mr NUTTALL: The shadow Minister for Police is interjecting and saying that we are not doing enough. There was $150,000 to begin documentation for a new $2m, 24-hour police station at North Mackay. That station is expected to be centrally located and will accommodate both uniformed and plain

clothes officers. There is $400,000 for a new home for the Whitsunday Water Police at the Able Point marina. This means that the water police in the Whitsundays will have easy access to the hub of activity that is the centre of the Whitsunday region. These regions certainly are big winners under this Government.

Hon. V. P. LESTER (Keppel—NPA) (6.32 p.m.): The refusal of this do-nothing Beattie Labor Government to undertake any new water infrastructure projects in this State will, by the time the next State election rolls around—whether it is sooner or whether it is later—have set Queensland back by two or three years. This is a blinkered and illogical refusal that is costing this State opportunities to create jobs, diversify into new industries and support the continued development of existing industries.

The Beattie Government went to the election on a jobs, jobs, jobs platform. The Premier said he wanted his Ministers to wake up every morning thinking about jobs, jobs, jobs. But the Minister for Natural Resources must wake up every morning thinking how best he can destroy jobs, jobs, jobs, because this Minister and his Labor Government have presided over a freeze on water infrastructure development that would embarrass the ice age. With the passage of the new Water Bill just this afternoon, the Beattie Government has embarked upon another campaign to stymie investment and job creation in the industries and the regions of this State that depend so heavily on water.

No area in this State has felt the Beattie Government's dead hand on water development more than the Mackay and Whitsunday regions. This area is a jewel in the primary industries crown of this State. It is renowned for its sugar production, its mining industry, its beef industry and its horticultural industries. This area contributes so much to the State already but has the potential to contribute so much more. It has the natural resources, it has the climate, it has the expertise and it has the work force. But what the Mackay and Whitsundays regions need to unleash their true potential is water, a precious resource that the Beattie Labor Government will deny the area.

The former coalition Government recognised the potential of the Mackay and Whitsundays regions, and we recognised the need for more water in those regions. In the $1 billion water infrastructure implementation plan, a raft of projects, large and small, featured as Category 1 priorities. There was the 200,000 megalitre St Helen's Creek dam at Mackay. It was cancelled even before a feasibility study had been completed and the WAMP process had commenced. The 36,000 megalitre Finch Hatton dam at Mackay was also cancelled before any feasibility studies had been completed. The 1.5 million megalitre Urannah dam was stalled. The extension of the long-awaited Elliot main channel was dumped. I simply say: properly constructed, dams mean more jobs and primary and second industry expansion. Nothing much happens if there are no dams. One needs only to look at the Fairbairn Dam and other dams to see evidence of that claim.

These were all big projects. What about the smaller but no less valuable projects? We have the story of the O'Connell River weir. That was a proposal to provide 6,000 megalitres for irrigation for the local sugar industry. It would not have even cost the Government $1m to build the thing and start supplying much-needed water for local farmers. It was a project that local canegrowers could not get the Goss Government interested in either, so they put up their own hard-earned money to investigate its feasibility. But this job-destroying Minister, with one stroke of his pen, killed off the O'Connell River weir. He wrote back to those farmers with a list of reasons why it could not be done, reasons that his own department had not even identified as problems.

Since the election of the Beattie Government, every single one of these projects has either been axed, deferred or disappeared. The member for Mackay and his Government should hang their heads in shame, because they have done nothing to provide the water that the people so desperately need to develop their industries and to create jobs. The Beattie Government is a do-nothing Government for Mackay and the Whitsundays. It does not care about the district. It thinks it can win the seat of Mackay again. I have news for the Labor Party: it will not win the seat of Mackay again. It is a fact that this Government does not understand the needs of country people. If country people are not making a profit, if regional people are not making a profit—

Time expired.

Mr REYNOLDS (Townsville—ALP) (6.37 p.m.): I speak tonight in support of the amendment. As the Premier's Parliamentary Secretary in north Queensland, I visit Mackay regularly, and I do not agree with the harping, the negativism, the whingeing and the whining of the shadow Ministers.

Opposition members interjected.

Mr REYNOLDS: Listen to them whining and whingeing now! They do not have a positive bone in their bodies, and they know it.

Let us talk about some of the positive economic development that has occurred in Mackay since the Beattie Government has been in power. Let me concentrate tonight on some key transport infrastructure, some roads and port development that the shadow Ministers know have occurred, because they have been the result of positive and proactive action by the Beattie Government.

Let us talk about the Mackay Port Authority first. With the Mackay Port Authority we have seen a $26m sugar wharf redevelopment take place that has enabled Panamax vessels to use the Mackay port. The whingeing and the whining from coalition members and by the Independents and One Nation experts up the back does not decry at all—

Mr BLACK: I rise to a point of order. I am not an Independent and I am not a member of One Nation. I would like the member to know that I am a member of the City Country Alliance.

Mr SPEAKER: There is no point of order.

Mr REYNOLDS: I was not referring to the member for Whitsunday. I do not know why he is so sensitive in that regard.

The sugar wharf redevelopment was a $26m investment. We can be proud of that and so can our shareholding Ministers, Steve Bredhauer and David Hamill. Let us look at the marina development. An amount of $10m was spent by the State Government and $6m by the Mackay Port Authority. This $16m has led to a massive private development of $150m. The Point Binli development on its own is going ahead with a 200-bed hotel, marina, bars and restaurant and a 500-seat auditorium. It was not mentioned by the member for Mirani because he is only interested in the negativism and the whingeing and the whining that we know so well.

Look at the East Point development, which is an international tourist and residential development, again with a 200-bed motel. Unlike the member for Mirani, the member for Mackay is working positively with that community and with business and tourism operators. Recently, the member for Mackay convened a meeting in Mackay attended by 70 tourism, business and community stakeholders in regard to the Connors Clark Range and tourism opportunities. Rather than the whingeing and the whining that we hear from those opposite, what we are seeing from the member for Mackay is proactive and positive action.

Queensland sugar production increased by 40% in the eight years to 1997. It was predicted to expand a further 30% over the subsequent five years. We know that the low price for sugar on the world market has led to a reduced amount of expansion in the sugar industry. We can hear the shadow Minister for Police. He will blame the Beattie Government; he will blame anyone. We know that since 1996 over $60m in State funds has been programmed for sugar road projects that provide direct benefits to the sugar industry. An amount of $50m has been spent on other State-controlled roads and $11.6m has been directed towards local government roads through the Transport Infrastructure Development Scheme. This includes in excess of $6m on those roads identified as being significantly impacted upon by sugar expansion in the Mackay area.

This is about jobs; this is about being proactive in regard to development. An examination of the table of road expenditure should cause the member for Mirani to hang his head in shame, as should the entire Opposition. During the term of the Borbidge Government $37.7m was spent on State-controlled roads in the Mackay region. Under the Beattie Labor Government, $55.2m has been spent—almost a 50% increase. That low expenditure of those opposite is a result of their negativism, their whining and their whingeing. This Government, the member for Mackay and the team that works with him are about positive economic development. It is not about carping, whingeing and whining. The member for Mackay is working with the Mackay City Council, the Mackay Regional Economic Development Corporation and with the community to ensure that positive development and jobs growth occurs. That can occur in the tourism industry. Where the sugar industry may have its downturns, let us look at major industry. The meeting that was convened by the member for Mackay a few weeks ago is a catalyst for more to come. It is about jobs growth. It is about positive economic development in this climate. We will get on with the job rather than indulge in the whingeing and the whining that the Opposition has.

Mr BEANLAND (Indooroopilly—LP) (6.43 p.m.): All we have had this evening are the apologists for the can't do Beattie Labor Government and that, of course, commenced with the Minister for Education. What we have had this evening is a litany about this and that but nothing about jobs, jobs, jobs, nothing

about generating growth in the Mackay area at all, and no guarantee for the railway jobs in Mackay, Sarina and the surrounding area. There has been not a word about jobs, not a word about investment, which leads to the creation of jobs—not a word at all. Instead of that, all we have had is talk about what the Government might have done or might not have done. We have heard nothing at all about jobs. Of course, we know that this Government is great at carrying over its capital works projects. The Minister never mentioned how much of the capital works budget was again carried over. There was not a word about guaranteeing the jobs of the Sarina railway workers—not a word about that at all from any of the speakers on the other side.

The Government, of course, is very silent on this issue, as it has been in the past when it has cut the jobs of railway workers. There has been not a word about the opportunities that would have come to the Mackay region had the new dam, the Elliot channel and so forth been constructed—not a word at all. In fact, the projects have been scrapped; the whole issue has simply been papered over as the Government moves on and talks about something else and tries to create a diversion. This Government is very good at creating a diversion, but it is not very good at creating jobs, jobs, jobs. It has failed to do so again in the Mackay region.

Speaking of diversions, I should say that it has also failed to establish a diversionary drug court in the Mackay region. I mention that because Mackay is one of the worst parts of Queensland for drug issues and drug problems. The State member, my colleague the member for Mirani, has been asking the Premier all year to trial a diversionary drug court in the Mackay region. All the drug courts are being trialled here in south-east Queensland, within a short distance of Brisbane; there is nothing in the Mackay region.

Drugs is one of the major issues of concern in society. They are associated with crime, a major problem in the region. I notice that there has again been discussion about police from the other side of the House, but there was no talk at all about the fact that the Mackay district has one police officer for every 697 people, while Rockhampton has one police officer for every 548 people. People are considerably better off in Rockhampton than they are in Mackay. We did not hear a word about that. It was all about trying to create some other perception.

Of course, police numbers in the Mackay region have been reduced, despite a steady increase in drug-related crimes in the area. This is what people are concerned about—the fact that the crime rate has been going up and there are drug-related crimes occurring within the Mackay region. The member for Mirani, Ted Malone, has been vigorously trying to get a diversionary drug court established there. There have been a number of public meetings highlighting the fact that there is a lack of detox and rehabilitation facilities in that region, which has one of the worst drug problems in Queensland. These people know that if they had the opportunity to get on top of some of these problems associated with drugs, the whole region would be much better off.

It was this Government that recently abolished the Life Education program, which was serving such a great purpose in the Mackay region also. Even before that, Queensland was well down in the expenditure per student. The independent figures show that Queensland was spending some 50c per student compared with $10 per student in Victoria. They are the independent figures, not the Opposition's figures or the Government's figures. So the Life Education program was scrapped, and nobody had a bigger role to play than the Minister for Education, the first speaker from the Government on this debate.

The very important issues are glossed over or brushed aside. That is a major concern, a major issue, in the Sarina area. I will look at other issues. The sugarcane farmers have been dudded. They get $800,000 worth of benefits from this Government, compared with $83m of benefits from the Federal Government. Approximately 25% of Queensland's sugarcane farmers are in the Mackay region. So this Government has certainly dudded the Mackay region in the assistance provided to sugarcane farmers.

The same situation applies to the Mackay Hospital, as the member for Maroochydore indicated. We had the debate last night about the cutbacks right across-the-board, particularly cutbacks in services and staff, which puts increased pressure on staff who remain, and the closing down of many of the services that had previously been provided in our hospital system.

Dr CLARK (Barron River—ALP) (6.48 p.m.): This morning the Premier accurately summed up the difference between the Government and the members opposite; you whinge and we work. You whinge; we work. How right the Premier was! We have

another example with this debate tonight. You whinge; we work.

Last weekend I attended a function at the Barron Valley Gym Club, which is in my electorate, when two wonderful young gymnasts, Kristine and Michelle Whitty, were presented with their life memberships. Members opposite might wonder what that function has to do with this debate here tonight. I will tell them. That gym club has a banner on the wall that reads, "Wishing won't, working will." They have got the message and we know what actually makes a difference to the delivery. It is work.

I want the member for Mirani to take back the advice to the Leader of the Opposition that he should have a banner in his office that says, "Whingeing won't, working will." If the Leader of the Opposition actually took notice of that message the people might start to take him seriously, but I really do not think that is possible.

It really does not matter that the members opposite laugh, because we are getting on with the job of delivering services in regional Queensland. We are spending the money outside the capital city and getting services into regional Queensland. I refer to the Mackay Hospital. This is a concrete example of service delivery, not the wishy-washy stuff that we heard from the member for Maroochydore.

In April this year, the $28m redevelopment of the Mackay Hospital passed another important milestone with the official opening by Premier Beattie of the refurbished emergency department and the allied health department. This redevelopment was part of Labor's $2.8 billion Statewide health building program, which is due for completion in March next year. These are real achievements. Thanks to Labor, the following areas are now complete: pathology, the mental health unit refurbishment, a new car park, civil roadworks, a refurbished kitchen and laundry, a new medical records area, a new child and adolescent in-patient unit, a women's health in-patient unit and women's and children's outpatient clinics, refurbished ICU and CCU units—and I will come back to that in a moment—refurbished theatre areas 3 and 4, a refurbished day procedures unit, and a refurbished medical imaging department.

What do we have in progress? Plenty of things are happening at Mackay Hospital. The members opposite do not want to acknowledge them, but they are happening. The western medical and surgical ward refurbishment is due for completion on 2 November. The eastern medical and surgical ward refurbishment is to commence on 9 November, to be completed in February next year. Contrary to the rumour mongering of the member for Mirani, the refurbishment of theatres 1 and 2 is due to be completed by the end of the month.

An important point to make relates to the ICU and the rumour mongering, lies and inaccuracies that have occurred. The redevelopment of the Mackay Hospital has provided a single combined 11-bed intensive care and coronary care unit. That has replaced the separate six-bed ICU and four-bed CCU. But that is not a downgrading. The member opposite just has to get that into his head. However, nothing is going to convince him.

A Government member: Bigger and better.

Dr CLARK: It is actually bigger and better. It provides a better service to those patients. The members opposite just do not seem to be able to get into their heads what is really happening.

Other work being undertaken at the Mackay Hospital includes the 15-bed aged care unit, including rehabilitation facilities. Did not the member for Toowoomba South, when he was Minister for Health, promise a 90-bed aged care unit?

Mr Mulherin: And the member for Mirani.

Dr CLARK: And the member for Mirani. They made that promise knowing full well that they could not deliver, because there was not the money that they needed from the Federal Government. They went out there promising things, but they just simply could not deliver them.

All of these positive things have been happening because the people of Mackay have a great local member. He is out there working hard. Tonight, we have heard about problems with drugs. The member for Mackay has actually done something about that. He has formed a steering committee which is working actively with Government agencies and non-Government agencies. That committee is going to prepare a model drug strategy.

A Government member interjected.

Dr CLARK: He is an excellent member, because he gets out and does the work. He knows what needs to be done.

Mr Nuttall: He works.

Dr CLARK: I thank the member for that interjection. That is absolutely right.

Question—That the amendment be agreed to—put; and the House divided—

AYES, 42—Attwood, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Fouras, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 40—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, 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, 42—Attwood, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Fouras, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

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

Resolved in the **affirmative**.

Sitting suspended from 7.02 p.m. to 8.30 p.m.

