

**THURSDAY, 9 MAY 2002**

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

**PETITIONS****Coominya Fishing Club; Wivenhoe Dam**

**Mr Livingstone** from 2,982 petitioners, requesting the House to (a) require the Coominya Fishing Club to remove the locked gate at McLean's Point and (b) not allow or consider further leasing of land to private fishing clubs along the Wivenhoe Dam shoreline.

**Recreational Fishing, Hervey Bay**

**Mr McNamara** from 3,140 petitioners, requesting the House to amend the Fisheries Regulations to declare the southern part of Hervey Bay and the Great Sandy Strait a recreational only fishing area.

**Tewantin Fire and Rescue Station**

**Ms Molloy** from 9,109 petitioners, requesting the House to take all necessary steps to ensure the continuation of the Tewantin Fire and Rescue Station and related services and that the facility be extended to protect the continually expanding population, health, aged and other care facilities as well as the increasingly significant environmental areas.

**MINISTERIAL STATEMENT****Queensland BioCapital Fund**

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.32 a.m.), by leave: Today I am delighted to announce a major breakthrough in investment in the Smart State. Today the Treasurer and I will announce, along with the QIC, a government owned corporation, that \$100 million has been committed to a Queensland based venture capital fund to invest in biotechnology.

I detail today that the fund will be managed by the Queensland government's fund management arm, the Queensland Investment Corporation. QIC designed this fund on the model of successful US biotechnology venture capital funds, with the aim of producing high returns to its government clients by investing in an area which is underserved in Australia. The fund will be named the Queensland BioCapital Fund and will be a closed-end fund with a life of 10 years.

In the first four years the fund will invest in about 20 biotechnology projects which it considers capable of providing commercial returns in the foreseeable future. The most promising of these projects will be brought to market by adding not only money but also management, global investors and strategic partnerships. Over the following years the fund will exit its investments, mostly by trade sale or share market listings. The fund will provide high returns for QIC clients while at the same time encouraging the growth of an important new industry in the Smart State.

Queensland has some great scientists. Today we are backing them. Venture capital is not just pouring money over science and hoping it grows. For a scientific project to achieve commercial success we need to add management skills such as product development, manufacturing and marketing. The Queensland BioCapital Fund will lead to the creation of successful biotechnology companies which are based here and sell their products throughout the world.

QIC has developed a relationship with Uniseed Pty Ltd to provide access to early-stage biotechnology start-up ventures arising out of Australian universities and research organisations. Uniseed is Australia's first university based pre-seed capital fund, established to create a high quality deal flow suitable for late-stage investment. Uniseed was established as a joint venture between the universities of Queensland and Melbourne.

The QIC's commitment of \$100 million will come from funds set aside to meet the government's provision for its share of future liabilities. These funds are already managed by QIC. I stress that: these funds are already managed by QIC for investment. This is another investment opportunity. QIC's other clients will be offered the opportunity to invest in the Queensland

BioCapital Fund to a maximum of \$50 million. The fund's targeted returns of 20 per cent plus had already been achieved by US biotech funds.

The fund will have its own staff of bioscientists and investment specialists who will also be able to draw on the global resources of QIC. I am also pleased to detail that the QIC chairman, Trevor Rowe, an experienced investment banker with Salomon Smith Barney, will be taking a close personal interest in the fund. He intends to recruit experts in biotechnology and venture capital to advise the fund.

The Queensland BioCapital Fund will focus on the human biosciences, which means investing in pharmaceuticals or equipment used by doctors and hospitals. This announcement provides the ideal Smart State injection. In the community of Australia, with 19 and a half million people, capital for such investments is limited simply because of our size, as it is in other areas such as mining and tourism. This fund provides a major breakthrough for our exciting biotechnology future. It is delivering on the Smart State.

## MINISTERIAL STATEMENT

### Terrorism

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 a.m.), by leave: There is not a grain of doubt in my mind that international terrorism is an evil force that must be resisted by peace-loving peoples the world over. After 11 September I do not think there is any doubt in the mind of anyone in Australia that that is a fact.

At the Council of Australian Governments' summit on terrorism and transnational crime last month I joined with other state and territory leaders in pledging to work cooperatively with the Commonwealth against terrorism and cross-border crime. All along I have stressed the importance of a collaborative approach between the Commonwealth and the states. I have also highlighted the success of the security effort underpinning the Commonwealth Heads of Government Meeting at the Sunshine Coast. There we saw that when Queensland police and other agencies treated protesters with respect and honoured their right to freedom of expression the protesters reciprocated by acting peacefully and lawfully. That meeting demonstrated a joint approach by the Commonwealth and the state authorities.

So it is with some concern that I have received briefings on the federal government's proposed anti-terrorism law, the Security Legislation Amendment (Terrorism) Bill 2002. The federal government is in danger of going over the top with its proposals and may capture innocent people by casting an anti-terrorism dragnet that is simply too wide. The Queensland Police Service has raised concerns about the federal government's proposed definition of terrorism, as have organisations such as the National Council of Churches, Amnesty International, the ACTU and the Law Council of Australia.

Yesterday a Senate legislation committee, with a government chair and a majority of government members, unanimously criticised the government's plans. Concerns include the way the bill defines terrorism and the fact that it would establish a regime that could interfere with state law enforcement. I will give two illustrations to the House.

First, an individual who hacks into a computer system and posts a protest notice about commercialised globalisation would be committing a 'terrorist act' under the bill, even if the hacker caused no damage. This person would be subject to a maximum penalty