VEGETATION MANAGEMENT AMENDMENT BILL

Second Reading

Resumed from p. 3155).

Mr BLACK (Whitsunday—CCAQ) (8.30 p.m.): Tonight I rise to speak to the Vegetation Management Amendment Bill. This Bill is the direct result of the ineptitude of this Government and the Premier in particular. The Premier decided that he could outsmart the Federal Government and get it to pay for his grandstanding to the greenies on vegetation management, and so he set about introducing draconian vegetation management legislation.

The original Bill was draconian and this one is no less so. It still gives virtually unlimited power to the Minister and his lunatic greenie mates. Nothing has changed except that they have backed away from one small part of their grab for land. All they are backing away from is the part of the legislation relating to of concern areas, which the Bill defines as "vegetation communities that have between 10% and 30% of their original distribution intact". For a start, just how are the Minister's little minions going to work out how much of a particular vegetation type existed in the first place? Next, how come the Minister and his greenie mates can get to say whether a farmer and his family are allowed to stay on their land? That is what it comes down to. The only reason most farmers clear extra land is to try to survive; to try to feed their families and the families of the people who may work for them.

Of course, that does not matter to the Labor Party. They could not care less about farmers and rural workers, because these are not the people who would ordinarily vote for them, anyway. The trouble with the modern Labor Party is that they do not care about anybody accept themselves and the big businesses they rely on to line the party's pockets with pieces of silver. The Labor Government of today has about as much sympathy for the workers of Australia, be they in the bush or the city, as Genghis Khan had for the tribes he vanquished. The Labor Party of today is all about power and influence and has nothing to do with democracy and the people. Even if there were some members opposite who had an understanding of the consequences of their actions, they would be prevented from exercising their vote responsibly by the totalitarian party machine to which they belong.

This Bill is not going to solve the problems that the bush has with the principal legislation. It does not address those concerns at all. It is simply this Government's way of gaining some breathing space between launching another frontal attack on the rights of freehold title holders in this State. The only way this Government is going to address the concerns of the people in the bush is to back out of this foolhardy piece of legislation altogether.

I recall that, in his address to the House on the original Vegetation Management Bill, the member for Fitzroy attempted to put the point of view that Queensland farmers should not have the right as freehold title owners to manage their land as they see fit, because—

> "... land-holders in other States had these same expectations and carried out the management of their land in the same way as some of our land-holders now do in Queensland. Those State are now

facing massive land degradation, salinity and erosion."

What the member for Fitzroy is saying, in effect, is that the land-holders he pretends to represent are incapable of making decisions based on up-to-date knowledge as to how they should care for and manage their properties. The problems that are being experienced down south are as a result of land management programs designed in ignorance. Yes, there is a potential for some Queensland land-holders to get it wrong. But surely it is the proper role of Government to provide education, guidance and incentives through the various Government departments and advisory bodies that it has at its disposal.

Bodies such as the Department of Primary Industries have traditionally provided the communication and information link between Governments and the people of the bush. This same department, by whatever fancy name it is now currently known, was in the past one of the major influences, if not the major influence, in favour of land clearing in the State. This is not a criticism of the department or its officers. They acted in good faith and gave advice on the basis of their knowledge, which was state-of-the-art for its time. They were in a position to provide a positive influence over the land management practices of farmers in their sphere of influence. In those days people were urged to clear land, and financial incentives were provided to assist land-holders to do that. In addition, many leaseholders were forced to undertake large-scale tree clearing as a condition of their lease. Now it seems to me that since those times and with the advantage of 20/20 hindsight Governments have decided that large-scale tree clearing is perhaps not necessarily the optimum form of land management.

Having arrived at this conclusion, Governments have scrambled for the moral high ground and conveniently forgotten that their predecessors were at least equally responsible for whatever undesirable consequences have come to pass as a result of their policies. Why can this Government not accept that if it can adapt to changing times and circumstances, surely the most efficient farmers on this planet can also be expected to recognise these changes and modify their practices to suit? Even people who are out of touch with the ordinary working man, as this Government obviously is, must be able to see that, especially when dealing with bushies, the carrot is always going to work better than the stick.

This is the secret to reaching a solution to this seemingly intractable argument. It is the sort of result one could obtain from real consultation with real people, where their options were actually listened to and acted upon. The City Country Alliance is dedicated to listening to people and representing the best interests of the people of Queensland and, as a result, we are not able to support this Bill.

Mr PEARCE (Fitzroy—ALP) (8.36 p.m.): I take pleasure in joining this debate on the Vegetation Management Amendment Bill. This amending legislation has been forced on the State Government because of the Federal Government's failure to provide any funding to support Queensland's vegetation management arrangements. Our Government has from the early days committed $111m over four years to support the new planning system.

The principal change made by the amendment Bill before the House is the removal of provisions that allow for the protection of "of concern" regional ecosystems. These are ecosystems in which 70% to 90% of the original vegetation has been cleared. The reason for the amendment is that the protection of "of concern" ecosystems is not possible without Commonwealth financial assistance. There has been plenty said about that in the House today. There are amendments that ensure regional vegetation management plans can address issues over all tenures. This allows an RVMP to cover both leasehold and freehold. A promise to the QFF that land-holders will be consulted about the declaration of an area has been honoured. I know that people respect the fact that that commitment by the Premier, and supported by the Minister, has been honoured.

There are also a number of other amendments that contribute to the better management of the legislation. The withdrawal of "of concern" areas from the 1999 legislation means that the Premier has kept the promise that he made when he spoke to protesters at Roma earlier this year. It is well known that many producers have already cleared land extensively. In spite of what the previous speaker had to say about comments made by me in earlier debates on this issue, I believe the majority of landowners take a commonsense approach to land clearing.

Landowners have been conscious of the need to protect watercourses, provide shade for livestock and corridors for wildlife, and have not cleared land that is incapable of producing crops or grasses. There are plenty of sensible

farmers who have the right attitude and the right understanding of the capability of the land that they work. I believe that decisions to clear have been made in the interests of improving productivity that is sustainable and in the interests of local ecosystems.

The tree clearing issue has been of great interest to me. I have had landowners question the actions of Government. They have raised all the issues that we have heard in this place over the past 12 months or so. I have also had producers encourage me and the Government to push ahead with the vegetation management legislation in its original form. They have sought a tough vegetation management regime because they are fed up with the irresponsible management by their neighbours who have cleared from fence line to fence line. It is because of these actions that there are now major problems.

Poor management practices and overclearing are a precedent for disastrous impacts for neighbours, downstream landowners and water users. While we do not have the same level of concern in Queensland due mainly to the fact that we have lagged behind other States in terms of clearing, we need only look at the Murray-Darling to see the potential dangers for Queensland. Surely we can learn from the mistakes of the past.

I cannot understand why we as adults and as leaders continue to struggle with the need to work together to address what is the obvious. No-one wants to restrict the ability of rural producers to do what they do best, but I see no reason for us to not work together so as to put in place a framework that ensures that we do it better. One has only to take a quick look at the Murray-Darling to see what could happen if we do not adopt the right attitude here in Queensland.

The Murray-Darling Basin covers one-seventh of our continent. It has a population of almost two million people and supports one quarter of the cattle herd, half of the sheep flock and half of the crop land of Australia. Salinity is an emerging problem which has the potential to jeopardise the $8.5 billion agricultural and $3.4 billion tourism output of this region. So it is a pretty significant region when one looks at Australia as a whole.

In October last year a report called the Murray-Darling Basin Dryland Salinity Report was handed down. Sharman Stone, the Federal member for Murray and Parliamentary Secretary to the Minister for Environment and Heritage, issued a press statement. I would like to quote from that press statement because I believe that some of the comments that he has made are comments that we as a Parliament should listen to and take an interest in. We should try to develop a picture of what could happen here in Queensland if we do not adopt the right attitude and the right approach to land management practices. It states—

> "Key findings released in the report, prepared by the Murray Darling Basin Ministerial Council, predict that the annual spread of salt in the landscape will double over the next 100 years, and that most major rivers and tributaries in the Basin will exceed the desirable threshold for drinking and irrigation water sometime in the next 20-100 years."

It is long term; it is a long way off, but we should be thinking about whether that can happen here in Queensland. The press statement goes on—

> "The Report acknowledges that while salinity does occur naturally, its spread has been exacerbated by changing land use patterns, including land clearing, over the past 200 years.
>
> ...
>
> The report estimated that by 1996 300,000 hectares of land within the Murray Darling Basin were salt affected, with the potential to rise as high as 9 million hectares.
>
> In Victoria, forecasts suggest as much as 840,000 hectares is likely to be salt affected, a further 930,000 hectares 'water logged', and over one million hectares at risk from shallow water tables by the year 2050."

"It is a long way off", we might say today. However, it is the decisions that have been made in the past, the decisions that we as a Parliament are making today, that impact on the future generations of tomorrow. We should not forget our responsibilities. As a State, we must take advantage of what I consider is our underdeveloped status and put in place a regime that guarantees that our future is one of good management outcomes and not one of correcting the mistakes of the past.

There are many frequently asked questions about the Vegetation Management Act. These questions have been documented with appropriate responses. I have a large rural electorate covering some 40,000-odd square kilometres and there is a lot of confusion and, in some cases, misinformation about the legislation. I would like to see the questions and responses recorded in Hansard. Time does not allow me to achieve this by actually

speaking to the House. I would, therefore, seek leave to table the document as shown to you, Mr Deputy Speaker, and ask that it be incorporated in Hansard.

Leave granted.

Vegetation Management Act

Frequently Asked Questions

I want to know about the new vegetation clearing regulations.

The Queensland Government is implementing a comprehensive framework for the management of native vegetation across Queensland. The framework includes:

- Legislation:

  the Vegetation Management Act 1999, which makes vegetation clearing on freehold land assessable under the Integrated Planning Act 1997; and

  the Land Act 1994, which governs vegetation management on leasehold land.

- State Policies for vegetation management on freehold and leasehold land—which include codes for assessing applications to clear native vegetation.
- Regional Vegetation Management Plans—which will include regional assessment codes and incorporate local guidelines for broadscale tree clearing under the Land Act 1994.

When will new regulations apply?

State Parliament passed the Vegetation Management Act 1999 in December last year. It will be proclaimed and hence come into effect after Parliament considers amendments. These include changes to the legislation to remove blanket protection for 'of concern' regional ecosystems.

Why did the Vegetation Management Act take so long to be proclaimed?

Time was needed for the Government to discuss funding for the new legislation with the Commonwealth.

What do the regulations cover?

- The policy will introduce clear and consistent guidelines for vegetation clearing on freehold land in all areas of the State. They will compliment arrangements that have been in place for leasehold land since 1995. Leasehold land covers 73% of the State.
- The regulations protect 'endangered' ecosystems on freehold land and 'endangered' and 'of concern' regional ecosystems on leasehold land.
- They also protect vegetation in other areas declared to be of high conservation value or vulnerable to land degradation. There are currently no declared areas.

What does 'endangered' and 'of concern' refer to?

An 'endangered' regional ecosystem has either:

(a) less than 10 per cent of its pre-clearing extent remaining; or

(b) 10 per cent to 30 per cent of its pre-clearing extent remaining and the remaining vegetation covers less than 10 000 ha.

An 'of concern' regional ecosystem has either

(a) 10 per cent to 30 per cent of its pre-clearing extent remaining; or

(b) more than 30 per cent of its pre-clearing extent remaining and the remaining vegetation covers less than 10 000 ha.

Will clearing be banned on 'of concern' areas of freehold land?

No. There are no legislative restrictions on clearing 'of concern' vegetation, however approval is still required for clearing in remnant areas. The protection of 'of concern' vegetation via voluntary guidelines may be addressed during the regional vegetation management planning process.

Who is affected by the new regulations?

The new framework applies to freehold land in rural and urban areas.

Why should the government tell me what to do on my land?

Queensland is only coming into line with other States in passing laws to protect the conservation and other values of native vegetation.

Why is tree clearing such an important issue?

There is evidence that the rate of clearing in Queensland is increasing. Using satellite technology, the Statewide Landcover and Trees Study (SLATS) found that the average annual clearing rate for Queensland for 1995-97 was 340,000 hectares per year, which is 18% higher than the 1991-95 rate. There was also a significant change in where the clearing occurred. The clearing rate on leasehold land decreased while there was a 55% increase in the rate of clearing on freehold land in the 1995-97 period compared with the 91-95 period. On the basis of Bureau of Resource Sciences data, Queensland accounts for 81% of all the clearing that took place in Australia during 1991-95.

Inappropriate and excessive clearing may cause:

- loss of biodiversity
- land degradation such as salinity and soil erosion
- loss of agricultural productivity
- a decrease in water quality within catchments
- an increase in greenhouse gas emissions

Does the policy restrict all clearing?

No. Landholders will be able to make applications to clear for any purpose. It prevents excessive or inappropriate clearing that can cause problems such as land degradation, loss of biodiversity and loss of valuable timber resources. Most landholders already consider these issues when deciding where to clear.

Do I need approval to clear on my property?

Landholders will require approval, in most cases, to clear native vegetation. This will depend on the nature of the proposed clearing and whether it is covered by the various exemptions in the Vegetation Management Act 1999 or the Land Act 1994. Before undertaking any clearing, contact your local Department of Natural Resources office to find out if you need to apply.

Who assesses vegetation clearing applications?

The Department of Natural Resources will assess proposals to clear native vegetation. Contact your local Department of Natural Resources office for further information about how and where to lodge an application to clear native vegetation.

What if vegetation is cleared without an approval?

If vegetation is cleared without an approval then penalties of up to $125,000 can be incurred. Courts also have the power to order restoration of any damage caused by illegal clearing.

Will I be allowed to clear regrowth?

Yes, on freehold land. On leasehold land, you don't need a permit if the vegetation was cleared under a permit issued after 1989.

What consultation process has taken place?

A Vegetation Management Advisory Committee (VMAC) was established by the Minister for Environment & Heritage and Natural Resources in March 1999. VMAC was made up of key stakeholders including the Queensland Farmers' Federation, the Queensland Conservation Council, the Local Government Association of Queensland, the Urban Development Institute of Australia, the Landcare and Catchment Management Council and the Queensland Indigenous Working Group.

VMAC reported to the Minister on their agreed position on a number of vegetation management issues and documented the outstanding and unresolved issues. Further negotiations between the Government and stakeholders on the outstanding matters have continued since December 1999.

During February and March this year, the Minister for Natural Resources conducted a series of vegetation management information sessions across Queensland.

How can I be involved in consultation?

The community will be involved in the development of regional vegetation management plans with scientific and technical support from government agencies. These plans will show the location and type of vegetation within a region and identify areas that should be retained and/or managed in a particular way, based on a community-agreed approach. They will also include regional codes, against which vegetation clearing applications will be assessed.

Where can I get further information?

The Vegetation Management Act 1999 and a guide to the new State policy for clearing on freehold land is available online at the Department of Natural Resources Website, ResourceNet, at www.dnr.qld.gov.au/resourcenet/veg/

Click on Vegetation Management

Hard copies of the Act are available from GoPrint—1800 679 778

You can also visit your local DNR office (see attached list)

Mr PEARCE: A couple of issues concern me as a member representing a large rural area. I just want to run them past the Minister and hope that, if he gets the opportunity later, he will comment on them. The first is the permit for clearing and the life of those permits. As it is today, the permit will be for a period of two years. There is strong feeling out there in the electorate that we should be moving towards having that permit remain open for 10 years. I know that that is a bit of a difficult thing for the Minister to agree to at the moment because we are moving into a new area and there are a lot of unknowns. However, I believe that rural producers would like to see it extended out to 10 years. However, if we did extend it out to five years, I believe that we would certainly make a lot of people out there happy.

Mr Seeney: If you move an amendment, we will support you.

Mr PEARCE: No, that is just a suggestion for the Minister to consider.

Under the regional planning process, recommendations will be made to the Minister on areas that should be considered for declaration. The Minister also has the power to make that declaration, and we are quite aware of that. There is some concern out there—and I will be personally monitoring this and making further representation to the Minister if there appears to be a problem—about the process that is in place with regard to the declaration of recommendations from the regional committees and also the fact that the Minister can make declarations as the Minister. As I understand it, the problem is that there is no transparent appeals process which would actually allow anybody to appeal who may be

aggrieved by the decision made to declare a certain area. I believe that landowners wishing to appeal or object to a declaration need to have in place a process which is transparent and which will stand up in the community.

I just want to move on to a couple of other issues before I finish my contribution to the House. These issues really cause me a great deal of concern as an elected representative of the people and as an elected representative who takes to heart and takes seriously my role as a member of Parliament. In relation to the tree clearing issue—the Vegetation Management Bill that has been out there in the public arena over the past 12 months—I believe that we have reached one of the lowest points in the political history of this State. It distresses me that members of the Queensland National Party sit in this place conspiring with—

Mr Seeney interjected.

Mr PEARCE: The members opposite do not like it. This is the issue that they do not like. They are guilty of conspiring with their Federal parliamentary colleagues to vandalise this State's primary production lands.

Lenore Taylor reporting in the Australian on 22 August wrote—and I believe these words were attributed to Mr Katter—

> "The Queensland National Party and Federal Backbenchers from the State argue that the Commonwealth should wash its hands of the land clearing issue leaving the Beattie Government to wear the political damage from its legislation which controls the clearing of ecologically sensitive forest. Our position is total opposition to any limitations on freehold clearing."

I cannot believe that those opposite believe that. They travel around country electorates as much as I do, yet we know what is going on. It is a shame that the self-interested political agenda of National Party members in this House is an act of betrayal against future generations of Queenslanders, and that makes me feel ill. The National Party believes that people should have absolute and unconditional rights over land.

Mr Seeney: Freehold land.

Mr PEARCE: Yes, absolute and unconditional rights. However, if the picture was as rosy as we would like and everybody was doing the right thing in relation to managing the land and thinking about the future, why would we need this legislation? There are hundreds of decent families working on the land who care about the land—the land is in their blood; they are passionate about the land—who are doing a great job of managing the land that provides them with an income and a lifestyle. However, there are some cowboys out there, too. Unfortunately, it is the cowboys who force Governments such as the Queensland Labor Government to make a stand and say, "Enough is enough!"

The conservative Opposition is totally happy with abandoned mine sites, weed infested land, salination and our offshore waters acting as catchment areas for fertile soils. As members of Parliament, those opposite stand condemned for their actions. I hope that future readers of Hansard pick up on what I have said tonight. The truth is that the members opposite do not give a stuff about the future of Queensland. I just cannot believe that members of Parliament representing rural areas can take the stance that those opposite have taken—a stance that is more about politics than dealing with the issue. It is sad when we have to sink to that level. When future generations are struggling to deal with salinity problems and looking for reasons as to why certain species of flora and fauna have become extinct, I hope they tell the rest of the nation about the cowards who sat in this Parliament and argued that landowners should retain the right to slash and burn.

I turn now to the issue of land-holder rights. This seems to be the main reason for the rejection of the legislation we are debating tonight. I realise that a lot of people in rural Queensland will not accept the argument I am putting forward, but it is the reality, and we have to live with it. The land on which my house is situated is freehold land. However, that does not give me the right to do what I want with it. I have to live within the laws of my local council, and that is how it should be. If we did not have these laws, can members imagine what it would be like living in an urbanised environment? Human nature dictates that we must have rules, otherwise chaos would reign, and we have to live within those rules. If everybody in regional and rural Queensland did the right thing in relation to the management of their land and looked to the future, I again say that we would not need this legislation.

Some landowners by their own actions have demonstrated that they have little or no respect for their neighbours or for the future viability of the land. Why should they retain the right to clear it at all costs if the slash and burn approach means that future generations will be left to deal with the consequences? Responsible land managers—and I am pleased to say that they are in the

majority—are already making sensible decisions with a focus on the long-term viability of their land. We know that; that is happening. They hate the cowboys and they want the Government to act. Therefore, they need not fear this legislation.

In closing, this is an issue that I get emotional about. To me, the land is our future. So much depends on the proper management of our land resources. The last point I will make which people should understand is that the decisions we make today as members of Parliament will impact on generation after generation. I ask members to think about their grandchildren who are perhaps 2, 3, 4, 5 or 10 years old. When they are our age, what will the situation be? We will not be around, because most of us will be dead and buried and gone forever. However, it is the decisions we make in this Parliament today and the decisions we have made as a Government over the years that will affect our grandchildren. If those opposite want to argue against legislation which is good for this State, so be it. However, we have to live in the real world and understand that the decisions we make today are the ones that impact on future generations. I would like to think that as members of Parliament we could act like adults and leaders of this State to work together to make decisions that are in the best interests of this State.

Mr SEENEY (Callide—NPA) (8.56 p.m.): I would welcome the opportunity to reply to some of the comments made by the member for Fitzroy. Some of the simplistic comments that he made would not stand up to any sort of argument. I believe his heart is in the right place, but he has probably been skewed somewhat by his association with the Minister. Once again, this legislation is to be gagged. Once again, debate on this legislation is to be restricted. Therefore, I am not going to get that opportunity. I will take the opportunity to have a private discussion with the member for Fitzroy to discuss some of the issues that he raised in this debate.

I remember when the vegetation management legislation was first introduced into this Parliament. With the introduction of that legislation, which this Bill seeks to amend, the Queensland Parliament, as I said at the time and I repeat now, saw the culmination of one of the worst examples of political bastardry in many a long day. The development of that legislation was the worst piece of political manipulation I had ever seen at the time. It was sickening in its dishonesty and it was sickening in its deceit. That type of approach has become a recognisable trademark of this Beattie Labor Government. This Labor Government is sickening in its dishonesty and it is sickening in its deceit. There is no greater example of that than the member for Townsville, who sits here tonight squawking and making lots of noise about nothing. The strategy that led to the introduction of the original vegetation management legislation had dishonesty and deceit at its core, not unlike the member for Townsville. So, too, does this amending Bill.

This whole sorry saga has been driven by a dishonest and deceitful Minister who has grossly misused the resources of his office to divide Queenslanders, to set them against each other in the cynical pursuit of his nonsensical, ideological agenda.

Mr WELFORD: I rise to a point of order. The honourable member is continuing the treacherous tradition of his leader. I find his remarks utterly offensive and untrue, and I ask that they be withdrawn.

Mr DEPUTY SPEAKER (Mr Kaiser): The member will withdraw the comments.

Mr SEENEY: I withdraw. This Minister's deceitful and dishonest strategy—

Mr WELFORD: I rise to a point of order. The Parliament does not need to tolerate any further this sort of unparliamentary language and defamatory accusations on the basis of no evidence. I find the remarks offensive. They are untrue, and I ask that they be withdrawn.

Mr DEPUTY SPEAKER: Order! The Minister finds the remarks offensive. The member will withdraw.

Mr SEENEY: In accordance with the traditions of this House, I withdraw. The strategy that this Minister has adopted of demonising and vilifying land-holders and primary producers has created divisions in our society—

Mr WELFORD: I rise to a point of order.

Mr SEENEY: This is ridiculous!

Mr DEPUTY SPEAKER: The member for Callide will resume his seat. The Minister has risen to a point of order.

Mr WELFORD: The false and defamatory assertion that I have vilified ordinary land-holders is untrue and offensive, and I ask that it be withdrawn.

Mr DEPUTY SPEAKER: The member will withdraw. This could become quite repetitious if the member continues. The member will withdraw.

Mr SEENEY: Absolutely! It could become farcical, but that is the nature of the Minister's approach. Once again, in acknowledgment of the traditions of this House, I withdraw.

The strategy that the Minister has adopted has deepened and broadened the gulf that regrettably exists between the people in urban areas, who are remote from the realities of nature and natural resource management, and the people of rural Queensland, who know and understand those realities. The land-holders of rural Queensland have been continually portrayed as environmental vandals. Any deviation from the deep green ideologies is labelled as unsustainable. The long-held precious concepts of freehold title and private property rights have been redefined to suit a narrow, fanatical approach of an agenda that is obviously being driven by zealots.

The people of rural Queensland have rejected this slanderous approach and they have rejected the legislation that was forced through this House without adequate debate on the last sitting day before Christmas last year. There was a groundswell of anger from right across Queensland that grew into a public protest movement that was unparalleled in my experience in rural Queensland. Thousands of people travelled to Winton to storm a Community Cabinet meeting. The arrogant approach of the Minister for Natural Resources at that meeting only fuelled their anger.

Thousands more people assembled at Roma three weeks later to march in protest. By then the Premier had taken over the issue from the Minister for Natural Resources and the Premier promised a major backdown from the original legislation to appease the crowd. This Bill before the House today is the culmination of that backdown. It is probably a first for this Parliament. Here we are today considering a Bill to amend a piece of legislation that was never proclaimed. It was never proclaimed and it is being amended because of a justifiable groundswell of anger and rejection from the citizens that it so wrongly treated.

The cute ideologies and the overly simplistic solutions so favoured by the zealots and the fanatics and which are an integral part of this legislation do not last long in the harsh economic and climatic reality of the real world of rural Queensland. Nor did this piece of legislation last long in the harsh reality of rural Queensland. It is easy to be an expert and to develop fine sounding ideologies from the comfort of urban isolation. That false expertise and that twisted ideology will not last long in harsh reality. So it was with this vegetation management legislation.

Today we consider the amended version, which purports to honour the promises made by the Premier in Roma. It does not honour those promises. It does not address the basic concepts of freehold land ownership that were so arrogantly trampled by the original legislation. The principal change made by the Vegetation Management Amendment Bill 2000, which we consider tonight, is to remove the provisions that relate to the areas defined as so-called of concern ecosystems. That was a promise made by the Premier at Roma. To that extent at least, this legislation honours that promise.

But the Premier also gave an assurance to the crowd—I know because I was there—that he would not proclaim the legislation without settling the question of compensation for land-holders who are detrimentally affected by it. In that regard he has failed completely to deliver. This amending legislation makes no attempt whatsoever to deal with the promise that the Premier gave to the crowd at Roma.

This amending legislation, like the original legislation, simply does not recognise or mention compensation. It fails totally to address the biggest issue in the whole debate about the proposed vegetation management scheme, that is, the inalienable property rights held by freehold landowners that are being summarily destroyed. Freehold land-holders will lose out in a whole range of areas. For that they should be compensated.

Freehold landowners will lose capital value. They will lose earning potential in terms of available farm land for cultivation and grazing. They will lose income from timber sales. They will lose the saleability of their property. They will lose their much-valued independence. Most importantly—more important than all of the others put together—they will lose control. That control will pass to so-called regional committees, which will be dominated by Government employees and Government appointees. That sense of control is an integral and precious part of freehold land ownership. It will pass to the bureaucrats and the ideologists who know everything and understand nothing. That is a common trend of all the legislation dealing with natural resource management that the Minister has introduced to this House. His agenda is about reducing private property rights. His agenda is about attacking private control. This legislation is part of that agenda.

There can be no doubt that, to the people who have no understanding of the land and no experience of land management or land development, some land operations can cause concern, especially when seen in the

context of an emotive presentation on a 30-second TV clip on the evening news. The member for Crows Nest spoke earlier about the number of times we have seen on the evening news the same two dozers knocking over the same half a dozen trees.

Whether it be for land development or forestry, the time frames of responsible management are much longer than the attention spans of remote TV viewers or sensation seeking journalists. Those of us who live with the land know that the time scales of responsible management extend over generations. Queensland land-holders have rejected this fanatical Minister's attempts to introduce this vegetation management legislation. They will likewise reject this amended version, because it is still an affront to the basic philosophical values that were so disrespectfully treated in the Minister's first failed attempt. This Bill should be defeated. The Vegetation Management Act, which this Bill seeks to amend, should be repealed—the sooner the better.

Mr ROWELL (Hinchinbrook—NPA) (9.06 p.m.): It is with a great deal of concern that I rise to speak to the Vegetation Management Amendment Bill, because many land-holders around Queensland are being forced into a very untenable position. In many cases people have bought freehold land which they intended to develop in good faith. In industries such as the sugar industry and so on, development is usually staged. It is not a matter of knocking everything down as quickly as possible. It is a matter of considering how money will be spent most efficiently to ensure a balance between agronomics and economics.

A lot of concern has been expressed. In fact, in my part of the world land management codes of practice are being developed. There is very little recognition in Bills such as this one of work that has been done over a relatively long period. Certainly there is no recognition of voluntary arrangements.

I believe there is commitment on the part of people who purchase property. Very often they spend quite a bit of money to buy land that has trees on it. Then they consider how they will go about clearing it. In most cases they have to go to financial institutions to make those types of arrangements. When people buy land there is an anticipation, in accordance with the original planning, about clearing the land and bringing it into production somewhere down the track. It is very concerning for landowners to then be told that they have to go through an exhaustive process. This legislation makes it extremely difficult for those people.

It is quite clear that there was no push from the Federal Government. It was not offering any funds for land clearing, irrespective of what the Premier may have said. The State is providing no compensation whatsoever to people who want to clear their land and cannot. The land is virtually locked up. The original intended use of the land could be curtailed for some time. The economics has certainly been put on the line. It could be extremely difficult for landowners to maintain their viability. Other States have paid for their own land-clearing legislation. This Government is taking away the personal rights of people, purely to buy green votes.

The clearing of leasehold land has been regulated for some time, and that is the right of the Crown, because the people of Queensland own that land. Clearing is prohibited within 200 metres of rivers, 50 metres or thereabouts of creeks and 20 metres of gullies. It is debateable what constitutes a gully. In the tropical areas of Queensland, the declaration of a gully would mean that clearing of land is prohibited for 20 metres on either side. That would virtually make some of these areas impossible to farm. No consideration is being given to the topography of Wet Tropics areas. In some cases there are natural waterways that can be realigned and treated in a manner that will place those who have to farm those properties in a more tenable situation in terms of planting and harvesting their crops.

The whole issue of clearing and developing properties will become bogged down in the planning exercise. This Bill provides for regional vegetation management committees that the Government is currently establishing and will develop under the bioregional plan on which the whole concept is based. It could take some time for this to be put in place. The Department of Environment and Department of Natural Resources has to deal with not only the vegetation management plan but also water issues. I believe it will be some time before people who make applications will have them processed and can get on with the job of undertaking the critical planning that is required and developing the land that they have either just purchased or had in their possession for some time.

If property holders had sufficient funds, they may have undertaken clearing to ensure certainty. That is of some concern. This Bill has precipitated some unnecessary clearing to create certainty for land-holders who want to

ensure that, somewhere down the track, they can go about the planning and development of their country. These people have probably undertaken more clearing than was ever anticipated. Of course, they have had to have the funds to do it. They may have stretched their resources and, in some instances, if they were sugar farmers, they may have done so at a time when money was not freely available.

There is no appeal process contained in this Bill. I think the member for Fitzroy mentioned that matter. That is a detrimental feature of the Bill.

I want to report on the treatment that this Minister has inflicted on one of my constituents, Luis Pajares. If the Minister cares to listen, I will go through what Mr Pajares had to do before this plan came in. I think it is a precursor of what will happen to many people in the future. Mr Pajares is still negotiating on 3,000 hectares of his freehold property in Tully. There is no evidence that there are mahogany gliders on this particular country. This Government has come up with a lousy deal. It offered him so much in the first instance, and I understand from Mr Pajares—if the Minister is listening—that that offer has been cut in half. He has now been issued with five interim conservation orders—remember that there are no mahogany gliders on his freehold land—to stop him from clearing that freehold property. They are now putting pegs around 100 acres of cleared land—not land that has trees on it—because these zealots decided they wanted this particular piece of land. Irrespective of whether it has trees on it or not, they have pegged it out for resumption.

Mr Reynolds: Is this about the map that the former—

Mr ROWELL: I am getting to it. The member knows all about it. That is good. The survey pegs have cut corners off paddocks, which has made it particularly difficult for Mr Pajares to continue his farming operation. He had a hut on the Murray River on freehold land. He has now been told that that hut is no longer his. He has been told to take it away. That building is on freehold land but Mr Pajares has been ordered to take it away. The Minister does not want to listen.

Mr Reynolds: That was a finding by the previous Minister.

Mr ROWELL: We will get to that. I know that the member is the fount of all knowledge in this House.

In April 1999 we met in Townsville with Minister Welford and Barry Carbon to deal with this issue. This process has been going on for 18 months or more. I think that is an absolute disgrace. First this man is offered one thing and then the Government cuts the offer in half. What does the member for Townsville think about that? Is that fair and reasonable? That is an action taken by this Government. I will come to the bit that the member for Townsville wants to hear about.

Mr Pajares met with then Minister Brian Littleproud on 3 April 1998, and they signed a map delineating exactly which area was to be kept by Mr Pajares.

Mr Reynolds: Who actually agreed to that?

Mr ROWELL: Minister Littleproud. I wish he was in the Chamber at present because he could verify this. That document signifies the intent of a Minister of the Crown. Lines were drawn on a map. They both signed the map. There was a clear delineation of what this was all about. That document evidenced the intent on the part of the Minister as to what was to happen. 1,400 acres were to be kept for farming. Mr Pajares had decided that was a reasonable amount of the 3,000 acres. 1,600 acres were to be sold to the Government for a price to be negotiated. But the Department of Environment staff did absolutely nothing about it for six weeks, until the coalition lost Government. I will not say they are greenies; I will not say they were Labor Party people; I am just outlining exactly what happened. Absolutely nothing was done for six weeks.

I notice that the Minister does not want to listen to this, but it is important, because I want to tell the House just how this Government will operate in the future in terms of freehold land.

Mr McGrady: We'll be here a long time.

Mr ROWELL: The Minister has a little problem up in the Basilisk Range with his people illegally clearing some Crown land. Does he know about that?

Mr McGrady: I know all about it.

Mr ROWELL: Does the Minister want me to tell Parliament about it? The Minister is going to do a certain thing. He has talked about a facility that the Government is going to build. He has led people up the garden path by claiming that only a survey was going to be carried out. Quite clearly, the Minister has no intention of taking any notice of anybody. He is going to do exactly what he wants to do.

Mr McGrady: I've been up there.

Mr ROWELL: And did the Minister see the mess they created, filling in creeks, making a mess in the tropical rainforest of Queensland?

Mr McGrady: Contractors.

Mr ROWELL: The Minister knows all about it. Does he admit it? No, he will not admit it; he just goes to water when it comes to the crunch.

It is extremely important that we acknowledge what has happened to Mr Pajares, because in the future we will see many more cases such as his. It is extremely disappointing that this legislation will give the Minister even more power than he had before.

Mr HORAN (Toowoomba South—NPA) (9.18 p.m.): It is interesting that this debate is also scheduled to be gagged tonight. If we go back through the history of gagged debates in the two and a bit years of the Beattie Labor Government, it makes some pretty interesting reading. It shows pretty clearly what this Government is all about.

Mr Purcell: If you go back 32 years it makes better reading.

Mr HORAN: What we are doing tonight is judging Labor's performance. It is the Government. The member wants to go back to when Moses opened the batting for Jerusalem.

The first big gag of this Government was when it gagged the Vegetation Management Act virtually on Christmas Eve. It kept that legislation right till the very, very last moment hoping that the Parliament would let it go away. The Government brought it on at the last minute on the last sitting day of the Parliament before Christmas. It treated the people of the bush with contempt. Then we had the dairy deregulation legislation. I remember that debate. During that week the Government mucked around with all different sorts of Bills that were unimportant, and on the last night before the end of the autumn/winter session of the Parliament, at 9 o'clock or quarter past 9, the Government brought on the Bill and said that the second-reading stage had to finished by 11.30 and the Committee stage had to be finished by 5 to 12. That was an absolute disgrace. We have seen it happen again with the Water Bill, one of the most important Bills ever to come before this House. That was a Bill on which people's livelihoods depended and again it was gagged. This Bill has also been gagged.

Have we seen any of this Government's social legislation gagged? No. It goes on and on and on and on. Government members stand and waffle about all their lovely, warm, fuzzy legislation, but when it comes to something that involves people's livelihoods, people's jobs, the jobs that they create for other people, the exports that they create and the decentralisation of Queensland, important things like that—even getting right down to the simple things such as how they put bread and Vegemite on the table for their families—that does not matter. The Government just gags those debates. It gags the amendments. It does not let the proper rule of democracy apply to allow people who represent electorates that will be seriously affected to stand up and at least have their say in the Parliament. This Government stopped that.

Mr Rowell: Deregulation of the dairy industry—they gagged it, too.

Mr HORAN: I have mentioned that one. That was the Bill that it brought on at a quarter past 9 and gave—

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Order! I remind the member for Toowoomba South that this is the Vegetation Management Amendment Bill. Could he stick to the topic?

Mr Seeney interjected.

Madam DEPUTY SPEAKER: I remind the member for Callide that I am the Chair and I ask that he respect that position.

Mr HORAN: So here we have the amendment Bill—gagged. It is the fourth one of the list. This is an important Bill that relates to people's incomes and livelihoods and how they deal with their land, whether their land be freehold or leasehold.

This Bill is a totalitarian Bill, like some of the others that I have mentioned previously. It is a Bill that is heavy handed, that pays no respect to the principles of freehold land and pays no regard to the fact that people have paid extra money for their freehold land. Why have they paid money for freehold land? To get the additional benefits and security that go with that freehold land—so that they can make certain decisions for themselves! I wonder how the members opposite would feel if they were told that they could not plant couch grass on their block of land in suburbia, that they had to plant buffel grass or something—

Madam DEPUTY SPEAKER: Order! There is way too much noise in the Chamber. Would the member for Callide please desist in what he is doing.

Mr HORAN: We do not see the same sort of principles applied. If someone wanted to put concrete over their front yard and paint it green to look like grass, they could do it because it is freehold title. These people have bought freehold land for a purpose—for security when they go to the bank, for security for their family and for security for themselves because it enables them to make their own decisions. Many people progress from leasehold to

freehold. They have to pay for the lease and then they have to pay so much per year for their lease costs. Then on top of that they have to pay for certain improvements within a certain period. They have to fence it, put in tanks, put in water, put in yards and make other improvements. All that had to be done. Then they could start to pay it off and to gradually convert it to freehold. They would be paying it off over 10, 15 or 20 years for a reason—so that it would become their freehold land. Every Australian family aspires to owning a piece of ground that they can call their own where they can plant a pawpaw tree, a gum tree or a mango tree, or they can have all grass. Also, they can have a patio, a veranda or whatever they like, because that is their block of ground. It is the Australian dream. People do the best they can on their own property to make it nice. That is what happens with the land.

I am going to speak about voluntary systems, because that is the only way to bring about improvements. Have a look at contouring over the years. With the development of agriculture, it was realised that with certain sloping soils there was a need for contouring. Now we have contouring on a voluntary basis all across the State. Contours and waterways are all put in place; it is a good system of managing the soil. It was not forced on people. There was not a law forcing people to do it. There were not fines if one did not do it. People suddenly realised that this was the way to go. Their neighbours encouraged them; they formed soil conservation groups; they formed contour groups around the various districts; they had field days and they produced some great systems. That demonstrates quite clearly what can happen.

On the subject of the clearing of properties, the vast majority of farmers clear their places responsibly. They leave vegetation on the creek banks, they leave vegetation on the gullies. They do not clear the steep slopes, they do not clear land when it has an incline above a certain percentage of slope. They leave shade lines, they leave nature lines so the wildlife can move, without interruption, from the water back to the scrub on the hill. All of that is important. Anyone who knows anything about the land knows that is the way to go. That is surely the way we can bring about improvements in the way we farm and the way we develop.

But we have to have development. Forty or 50 years ago a farmer might have made a living out of some of those properties, but much more pressure is placed on farmers today because the cost of cattle has scarcely escalated over the years. To buy a new Holden would take the sale of somewhere in the order of 50 bullocks at today's prices. Go back 20 or 30 years and it may have taken the sale of only two or three bullocks to buy a Holden. So the farmers and the graziers have to look at new ways and new systems. They have to improve their places. They have to clear some country. They have to grow buffel glass. In the past, where they might have run one beast to 20 acres, with buffel grass they can start to run a beast to six or seven acres and bring about that improvement. That brings job at the saleyards. It brings jobs to the towns, and it brings jobs in the city for the people who are supplying the wire, the poly pipe, the pumps, the troughs, all the trucks and the gear that is needed. That is what keeps the wheels going around. That is what makes society happen.

Here we have the heavy-handed approach of this Government where it steps in and adopts this totalitarian sort of attitude where everybody has to be under the thumb of the rules that require people to enter properties and property owners to pay $250 for permits to do this and to do that. We have to have a plan for this and a plan for that and we have to put it in and put it through the bureaucracy. Then there are the fines of up to $125,000. What we are turning this country into amazes me. The reason we have a great decentralised State such as Queensland is the enterprise of people, the reasonable amount of freedom, and the self-discipline and self-determination that people had to make these things happen and to develop these places without the heavy hand of Government and the heavy ideology of a political party that wants to control every step that we take every day of the week.

One of the real issues for us in this whole process is the fact that there is no compensation. I refer briefly to that Bill that we looked at yesterday and today, the Water Bill. Again, rights and resources are to be taken away from people with no compensation. Here we see it again.

I remember when the Labor Party was in power in the early nineties when there was deregulation to the milk vending industry. A system of selling was put in place for those vendors who were going to lose their business. However, here we see nothing—absolutely nothing. People are about to lose whole chunks of potential from their properties. They will not be able to clear regrowth from their properties. Farmers do not clear regrowth every year, they wait for seven or eight years so that it is worth while redoing it, otherwise it is

just a waste of money. Once again, the ability to do that will be captured by this Bill.

I want to summarise things, because a lot has been said by other speakers. If we are going to continue to grow and realise a bit of potential as a State, we have to start to let private enterprise find its own way. We have to start to trust the 99% of good people in our State who will make a go of things. If we are going to end up to be the sort of State where we have absolute rules, guidelines, paperwork, red tape, fees, fines, inspectors, tree police and other types of officials marching around the place, what sort of State are we going to become? We have seen in this past decade how, because of the Labor Government, department after department has become more involved in process. They churn out more process than actual results. It is just process, process, process. People are sitting around tapping little keyboards, but no-one is getting out there putting in fence posts, irrigating, clearing, growing some cattle or doing something that brings in some dollars, creates some exports and creates a few jobs for people.

I conclude by saying that I think that it is about time we started to run some systems whereby there is a degree of cooperation, a degree of consultation and a degree of voluntarily working together to form regional and district committees so that we can get a genuine interest in doing proper clearing and proper development just like, as I talked about before, it happened with the conservation of land and the contouring of sloping soils throughout central Queensland, throughout the Darling Downs and parts of the Burnett.

This legislation is heavy handed. This legislation is bringing about the hatred of the Labor Government, just like the tearing up and the closure of the Winton railway line was symbolic of the start of the downfall of the Goss Labor Government. This legislation is starting to make people on the land, their city cousins and all their friends realise that, if people want to get out and have a go in this State and if they want to do that in a responsible way, all they will do is run into the heavy hand of bureaucracy and red tape. Free enterprise and private enterprise and individuals having a go in a responsible way and going out—

Mr Littleproud: There is no Minister in charge of the House.

Mr HORAN: He has just been demoted.

This is heavy handed legislation. It goes over the top. It does not treat people responsibly. It does not treat those people who borrow money and take on massive tasks with respect. This Bill does nothing for the growth of this State.

Mr HEGARTY (Redlands—NPA) (9.31 p.m.): In rising to contribute to the debate of this Bill, I would like to raise my concerns about the implications that this Bill has for many people throughout Queensland, both freeholders and leaseholders. I think that most of us would realise that there is a need to preserve as much vegetation throughout Queensland and the rest of Australia as we can because of scientific concerns about the impact of global warming and greenhouse gases. However, there is conflict within the scientific community in relation to what is required and what is not in terms of the need to protect the planet against the impacts of global warming.

There has been a lack of consultation with the stakeholders throughout Queensland—the freeholders and leaseholders who have committed financially to their properties—on the impact that this vegetation legislation will have on their financial viability and livelihoods. Naturally, the endangered and threatened vegetation areas that have been identified throughout this State are of concern to all thinking people in Queensland and, I would suggest, the rest of Australia. I think that over the years it has been acknowledged by land-holders themselves that past practices have not always been in the best interest of the environment. Of course, it is great to be wise in hindsight. Many of those leaseholders and freeholders who have occupied those properties for a number of years realise that, to remain viable, those past practices cannot be continued. Having said that, this legislation does not recognise the good practices that those land-holders now employ on their properties.

The financial commitment that most of those property owners have committed, either recently or historically, must be recognised. If there is an intention to draw back the rights that those land-holders consider themselves entitled to exercise over their properties in order to enable them to receive a viable return from their property, then those people must be compensated.

The concerns about this Bill in the area that I represent in the south-east corner of Queensland are not of the magnitude of those throughout the far western and northern parts of the State. In most areas in south-east Queensland, local government authorities have implemented vegetation management plans. Naturally, those plans will take

precedence over this legislation, because of the higher degree of protection that applies. It is in those western and far-northern areas where local government authorities may not have implemented vegetation protection orders—which may or may not have been necessary, depending on the particular area—that the State and Federal Governments now feel that protective measures need to be put in place.

However, I reiterate that that has to be done in consultation with those landowners in the area. I suggest that the majority of those landowners are already exercising a degree of restraint in their own financial interests. This legislation is only going to bulldoze those people into undertaking reckless land-clearing. Some people have done that already in response to the previous vegetation management legislation, which was brought into this House late last year. Because the Beattie Labor Government has been unable to bring the legislation to fruition, there has been a lot of scaremongering and a lot of unnecessary land clearing.

I would now like to address the vegetation management legislation as it relates to my area. I would like to highlight a commitment that was made by the Goss Labor Government in relation to an area in Mount Cotton that was envisaged to suffer vegetation degradation as a result of the then proposed south coast motorway. As a result of that proposal, the then Goss Government decided that some areas in Mount Cotton were worthy of protection. That Government was prepared to spend up to $6m to protect a small parcel of land, 200 hectares in size, from the impact that that motorway would have had on adjoining areas.

When the Borbidge coalition Government assumed office, it recognised the significance of that area and implemented that proposal, under the control of the then Environment Minister, the Honourable Brian Littleproud. After negotiations and valuations conducted by the Department of Natural Resources, it was estimated that although the Goss Government was prepared to spend $6m on that land it was worth only just over $2m. I remind the Minister and the House that the condition of the acquisition of that land was that the Government would provide $2 for every $1 that the local government authority, the Redland Shire Council, would contribute.

As a result of protracted negotiations, 157 hectares of that land was acquired for $2.35m. However, the land that was acquired was not land that was going to be severely impacted by the development. In fact, the area that was acquired was a buffer zone around a sewage plant, which could not have been developed as a high-density area—62 hectares zoned rural non-urban, which could have only six houses built on it. The area that should have been acquired, which was south of that area, and another area, which is west of German Church Road, still have not been acquired.

The reason that land has not been acquired is that the Redland Shire Council has not yet met its commitment under the agreement reached between the State Government and the local government authority. Before we get too much of a rush of blood to the head, we should look at some local areas that are of obvious environmental significance, for which the Government has a responsibility and has committed funding.

Recently, my electorate office received reports about a high number of trail bike riders utilising that area purchased through State Government funding that has been set aside for vegetation management. These trail bike riders are degrading this area, which is not being protected either by the State Government or the local government authority. The local government authority has been made aware of this problem. I am assured that it is taking steps to have that area protected by ranger patrols.

I suggest that the areas where vegetation protection is needed are not being addressed. I refer to areas in the south-east corner, where about 63% of the State's population resides. The area from Noosa to the border and west to the range is where protection is needed. The State Government needs to take vegetation management seriously. It is hypocritical for it to look at the bigger picture—at the areas in the west and north of the State where there are large tracts of vegetation—and expect those people to carry the burden, when areas on which the State Government has expended money are not being protected adequately.

The State has a responsibility to enact regulations to protect those areas and to stop, for example, trail bike riders and four-wheel-drivers who are not part of responsible trail bike and four-wheel-drive user groups from using those areas—areas that are not being policed. Commercial enterprises, in particular the distributors of trail bikes and four-wheel-drives, have a responsibility to make a contribution. People in the south-east corner are not going to be using their four-wheel-drives and trail bikes in the far-flung parts of the State. They

will be utilising Crown land or private property that might have a vegetation protection order over it. Those areas are being degraded, because there is a lack of supervision and control.

These people—the majority of whom, I suggest, are teenagers, too young to be licensed—should be penalised if local government or parks and wildlife officers observe them causing damage on Crown land. They should be penalised when they apply for a licence for use of vehicles or bikes on the open road.

This legislation is hypocritical in that it addresses only one segment of the State's interests in vegetation, yet a large area of State owned land is not policed or controlled. The Department of Natural Resources, the Department of Environment, and through it the Parks and Wildlife Service, do not have sufficient resources to protect the assets over which we have control. We are trying to impose regulations and restrictions on freehold and leasehold property that is being managed, by and large, appropriately by responsible land owners. Yet in respect of land controlled by the State little more than lip-service is being paid to the protection of vegetation. In many cases, this land was acquired through ratepayers' and taxpayers' money for the betterment of the environment.

If the Minister is not going to be fair dinkum about his commitment to the environment and the protection of the vegetation of this State, this legislation cannot be supported and it cannot be given credence. Unless the Minister is prepared to address the areas that I have outlined and the amendments to be moved by the shadow Minister and other speakers to this Bill, it can only be dismissed as being window-dressing for an issue about which the Beattie Labor Government is not serious.

Mr WELLINGTON (Nicklin—IND) (9.44 p.m.): I rise to speak to the Vegetation Management Amendment Bill 2000. Although I do not support this Bill introduced by the Minister, I wish to take this opportunity to respond to the contribution made by the member for Callide and to put on the public record that I am utterly disgusted with the personal attack and personal abuse of the Minister by the member for Callide. I wish only that the public gallery were full of Queensland schoolchildren so that they could teach the member for Callide some manners.

In December last year, I took part in the debate on the Vegetation Management Bill 1999. Once again, I stand here to say that I cannot support this Bill. Once again, I say I believe this Bill will take away farmers' rights to manage their own land and without any guarantee of compensation. This is just not on. It is wrong to take away anyone's rights without providing them with compensation for their loss. We are not talking about leasehold land; we are talking about freehold land. Once again, this Bill is being rushed through the House before members have had time to debate it properly. Queensland farmers are watching carefully what this Government is doing and they will not sit by idly and see nothing happen.

Farming organisations have not given this legislation the nod—no way! I have been speaking with the heads of Agforce and the Queensland Farmers Federation. They do not support the proposed legislation in its current form. I will be supporting the amendments to be moved in Committee by the Opposition, because these amendments will seek to provide compensation for landowners whose properties are adversely affected. They will also seek to provide an appeal process against certain declarations under the Bill and also provide for long-term certainty by granting approvals for 10 years.

I do not intend to reiterate issues I raised previously in the debate in December last year or those that have already been raised by other honourable members during this debate. Suffice it to say that this Government is foolish to believe that it can take away farmers' rights over their freehold land without providing compensation. This legislation is discriminatory and the Government pushes it through at its peril.

Dr CLARK (Barron River—ALP) (9.46 p.m.): Yesterday in the debate on the Water Bill I noted the difficulty that members opposite have with making the philosophical leap to embrace ecologically sustainable development. They talk about it a lot, they use the words and they claim to understand the concept of the sustainable use of resources, but actions speak louder than words and their actions on vegetation management demonstrate, as they did on water management, that they want past traditions to continue regardless of the impact on the environment.

Just as they could not accept any constraints on individual rights to use water regardless of downstream impacts, they do not accept that the rights of farmers who clear their land should be limited in some way—regardless of the wider environmental impacts. They do not accept that we need a sound

planning framework based on good science, whether that be for water or for vegetation management.

The Premier made a commitment not to proclaim the provision in the Bill relating to "of concern" vegetation, that is, a vegetation type where only between 10% and 30% of the original vegetation cover is left intact, unless the Federal Government came to the party and helped to fund a compensation package for farmers. They failed the farmers and they failed Queensland. In spite of having $400m set aside to fund any measures to improve our country's greenhouse gas emissions, they refused to act to assist us with the introduction of sound planning roles on tree clearing for the first time in our State's history. They may yet come to the party and play their part. I hope so. But the deadline set by the Premier has passed and we are not prepared to wait any longer to totally protect these regional ecosystems defined as endangered, where 10% or less of the original vegetation remains.

The Vegetation Management Act that was passed last year was overdue legislation. Other States have legislation that controls land clearing. We know that in Queensland land clearing is occurring at a totally unacceptable rate which must be slowed down if we are not to create major problems of salinity, soil erosion and species extinction.

So what has changed since last year? Why are we here again debating amendments to this legislation? Certainly, it is not because the extent of the problem has changed. The latest figures suggest that the rate of land clearing is increasing. It is certainly not because of the Opposition. It still will not accept the need to act. No, it is because the Commonwealth's refusal to provide funding support leaves us with no choice other than to change the laws that we enacted last year.

When farmers made their voices heard at Winton and Roma, urged on, I would say, by a lot of scaremongering from the Opposition, clearly there was a need for us to consider what our next move would be, and we have. So we have come back to this House to further amend this legislation in a way that is responsible. Of course, both the conservation movement and the farmers have condemned the proposed changes to the Vegetation Management Act. But many of their fears are misplaced, and that is what I really want to focus on tonight, because they are misplaced for different reasons.

The conservation movement claims that only a tiny percentage of vegetation will now be protected, yet 73% of all land in Queensland is leasehold and we applied regulations protecting both endangered and of concern vegetation on leasehold land months ago. For the first time ever in Queensland, land-holders in most cases will require approval to clear native vegetation. There are sensible exemptions to that requirement, and I will return to that later. Applications will be assessed against a State code governing the clearing of native vegetation that has been developed from scientific research and consultation with interest groups.

There is so much misinformation about this issue that it is worth while including here the nature of the basic standard. According to the guidelines, that includes no clearing of remnant endangered regional ecosystems on freehold land, no clearing of remnant endangered and of concern regional ecosystems on leasehold land, retaining vegetation so that regional ecosystems do not move to a lower conservation status and retaining vegetation so that the total extent of remnant vegetation within a bioregion does not fall below 30% of the preclearing extent.

In addition, a clearing application will need to meet the following set of performance requirements: nature conservation values and water quality of significant natural wetlands, lakes and springs are maintained; viable networks of wildlife habitat are maintained; watercourses and adjacent habitat are protected by maintaining bank stability by protecting against erosion and slumping, maintaining water quality by filtering sediments, nutrients and other pollutants, maintaining aquatic habitat and maintaining wildlife habitat; the soil resource is protected against the loss of chemical and physical facility through erosion or mass movement; the landscape is protected against increased salinity or water logging; there are no adverse effects on the environment caused by the release of acid or metal contaminants from the disturbance of acid sulfate soils; and cleared land is capable of sustainable use where the proposed use is for primary production or forest plantation purposes.

I do not feel that anyone concerned about the management of our land could object to those kinds of standards. Any conservationist should be very comfortable with what is proposed there when these applications are going to be assessed. Regional codes will be contained in the regional vegetation management plans that will be developed by local committees of all stakeholders. This process will provide for the first time a real opportunity to achieve ecologically sustainable development.

Much has been said in this debate about the right to farm as though this legislation will prevent land-holders from doing what is necessary for the everyday management of their property, yet appendix 1 of the guide to the vegetation management policy sets out a whole raft of exemptions of the need to even apply for a permit to clear. I think it is worth putting on the record again just what some of those are to counter the misinformation that has been put forward in many cases in this debate.

The following exemptions will apply under the Vegetation Management Act: clearing of vegetation associated with building a single residence or associated buildings; clearing of any vegetation for activities constituting essential management, which includes establishment of a firebreak, maintenance of existing fences, roads and buildings, necessary clearings to ensure the safety of persons or property, or maintaining a garden or orchard; clearing vegetation for activities constituting routine management in areas that are not mapped as endangered regional ecosystems or have not been declared by the Minister as being of high nature conservation value or vulnerable to land degradation, which includes establishing a fence, road or other built infrastructure that is on less than five hectares, reclearing regrowth vegetation or supplying fodder for stock in drought conditions; clearing vegetation for weed or pest control; clearing for ongoing farm forestry practices, which does not include clearing of native vegetation for establishment of a new plantation; and clearing for fire hazard reduction as defined under the Fire and Rescue Authority Act. There are other exemptions in the urban area, but I wanted to focus on those to demonstrate that farmers are not going to be restricted in carrying out their normal maintenance activities and operating their farms.

In the Cairns DNR district, which includes the Wet Tropics, Cape York and the savanna lands, work is progressing well to introduce this new regime. A regional coordinator has been appointed and has begun discussions with stakeholders. Regional management vegetation officers and regional management planning officers will be appointed in the near future to deal with the applications to clear land to prepare regional vegetation management plans.

There is no hysteria about the process, as seems to be occurring elsewhere. Much of the land is leasehold, where people are already accustomed to operating under clearing guidelines or the land falls within the Wet Tropics World Heritage area where controls already exist. I know, though, that some concern has been expressed that the vegetation maps being prepared by the Queensland Herbarium have not been provided for our area. I do believe there should be more resources put into that process. We can use existing vegetation maps such as those prepared by Webb and Tracy for rainforest areas and the Wet Tropics Authority is providing additional mapping information.

As I said in my previous speech on this legislation, good farmers should have nothing to fear because they will already be managing their land in a sustainable way. If they have not been doing that, then this new legislation will provide them with the opportunity to actually review their practices and ultimately achieve a better result both for themselves and for the environment. As with the changes to water management, for some this legislation requires a change of attitude and a new philosophy but one that is essential for the future if Queensland's natural resources are going to be handed down to our children and grandchildren as healthy, functioning ecosystems to sustain our economy and our way of life.

Mr NELSON (Tablelands—IND) (9.56 p.m.): I will take only a couple of minutes. What I am going to say is going to be pretty surprising for some people in the Chamber. There has been a lot of hysteria about this Bill and, as far as I am concerned, a lot of misinformation has been spread around. We do need to manage our environment for a lot of reasons, and a lot of people on both sides of this Chamber agree with that. Most farmers whom I know and with whom I spend a lot of time are good environmental managers, but there are some who are out and out environmental vandals. However, it is not just farmers who are environmental vandals; some developers, especially around the fringes of Brisbane, do a hell of a lot more damage than any farmer could ever do, especially when they clear fell land and plough it up to build houses.

Getting to the point of the matter, there has been a lot of hysteria about this Bill. In reading this Bill and in going over the topic in detail, I have not found in this Bill some of the things that I thought I would. I do not find it to be anywhere near as restrictive as it was first made out to be. I must admit that at the very start I was caught up in a bit of the hysteria as well.

Mr Lucas: You!

Mr NELSON: Yes, me, believe it or not.

I thought that there was a lot more in this Bill than there actually is. Having spent the time to go through it reasonably and rationally and actually reading some of the information that has been included, especially now, I know that it is not a major threat to the people of the Atherton Tableland, it is not a threat to good farming practices and it is not a threat to the areas that are farmed on the tablelands already. The land clearing that was needed to be done on the tablelands was carried out 50 or 100 years ago.

Mr Littleproud: That's right. It's not a threat to your area.

Mr NELSON: Exactly. I thank the member for Western Downs, because he is exactly right. It is not a threat to the area from which I come. As I said, I am not an expert on the areas of Western Downs or Callide. The people to whom honourable members should talk about those areas are the people who live there.

Call me naive, but I have the utmost faith that the department and its officers will go about their duties as best they can to make sure that this Bill is implemented in the right way, because our environment is important. We live in a country that is fragile; we live in an ecosystem that is incredibly fragile and we live in an age when that ecosystem is increasingly under threat. I live in a World Heritage listed area. I live in a part of Australia that is scenically magnificent. I am not a greenie by any stretch of the imagination, but I do believe that we live in such an age that, if we do not start thinking about the future of the place we live in and if we do not start managing that future, we are going to have a very bleak and grim outlook in following years. Once something is destroyed and gone, we cannot get it back. I would probably go even further in some respects and say that there are other ways of looking at arranging management for those areas. But I am not the Minister; I do not have the ability to do that.

I believe that a lot of misinformation has been spread about this Bill. I have gone through the issues with the people in my electorate in detail and I have raised their concerns. However, one incredibly interesting issue, and it has been raised with me on numerous occasions, is what the Federal Government will do if this legislation is not passed. Sometimes it is better the devil you know. I think Senator Robert Hill would quite happily whip Queensland to make up a few votes in South Australia. He might say, "I'm managing vegetation. I'm limiting what they can do in Queensland." However, it needs to be remembered that South Australia does not have the same level of vegetation as Queensland has. It does not have zones that Queensland has such as the Wet Tropics or the open savanna country. Therefore, I am more afraid of Senator Robert Hill than I am of the Minister, the member for Everton. I fear Senator Hill 10 times more, because from time to time Senator Robert Hill has shown himself to be totally against agricultural practices in Queensland and totally unhelpful when it comes to these debates.

A Government member: And anti-Queensland.

Mr NELSON: Yes, very anti-Queensland. I want to place that on the record. I ask my constituents to think about this: what would the Federal Government do if these laws were not put in place? What pressure would be placed on us by Senator Robert Hill and his gang of cutthroats? We have been taught not to trust the Federal Government. I would trust a Queensland Government before I would trust a Federal Government.

In relation to the compensation issue, I believe that we need to look at some level of compensation. Whenever we adjust the way people use something in their possession, we must duly compensate them. If the Government compulsorily acquires land in order to build a road through somebody's land, the owner of that land should be compensated. If the Government rightfully takes away their right to clear land, that is fair enough. I have no problem with that. However, they should be compensated for the worth of that land, especially if it is freehold title. That is my opinion and the opinion of my constituents. The compensation issue is the biggest problem I have with this Bill.

I also have a very big problem with the fact that the debate has been guillotined. Members do not get the full amount of time to debate the Bill. However, that is a democratic problem. Because other members in this place want to contribute to the debate on the second reading, I will leave it at that. If the amendments moved by the member for Keppel in the Committee stage are accepted, I am more than happy to support the Bill.

Mrs LIZ CUNNINGHAM (Gladstone—IND) (10.02 p.m.): A lot was said in debate on the original Vegetation Management Bill and a lot has also been said in debate on the Vegetation Management Amendment Bill. It is disappointing that the debate is being guillotined because of the seriousness of the issues we are dealing with. However, rather

than dwell on that point, I refer to a letter to the Premier on this matter. The letter states—

> "Peter, I was very heartened by the fact that you delivered on your commitment at Roma and since to remove any reference to 'of concern' ecosystems when you took amendments to the Vegetation Management Act to Parliament. Feedback from our members has been positive in that respect."

The letter goes on to state—

> "However there still are a number of issues, which I raised on Wednesday afternoon, that are of significant concern to Agforce and myself."

I will go through the issues that this person and a number of members have raised in the debate today. I believe that these issues are the three or four pivotal issues that remain of concern to landowners with regard to the Vegetation Management Amendment Bill.

The first issue is the absence of the appeals process. In the Water Bill passed this afternoon there is an appeals process because there is an appeals panel. Agforce, which is in a prime position to comment on this process because it represents landowners with various types and various sized properties, has said that an appeals structure similar to that contained in the Water Bill would be significantly appropriate in the Vegetation Management Amendment Bill. I would be interested in clarification as to why a panel is not available in this Bill. Even though water and vegetation issues are quite different, the process and the potential impact on landowners is similar. Therefore, I believe that a similar transparent appeals process would be most appropriate.

The second issue raised is the importance of the term of the approval for applications. It is my understanding that at previous meetings the Minister and the Premier have given an undertaking to look into the possibility of a five-year term. However, landowners, Agforce and the QFF have said that, because of rate of return issues and borrowing issues, a 10-year period is essential. Again, this issue was reflected in the Water Bill, because permits under the Water Bill are for 10 years. Even though the subject of this Bill is different, it affects landowners in fundamentally the same way.

The third issue raised relates to the mapping conducted by the Queensland Herbarium. There is concern in the community that significant errors have occurred in the mapping. One issue raised with me was that some of the maps are quite aged, that is, two to three years old. If those maps are being used as a basis for prosecutions, then it is critical that the maps are up to date, accurate, of a resolution that are sufficiently clear so that the changes in the property can clearly be determined.

The final issue I want to raise is one which has been raised by many speakers in the debate so far, that is, the complete absence of compensation. Earlier this evening a member interjected and said, "All you're interested in is the money." When landowners have raised concerns with me about compensation, they have not raised the issue in a mercenary sense. Some properties are purchased with standing timber on the basis that that timber is part of their investment and part of their expected return. If any one of us entered into a business venture where part of our possible return which we paid for at purchase was arbitrarily removed, we would be aggrieved as well. If the Government removes from landowners the ability to realise a rate of return on part of their investment, in this instance, standing timber, they are asking for compensation. I agree that the terms of the compensation must be clear, the criteria for eligibility must be clear and there must be general agreement on any other details dealing with compensation. However, I cannot understand how we can argue that, with the Government making a decision which so negatively impacts on a person's potential livelihood, the Government cannot be held responsible to compensate for that impact.

The final paragraph of the letter states—

> "Peter, I think if we can get some practical resolutions of these matters"—

that is, the four I have raised—

> "Agforce, myself and landowners generally will support the legislative framework and actively get behind the regional process which we all agree is an essential element in achieving a satisfactory conclusion to vegetation management. I reiterate my genuine determination to get a long term sustainable outcome for us all on vegetation and I hope we can quickly resolve these matters. I look forward to your response."

The four issues raised in this letter are clear. They are defendable. They are logical, and they are just. The writer of that letter was Larry Acton from Agforce. I commend his letter to the Premier and commend his requests to the Minister. As I said, I believe they are eminently suitable.

A letter from the QFF states—

"The amendments we are seeking are to:

Provide compensation for landholders whose properties are adversely affected

Provide an appeals provision against declarations of areas of high nature conservation and areas vulnerable to land degradation

Provide for longer term certainty by granting approvals for ten years."

The amendments circulated by the member for Keppel reflect those requests. I believe they are defendable. I will be supporting the amendments, and I commend those amendments to the Minister.

Mr WILSON (Ferny Grove—ALP) (10.08 p.m.): It is a pleasure to speak in support of the Vegetation Management Amendment Bill. Land degradation has been a longstanding issue throughout Australia for many decades, principally in relation to a range of land use practices that in more recent times we have come to understand have produced such a detrimental effect upon the land that vegetation management legislation such as we have before the House today is absolutely critical.

I recall growing up in the southern Riverina, just north of the Murray River. Year after year, for a number of years, we would be subjected to red dust that came from western New South Wales because of the land clearing practices that were then going on there. After a couple of days, we would have to go through the house and dust every item and wash all the linen, curtains and so on because of the fine red dust that was blown from the west as a result of the degradation of land in western New South Wales. That was principally because of the overclearing that was taking place, even that long ago. The problems of salination that we experience now and the difficulties with soil conservation and watercourse erosion are products of practices back then. This is a longstanding issue. Unless we deal with it effectively, future generations will bear the consequences.

There is an assumption sometimes expressed by some members on the other side of the House that people on this side of the House are not acquainted with the difficulties experienced by people on the land, as if we were all born and raised in a metropolitan environment. I for one, like many others on this side of the House, have a country background and am familiar with circumstances over many years in central west New South Wales and in the southern Riverina.

Both sides of my family come from the land—many, many generations. The whole culture I grew up in involved an understanding and appreciation of and sensitivity to the problems that farmers experience. My relatives were never fortunate enough to have big land-holdings. They battled with the small blocks they had, as did many other families.

There is a genuine sensitivity to and awareness of the difficulties experienced by our fellow Queenslanders in the rural and regional areas of our great State by members on this side of the House. It is with that sort of background that we try to come to grips with this issue of vegetation management. The Bill introduced in December was an excellent one. It is a great shame that, through the neglect of the Federal Government, its provisions are now not able to be fully implemented.

As members might expect, I have a more recent and immediate sensitivity to the importance of vegetation management legislation because of the special nature of parts of my electorate of Ferny Grove. In many ways I think I am blessed to have the areas of the Samford Valley and the southern part of the D'Aguilar Range in my electorate, particularly the communities of Mount Nebo and Mount Glorious. It is a well-kept secret within south-east Queensland that the areas of the D'Aguilar Range, Mount Glorious and Mount Nebo are so wonderful. The Brisbane Forest Park and that area of the range have been referred to as the lungs of Brisbane. The local communities depend greatly on maintaining the natural landscape and natural vegetation that is there at the moment. The importance of that natural vegetation to the growing interest in tourism in that area cannot be overstated.

I look forward to the cooperation between the State Government instrumentalities and the Pine Rivers Shire Council in implementing the letter and, more importantly, the spirit of the amended vegetation management legislation to fully protect all types of tenure on the D'Aguilar Range and in the Samford Valley. The new councillor for Division 1 in the Pine Rivers Shire Council has shown a welcome readiness to work with all levels of government and the relevant elected representatives for the area, irrespective of party affiliation, for the benefit of everyone in the community. That is to be commended.

As I said, the original Bill introduced in December last year sought to provide a flexible and balanced framework for sustainable land

management well into the future, addressing both leasehold and freehold title as well as endangered and of concern vegetation. It was developed following extensive consultation amongst all stakeholders, including our rural industries, conservation groups, urban development industry, local government and Government agencies. It was developed because, amongst other things, land clearing has long been recognised by the scientific community as a significant factor in land degradation, the loss of biodiversity and accelerated greenhouse gas emissions.

Let us keep in mind that discussions about a planning regime for tree clearing have been going on in Queensland for over a decade. It should also be remembered that vegetation management is not a peculiarly State issue; it crosses State and Federal boundaries, as one would expect. It is incumbent upon the Federal Government to provide every assistance and cooperation to this State Government in its delivery of sensible and balanced vegetation management legislation in this State.

The State Government made a commitment to farmers that protection of the of concern regional ecosystems—those ecosystems vulnerable to extinction—would be removed from the Vegetation Management Act if the Commonwealth did not provide funding support. This commitment was made after the State Government put forward $111m over four years to support our new vegetation management guidelines. We sought $103m over four years from the Federal Government—a small contribution when compared with the dollars paid out to other States to repair the damage caused by failing to act soon enough. Earlier I referred to the generations over which land degradation has occurred in other States.

The Federal Government has failed to deliver on the assurances given to Queensland during the preparation of these guidelines. We now know that representations by the National Party led to Federal Cabinet being deadlocked, doing nothing to support Queensland. The result is that the Federal Government has reneged on its stated intention of some time ago to do everything possible to assist the introduction of this legislation into Queensland.

Even an approach to the Commonwealth from key rural industry groups—Agforce, Canegrowers, Queensland Fruit and Vegetable Growers, Cotton Australia; they were all represented at various meetings—could not raise a cent for our farmers because the National Party here in Queensland scuttled the original guidelines for Queensland. Rural industry has sought an opportunity to have strong local input into this legislation.

With this amendment, the onus will be on local communities to create a level of vegetation protection beyond just endangered regional ecosystems to underpin their prosperity for years to come. Both endangered and "of concern" regional ecosystems will be protected on leasehold land. Some 73% of all State land is leasehold, but on freehold land only endangered regional ecosystems will be protected, with local groups having the ability to go beyond this level of protection. That is because with freehold land the Federal Government has backed away from any support it was otherwise going to give for a combined funding package to cover the compensation that would be rightly due to freehold owners of land if their use of that land were restricted by the imposition of guidelines designed to protect of concern as well as endangered ecosystems.

More than 20 regional vegetation management committees will be established in the next few months to develop plans for the future. The committees will use the legislative framework to develop a local approach to land management. These committees should consider the new guidelines as minimum standards for managing vegetation to sustain our land and protect biodiversity. There is no reason why these regional groups cannot go well beyond the level of protection prescribed in the guidelines, and the Government is encouraging them to do so.

I look forward to a continuation of the spirit of cooperation shown by the Mountain Environment Protection Association, covering Mount Nebo and Mount Glorious, other concerned members of the community in the Samford Valley and the Pine Rivers Shire Council and the relevant State Government agencies—working cooperatively together to achieve a net outcome through this new legislation that is of benefit to not only this generation of Queenslanders but also future generations, for whom we hold in trust the natural vegetation that we have throughout Queensland. Of particular concern to me is the D'Aguilar Range in the electorate of Ferny Grove. I commend the legislation to the House.

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (10.19 p.m.), in reply: I thank all honourable members for their contributions to this debate. I think it is fair to

say that, in the context of this second reading, all members who really wanted to have anything to say have had an opportunity to say it. Indeed, any members who did not have the opportunity, or believe they did not have the opportunity, when the original Bill was introduced in December last year have certainly had the opportunity today to express their views on the Bill. Indeed, most of the points made by Opposition members in this debate on the amending Bill effectively addressed all the issues on the original Bill. So the proposition by any members that there has not been sufficient time to debate is well and truly put to rest by the fact that, when the original Bill was introduced in December, the debate went from 10.30 in the morning until 4.30 that afternoon, barring lunch, and today again, a similar period of at least half a day, in effect, has been allowed for a full and comprehensive debate on the key issues.

To address more specifically some of the points made by various members in the debate, let me go to some of those points. The first issue is the question of the distinction between leasehold and freehold land. It is interesting that members of the Opposition continue to express concern about what they believe to be the abolition of the distinction between leasehold and freehold land. That argument had some potential for being agitated at the time when the original Bill was introduced because, of course, part of the approach that I had quite openly and deliberately taken was to try to have a consistent approach to addressing this issue across Queensland. What we are talking about here does not go to tenure; what it goes to is the question of how people manage their land for long-term sustainability of the catchment as a whole. For that reason, I think it makes sense, frankly, that land across catchments, regardless of tenure, is managed in a way that seeks to achieve long-term sustainability.

Nevertheless, the reality is that what this Bill does is in fact do precisely what Opposition members have expressed as their view, namely, re-establish a distinction between leasehold and freehold land, because leasehold land will now have applied to it standards that ensure the protection of both endangered vegetation communities and of concern or vulnerable vegetation communities, whereas freehold land will now only be subject to the absolute minimal protection of endangered vegetation communities, that is, those vegetation communities of which there is less than 10% left. In other words, 90% of them have been cleared historically. The purpose of that protection, of course, is to achieve what, at the outset of the entire debate about this, was acknowledged by rural industry to be fundamentally part of every land-holder's duty of care, namely, to avoid complete extinctions of any particular regional ecosystem.

When this discussion was first embarked upon at the beginning of last year in the Vegetation Management Advisory Committee, the whole issue about compensation really was addressed to the issue of protecting the of concern regional ecosystems, because that constituted a much larger component of properties across the State; it also, obviously, in proportion sense, accounted for those ecosystems which had been cleared beyond 70% but not beyond 90%, that is, had 10% to 30% left. They are the of concern or vulnerable regional ecosystems. Because we were moving to that level of protection or seeking that level of protection, it was acknowledged by the Government, rural industry and conservation groups that some measure of financial adjustment assistance was appropriate. For that reason, our Government went to the Federal Government and indicated that in order to do all the mapping, the administration of the system, advice to land-holders, workshops and education—all the things that would support the sound implementation of a system that would help land-holders do this in a way that would maintain the success of their business, the profitability of their business, and enable them to approach the issue from a standpoint of good land management and landscape design—we needed complementary support in order to achieve that level of protection of "of concern" ecosystems on freehold land.

Regrettably, the Federal Government has failed to achieve agreement within its own ranks on providing that support. I know for a fact that the Opposition in Queensland, and the National Party in particular, has been actively discouraging the Federal Government from participating in any way, shape or form. It is fair to say that when I canvassed this matter with the Federal Minister last year I got an indication from him that the Federal Government, while it had not in the past supported any particular State in implementing these sorts of arrangements, recognised that addressing this issue in Queensland was a special case and deserved a national contribution to achieve nationally desirable goals. I achieved the implementation of our Government's side of the bargain at the end of last year in passing the legislation that we passed, but we have now gone nine months and the Federal Government has failed to

achieve its side of the bargain. For that reason, what this amending Bill does is water down the laws that we passed last year.

We do not have an appeal process in this case because, unlike under the water legislation, where the water plans are set by the Government, the regional vegetation plans are by and large driven by community-based planning committees, and so the opportunity for land-holders to appeal is to those committees that will recommend to me areas of high conservation value or areas subject to land degradation. Compensation has been a constant clarion call of the Opposition, both in regard to this matter and in regard to the other matter.

In relation to this legislation, which we have now weakened, I have made clear that at least a substantial basis for the protection of an endangered ecosystem is that it is a fundamental duty of care of a land-holder. Nevertheless, I have given indications to rural industry that we will address on a case-by-case basis those land-holders who, by the special circumstances of their case, may be exposed to exceptional hardship, and we will seek to ensure that the concerns and particular problems of those land-holders, if they have a substantial proportion of endangered ecosystem on their property, are addressed. But an open chequebook for compensation is no longer justified to the extent that it undoubtedly was when we were previously seeking to protect the of concern ecosystems.

Agforce has made submissions to me in relation to the period during which an approval will operate. I have indicated to Agforce that I think there needs to be a consistent approach on leasehold land. Both now and previously, before we came to Government, the term of an approval was five years. I intend that it should stay five years for the time being, particularly having regard to the fact that we are watering down the level of protection that the planning regime provides. But I have not closed the door on the possibility of a longer permit or approval period if in the future we can see this system actually achieving results. If we implement this system and it achieves effective outcomes, then the case for a longer period for an approval can be reassessed at that time.

In relation to the maps - I think it is fair to say that, at any point in time, any map is a snapshot in time, a snapshot of the state of play at that time. The maps are not going to be changed every week as approvals are handed out. So at any point in time, there is going to be a measure of inaccuracy in the maps, but they are, after all, only a guide.

This legislation does not impose any greater burdens on land-holders; it in fact reduces those burdens, and it puts in place a community-driven planning scheme which I know the Opposition, if and when it ever gets into Government, will retain, because it knows that it is in the interests of the landscapes of Queensland.

Motion agreed to.

Committee

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr LESTER (10.33 p.m.): I move the following amendment—

"At page 5, lines 11 and 12—

omit, insert—

'(4) Subject to subsection (5), the Minister must not prepare the declaration until the end of 42 days after the latest notice is given to a land owner under subsection (3).

'(5) Subsections (6) and (7) apply if a land owner makes an application to the Land Court under section 63A about the stated area the subject of the notice.

'(6) The Minister must not prepare the declaration until the final decision of the Land Court on the application or the application otherwise ends.

'(7) The Minister must not—

(a) if the Land Court's final decision is to declare that the stated area is not an area of high nature conservation value or an area vulnerable to land degradation—prepare the declaration; or

(b) if the Land Court's final decision is to declare that the owner's land in the stated area is not an area of high nature conservation value or an area vulnerable to land degradation—include the land in the stated area.'.

'(3) Section 16(1A) to (7)—

renumber as section 16(2) to (8).'."

Section 16 of the Vegetation Management Act provides the Minister with the power to declare a stated area as either an "area of high

conservation value" or an "area vulnerable to degradation".

The declaration enables the Minister to ban all clearing, including regrowth control, in such a declared area. The Government's amendment proposes to amend section 16 by inserting a provision requiring the Minister to give each owner of land that is in the stated area a written notice inviting them to make a submission about the declaration.

According to the Government document titled "Vegetation Management Act 2000—Proposed Amendments" and circulated by the Premier at his meeting with rural industry and the Greens on 23 August, this amendment was to fulfil a promise to the Queensland Farmers Federation. The Queensland Farmers Federation informed us that that is absolutely not the case and it is quite angry that the Government has misrepresented its position.

What the QFF and its member organisations have been seeking, and quite rightly, is the insertion of a provision for an independent appeals process so that land-holders have the opportunity to make any objections and have them adjudicated by the Land Court before a declaration is enacted. Industry first requested this provision in a letter to DNR Director-General, Terry Hogan, in December 1999 and has continued to request it in all their dealings with the Government on this issue since.

In fact, in their most recent discussions with DNR in August the department suggested that the need for an appeal process would be overcome if there were reference to an independent statutory panel able to examine objections prior to the declaration of these areas. The QFF believes such a panel would have provided the opportunity for independent scientific testing that industry had sought. But surprise, surprise, the Beattie Government has breached the rural industry's trust again because there is no such provision in the Bill. There is an extremely wide-ranging and very subjective power for the Minister to severely restrict the ability of land-holders to manage their properties. In fact, the Government is proposing another amendment in the Bill to make this power even more wide ranging. Such a declaration by the Minister will have devastating financial consequences for many of the affected land-holders.

The Opposition cannot support the application of such a broad power with such serious consequences without providing land-holders with the right of appeal. This amendment provides land-holders with the right of appeal that they are entitled to. Our amendment is entirely consistent with the position that we took on the Water Bill and it is fair and just.

Mr SEENEY: Because of the shortness of time, I will not enter into a long argument, but I want to record my support for the amendment that has been moved by the member for Keppel. This concept of land-holders having a right of appeal against decisions that have very long-ranging effects on their operations is one that we have argued a number of times here today. It is one that should be supported by anyone who understands the concepts of basic fairness and natural justice.

Mr WELFORD: This issue was canvassed extensively in discussions between the rural industry representatives, including Agforce, and me and indeed during extensive discussions that I authorised between the departmental officers and Agforce. In the end, there were a couple of factors that weighed in a consideration of the way that we have dealt with this issue.

Firstly, for reasons that I indicated in the previous debate, we did not think it was appropriate to sign a blank cheque on compensation as such. Indeed, in the early discussions that were held the issue was not one of compensation so much as whether there was some sort of financial assistance package that could accompany and assist the transition to the new planning system. Of course, it was that issue, too, that the Government, in parallel with some of the rural industry groups, went to the Federal Government and sought its support for.

In terms of how areas of high conservation value and areas at risk of land degradation would be addressed, the primary legislation provides for that to be advised to me by one of the local planning committees or regional vegetation management planning groups and for that group to consult with local land-holders including, in particular, those affected and for a requirement in the current legislation for a notice to be given to any land-holder whose property is under consideration for declaration as being of high conservation value or vulnerable to land degradation and that person, not in addition to their opportunity to make submissions to the local planning group which is considering that matter, also has the right to make submissions to the Minister before any declaration is made. So they already have two avenues through which to canvass submissions on the consideration of that issue, and indeed the Minister under the current legislation has the capacity and the power to establish a further panel to which to

refer any such applications that he receives from individuals who have received a notice. So there are already built into the substantive legislation ample opportunities for land-holders to have the issues they wish to raise given a full and proper hearing.

There is a further factor that is relevant in respect of the Land Court. It has the primary jurisdiction for consideration of valuation appeals and other matters in relation to the Land Act. In some respects I think it is perhaps unfair—certainly, not necessarily appropriate—for the Land Court to be seeking to address issues of ecological integrity. Those are issues that, I think, specialist panels need to deal with. In cases where there is no clear-cut case—and we need to remember that in most cases these matters will be referred to me only if the local planning committee is actually convinced that there is a pretty strong case—but where there is any doubt, then the Minister reserves the power under the existing legislation to set up a specialist panel with special expertise to assess these matters. If there is uncertainty, then I am certainly more than happy to do that—to have the best possible advice provided before any declaration is made.

So in those circumstances, I think that the current legislation deals with it adequately. I do not think that the Land Court is the appropriate forum, but I accept that the option for the Minister, or for the Government, to establish a specialist panel to deal with these things is appropriate. That is why the current legislation provides for it. The provisions requiring notice to be given, as proposed in this amendment, are already in the primary legislation.

Question—That Mr Lester's amendment be agreed to—put; and the Committee divided—

AYES, 37—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Gamin, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Stephan, Turner, Veivers, Wellington Tellers: Baumann, Hegarty

NOES, 39—Attwood, Bligh, Boyle, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

Clause 6, as read, agreed to.

Clauses 7 and 8, as read, agreed to.

Clause 9, as read, agreed to.

Clauses 10 and 11, as read, agreed to.

Insertion of new clause—

Mr LESTER (10.48 p.m.): I move the following amendment—

"At page 7, after line 6—

insert—

'Insertion of new pt 2A

'11A. After part 2—

insert—

'PART 2A—COMPENSATION

'Compensation payable for effect of implementation of Act

'23A.(1) Compensation is payable by the State to the owner of freehold land if—

(a) the owner applies, under the Integrated Planning Act 1997, for a development approval for operational work that is the clearing of native vegetation on freehold land; and

(b) the approval is refused wholly, or partly.

'(2) Compensation is payable to offset any diminution in the market value, or profitability, of the land caused by the refusal.

'(3) The amount, and form, of compensation is the amount, and form—

(a) agreed between the chief executive and the land owner; or

(b) failing agreement, decided by the Land Court.

'(4) In deciding the amount of compensation payable, regard must be had to the following matters—

(a) the capacity of the owner's land to sustain the existing use;

(b) any change in the value of the owner's land because of the refusal;

(c) any change in the profitability of the land because of the refusal;

(d) any duty of care relating to the land and stated in a regional vegetation management plan, or property vegetation management plan, for the land.

'(5) Subsection (4) does not limit the matters to which regard may be had in deciding the amount of compensation.

'(6) Without limiting subsection (3), the form of compensation payable may include 1 or more of the following—

(a) a low interest loan;

(b) restructuring assistance;

(c) an ex-gratia payment;

(d) alternative or additional land;

(e) land management assistance, including, for example, fencing.

'(7) A claim for compensation must—

(a) be made in a form approved by the chief executive; and

(b) be made to the chief executive within 6 months after the owner is given notice of the refusal mentioned in subsection (1), or the longer period the chief executive or Land Court in special circumstances allows.'.'."

Premier Peter Beattie promised over 2,000 land-holders at the rally held in conjunction with the Roma Cabinet meeting that he would remove any reference to of concern vegetation from the Vegetation Management Act and that the Act would not be proclaimed for freehold land without compensation for affected land-holders. The Beattie Government has made no provision for compensation for affected land-holders whatsoever. Now the Premier has attempted to slither out of honouring this promise by claiming that it was up to the Federal Government to provide compensation and that because it has not, he was left with no other choice but to proclaim the Vegetation Management Act to cover endangered vegetation on freehold land. I have to say that this is not the case.

All the major farm industry organisations have rejected the Vegetation Management Act and are completely opposed to this Bill, because the State has broken its promise not to provide any compensation. The QFF said in its commentary on this Bill—

"As an initial comment, QFF remains strongly opposed to the Vegetation Management Act 1999 and the State policy for vegetation management on freehold land (August 2000 version) in the absence of any commitment by the State Government to compensating farmers for the resulting loss of value of their asset. This is an issue we cannot step aside from."

With reference to Canegrowers Chairman, Harry Bonanno, an article in the Innisfail Advocate states—

"He was amazed and disturbed at the apparent dismissal of the rights of freehold land-holders embodied in the Government's proposed amendment of the Vegetation Management Act 1999."

Mr Bonanno said further that the proposed changes made the legislation unworkable, leaving canegrowers with no option but to oppose it publicly. In a letter sent to the State Premier, Peter Beattie, Mr Bonanno expressed concern that the Vegetation Management Act 1999 could be proclaimed without any provision for compensation for land-holders adversely affected by the new rules. The letter states—

"Queensland primary producers with endangered ecosystems on their farms will be forced to retain these habitat types at their own cost for the benefit of the entire community regardless of the farm business plan.

This is grossly unfair. In other States where legislation of this type has been introduced, the State Government has provided compensation. The Queensland Government has clearly abrogated its responsibilities in this matter."

During the 1999 Estimates committee hearings, even the Minister acknowledged that compensation would be necessary, and he gave an assurance to the committee that the State Government would provide it. He said—

"... as I have done in my discussions with rural industry in relation to water resource issues and the outcome of the catchment planning and water allocation management planning process, we intend to put together a substantial industry package in consultation with industry to ensure that any adjustments under any changed guidelines that impact on the business viability of rural primary producers will be addressed. We acknowledge that a decent incentives package is required and our State will play its part."

The Queensland coalition cannot stand by and allow this Beattie Labor Government to break yet another promise—a promise that will have a very real impact on land-holders' viability and the value of their asset. This amendment provides the basis for a fair compensation package for any land-holder adversely affected by the Act. It has been proposed after consultation with rural industry organisations and revolves around the basic principle that the State should provide an adequate package of compensation and transition incentives—

to offset any diminution in land values following the implementation of vegetation management controls, where a land-holder's rights and legitimate and

reasonable expectations have been diminished; and

to encourage voluntary retention of vegetation.

A development permit, in the form of a property-specific management plan, could form the basis for determining the impact on each property and for assessing the level of any incentives, adjustments and compensation payable by the State. The property management plan would form the right to compensation in the event that the development approval is adversely affected by a subsequent planning process, such as following the release of a regional vegetation management plan. Provision could be made for the concept of a duty of care which is defined at a regional level in the regional vegetation management plans and described spatially in property plans. The duty of care would separate private benefit issues from those that are of community benefit. Assistance or compensation principles proposed include—

the provision of a transition incentives package where a property's market value is diminished by the rejection of a part or all of a development permit, on the basis of a before-and-after test;

those things forming part of an individual's duty of care would not be compensated, however, there would need to be scope to exercise discretion through an appeal process where a land-holder reasonably expected to be able to undertake certain development—for example, where locally accepted and proven practice in, say, developing slopes is prohibited in the regional vegetation management plan;

financial incentives and adjustments would be payable as agreed between the parties or determined by the Land Court.

Similar to the provisions that already apply in the Nature Conservation Act, the Land Court must have regard to—

the capacity of the land to sustain the existing use;

any change to the value of the property because of the approval of the regional vegetation management plan or property management plan, that is, a before-and-after test determining any change to the market value of the property because of the restrictions and prohibitions imposed as a result of the plan;

any change in the profitability of the property because of the approval of the regional vegetation management plan or property management plan; and

any agreement with the land-holder.

These agreements would allow for a range of compensation to be considered beyond or in place of monetary amounts, for example, low-interest loans, restructuring assistance, ex gratia payments, offers of alternative/additional land, management assistance, fencing and so on.

Dr PRENZLER: City Country Alliance members will be supporting this amendment as proposed by the member for Keppel. Even though we are totally opposed to this piece of legislation called the Vegetation Management Amendment Bill, we do believe that if such legislation must proceed, one of the core philosophies underpinning that legislation must be that compensation is payable. There is no doubt that the imposition of such an Act is completely against the concept of freehold land title as we believe it to be. We also believe that such legislation, if challenged in the High Court of Australia, could be defeated. But if it must go ahead, we believe in compensation for the landowners if they are forced to preserve vegetation as the Government sees fit.

There is no doubt that compensation is essential if the Government believes that certain areas of vegetation are considered to be endangered. As I have said many times before in this Chamber, the Government should have taken a different attitude with respect to this Bill. It should have consulted with landowners and explained to them properly the reasons why vegetation must be preserved. It should have adopted the sensible approach of negotiating compensation packages. Any such packages must be ongoing packages and not one-off payments. This legislation is removing the chance for these people to develop potentially productive country. We must pay compensation and that compensation must be ongoing. We support this amendment for compensation 100%, and we will be voting for it.

Mr SEENEY: I, too, preface my remarks by reinforcing the fact that I am totally opposed to the legislation. I rise to support the amendment that has been moved by the member for Keppel and say once again that it illustrates a very basic difference, a very fundamental difference, between the Government in this place and the Opposition on this side of the Chamber. This amendment seeks to properly compensate land-holders for

what they are about to lose. The need to do this was recognised by the Premier.

An Opposition member: It was promised.

Mr SEENEY: It was promised. It was not just recognised, it was promised in front of about 4,000 people in Roma.

Mr Sullivan interjected.

Mr SEENEY: The member opposite was not there. Quite a number of people on this side of the Chamber were there, and 4,000 other people were there who all will attest that the Premier promised that this issue would be recognised and that it would be sorted out before this legislation was proclaimed. There could not be a more direct promise than the one that was given by the Premier in Roma that day. It just is not possible to deny that that assurance was given.

That promise was given by the Premier because at that stage he had taken over the issue from the Minister for Natural Resources. As I recall, he would not let the Minister for Natural Resources even answer questions at Roma because by that time he had totally lost control of the agenda. His incompetence was well and truly demonstrated. I hesitate to criticise the Minister for Natural Resources too much tonight; it seems to upset the member for Nicklin for some reason that I cannot quite fathom. I have made enough comments tonight about the ability—or lack of ability—of the Minister for Natural Resources, and that was clearly illustrated that day in Roma. The Premier took over the issue and made a clear commitment to the people who were there that this compensation question would be sorted out.

If we accept that there is a philosophical divide here, that we are never going to agree on philosophies, then for no other reason than the Premier's credibility this amendment needs to be accepted by the Minister whom the Premier judged to be too incompetent to run that meeting or contribute to that meeting that day. The Premier's credibility is on the line here in the consideration of this amendment. There is that philosophical difference. There is no doubt there is that philosophical difference, and it was highlighted earlier today in the debate on the Water Bill. It is exactly the same argument here when we consider this flawed and dangerous vegetation management legislation. It is a philosophical difference about ownership. It is a philosophical difference about property rights and what those two terms mean.

The Minister for Natural Resources and I will never agree. His approach is well and truly illustrated by a whole series of legislation that we who deal with natural resources issues have come to know as "Welford's agenda". "Welford's agenda" is to lessen ownership rights. "Welford's agenda" is to erode property rights, to attack the whole concept of private property, to take the control away from the person or persons who have purchased the property and exercised those rights for generations, in some cases. The agenda of the Minister for Natural Resources is to change, to make fundamental changes to what those terms mean and to do so without any suggestion of compensation and to do so without giving those people so affected a chance to appeal to an independent third party.

It is bad enough that he should pursue a philosophy that is so flawed and so dangerous. It is incredibly worse that he should do so in a manner that gives those people no right of appeal in the first instance—no right of appeal to any third party, no avenue, no process to test the Minister's judgment. The worst part of it is that when the Minister makes that judgment, when the Minister erodes those property rights, when the Minister takes away those things that those people have built up over time, that they have paid for and that they have worked for—when he takes away those things that are so important to their businesses and their self-esteem in a lot of cases—he refuses to even consider that they should be compensated. That is against any concept of fair play. It is contrary to any precedent in this State or in any public administration of which I am aware. Every Queenslander in every other case, every Australian in every other case, whether it be that their house is being resumed for a railway line or a piece of property is being resumed for whatever public purpose, is entitled to compensation—and long may it be so. But here we have property rights that are being taken away; here we have ownership rights that are being taken away, and there is absolutely no concept of fair compensation for those people.

It is a question of property rights; it is a question of ownership rights, but it is also a question of control. It is a question of control for people who own freehold land. The value of freehold title to so many people revolves around the concept of having control of their own destiny. Earlier in the debate the member for Toowoomba South drew some analogies about urban people who work for many years to establish a house on a quarter acre block—and that is their aim and that is what they strive towards and that is their little piece of Australia. The same concepts exist on a

larger scale in relation to rural properties. The same concepts exist with land-holders who build up those properties, who build up those assets over a long period. It is the control over those things that is very precious, and it is the reason that people spend a whole stretch of their life paying large sums of money to achieve freehold title. I know people who have paid $400,000 or $500,000 to convert the title of their particular block to freehold simply to achieve that sense of control, that sense of ownership, that sense of property rights. Through a flawed philosophy the Minister sets out to take that away.

I will not tell honourable members again what I think about that because, as I said, it upsets the member for Nicklin. It really has to be recognised that if that is going to be the case then those people have to be compensated and that compensation has to be enshrined in this legislation. A number of times here today in the debate on this legislation and on the earlier piece of legislation, the Minister has stood up with his hand on his heart and made assurances, "Don't you worry about that. I'm a nice fellow. It's all going to be all right. We'll look after these people. We'll make sure nobody is really hurt."

That is meaningless and it is worthless at the best of times. It is even more meaningless and more worthless given the reputation that the Minister for Natural Resources has established in rural Queensland. There has not been a Minister in Queensland's history who has generated as much suspicion and angst in rural Queensland among rural property owners as the current Minister for Natural Resources. It is just absurd for anyone to suggest that the types of assurances that have been given here by the Minister with the holier than thou attitude and with his hand on his heart are going to be accepted as going any way at all towards meeting the concerns—the very real concerns—that are out there among land-holders. It is equally absurd for the Minister to try to justify this by blaming the Federal Government. We have seen every excuse in the book. Of course, the "blame somebody else" excuse is one that is well and truly tried—and true here—by this State Labor Government.

Mr JOHNSON: I rise tonight to speak to the amendment moved by the member for Keppel. It is with a great deal of angst that I speak here this evening. I think that the member for Callide has put forward a very valid argument here this evening. He talked about the Minister's flawed philosophy. I disagree with the member for Callide on this issue. It is not the Minister's flawed philosophy; I think it is the Minister's ignorance as to what this legislation is all about in relation—

An Opposition member: Be careful. The member for Nicklin gets upset.

Mr JOHNSON: Oh! Well, he will have to hear what I have to say. The point that the member for Keppel is trying to make relates to the compensation factor.

Mr Mackenroth: If you keep having a go at the member for Nicklin he might come back and vote with us.

Mr JOHNSON: We live in a democracy, and in this place we can speak our minds on relevant issues. Tonight we are talking about the compensation factor. The fact that land-holders are being forced to maintain their land at their own cost gravely concerns me. At the same time, there is also the principle of the exercise we are debating tonight.

In relation to compensation, in his contribution to the debate the member for Callide touched on many issues we canvassed this afternoon in the debate on the Water Bill. The asset base of the people in question was mentioned. People who have spent hundreds of thousands of dollars over many years on freehold land will today find out that what they thought was sacred is no longer sacred. Their assets have been eroded by this Socialist Labor Government, which has put in place a policy which gives no security of tenure to the man or woman who thought they had freehold land indefinitely in the future as proof of their hard labour over many years which they could pass on to their children and grandchildren.

The real issue is that there is no appeal mechanism, as the member for Callide said. We saw what happened in Aramac. We saw what happened in Emerald. We saw what happened in Winton. We also witnessed what happened at Roma. I was not at Roma, but I know full well what happened there in relation to the 4,000 or 5,000 people who lined up. The Minister says that he has watered down this legislation. He has not watered it down.

Mrs Edmond interjected.

Mr JOHNSON: Nobody is asking you. This legislation has not been watered down. Even though the Premier said in Roma that he was listening to the concerns of land-holders, the Government has not listened to the concerns of anybody. Tomorrow there are going to be a lot of people who will shake their heads and walk away. The Government and this Minister talk about winning seats in country Queensland. I will give you the mail, old mate: the Government will not win another seat

outside the metropolitan areas after this. I will explain to the people of rural and remote Queensland exactly what this Government is all about when it comes to issues of water, freehold land title and leasehold land.

The only thing those opposite are doing is shutting down rural Queensland. They are having a damned good go at it. Early next year after the next election we will be reversing some of these idiotic, irresponsible policies that the Government is implementing today.

Mr Sullivan: You can't do that from the Opposition.

Mr JOHNSON: I am pleased that the member interjected. I say this to the member for Chermside: what he had to say tonight when he interjected on the member for Callide was irresponsible and it shows how ignorant he is of the real issues relating to this legislation. He ought to go away and drop himself on his head. I will not say any more, because I know other members want to speak.

Mr WELFORD: I thank honourable members for their contributions to this amendment. As I indicated earlier, the issue of compensation has been comprehensively canvassed with rural industry groups. We have looked at all possible options. The reality is that there are many land-holders who, for their own very good reasons, already keep large parts of their property under bush because they know it is good land management. They do it now, regardless of this legislation. The proposition that any Government, whether it be this Government or any other Government, should pay people to do something they do voluntarily—that they have chosen to do historically because it is in their interests—does not require compensation. Many land-holders already do what this legislation seeks to do. What this legislation seeks to achieve in terms of the minimum standards is what many land-holders already do voluntarily, and they expect no compensation whatsoever.

If the Opposition is so damned keen to see land-holders receive some financial assistance, then it would support our submissions to the Federal Government. However, we know that the National Party in Queensland has gone out of its way to scuttle any prospect of the Federal Government contributing to a solution of this issue. We know that, with this Opposition's support, the Federal Government would indeed contribute to a financial adjustment package for rural land-holders. The Federal Government would do it but for the fact that the National Party in Queensland has deliberately gone out of its way to scuttle the prospect of rural land-holders receiving adjustment assistance as part of the overall package which the Federal Government acknowledges needs to be implemented.

The Federal Government acknowledges that there needs to be a planning system not only for landscape management in the same way that members opposite have acknowledged the need for a planning system for water, the Federal Government also acknowledges the need for a planning system for landscape management and vegetation protection. It acknowledges that for the reasons it is encountering now in other States where excessive clearing is causing enormous economic costs to the nation. That is why the Federal Government was prepared, in principle, to support a financial package for Queensland. Why can it not sign on the line with the Queensland Government? Because the National Party in Queensland has threatened the Federal Government and threatened to scuttle Howard's attempt to sell off the rest of Telstra if the Federal Government contributes to this process!

The reason we are in this position is that we are doing the best we can to protect Queensland's landscape, not just for the broader Queensland community but for the land-holders themselves—and good land-holders expected it. The majority of good land-holders in the community support this legislation in principle.

Mr Seeney: Absolute rubbish! What about the people at Roma?

Mr WELFORD: They may have had concerns about the extent of impacts if of concern ecosystems were included, but this legislation we have retreated to, which is in accordance with the Premier's commitment at Roma in the absence of Commonwealth assistance, establishes the minimum duty of care that many land-holders already apply and most land-holders accept as reasonable. That is why the issue of compensation does not arise.

Indeed, as I have indicated, if the Opposition has a concern about the scale of financial assistance available, it needs only to phone its Federal colleagues and indicate that it is prepared to support the Commonwealth financial package coming to Queensland. The Commonwealth has already put proposals for a financial package to rural industry. It has not been able to agree on a package. It is a substantial amount of money, but the Federal Government, through its own internal conflict, being incited by the National Party in Queensland, has not been able to commit to a

funding package to achieve a planning system for landscape protection, which the Federal Government itself acknowledges is important for the long-term economic security of productive land use in Queensland. If the National Party wants to scuttle that opportunity for financial assistance, that is what it has chosen to do. It is for that reason that we have abided by the Premier's commitment.

The Premier's commitment was very clear, that is, in the absence of the Commonwealth supporting the implementation of the planning system in the way that the Commonwealth had indicated it would, we would not proceed to protect the of concern ecosystems. We would withdraw to a planning system, the details of which would be established by community-driven regional planning groups, and protect only endangered ecosystems. We have abided by every promise the Premier has made.

The CHAIRMAN: In accordance with the motion passed in the House earlier today, I will put the question in relation to the amendment now, followed by the remaining stages.

Question—That Mr Lester's amendment be agreed to—put; and the Committee divided—

AYES, 37—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Gamin, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

NOES, 39—Attwood, Bligh, Boyle, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

The CHAIRMAN: Order! For all future divisions on this Bill the bells will be rung for two minutes.

Question—That clauses 12 to 25 be agreed to—put; and the Committee divided—

AYES, 39—Attwood, Bligh, Boyle, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 37—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Gamin, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

Reporting of Bill

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (11.30 p.m.): Mr Chairman, I move—

"That you do now leave the chair and report the Bill without amendment to the House."

Question put; and the Committee divided—

AYES, 39—Attwood, Bligh, Boyle, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 37—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Gamin, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

Bill reported, without amendment.

Third Reading

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (3.38 p.m.): I move—

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

Question put; and the House divided—

AYES, 39—Attwood, Bligh, Boyle, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Fenlon, Foley, Fouras, Hamill, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 37—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Gamin, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Stephan, Turner, Veivers, Wellington. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

The House adjourned at 11.37 p.m.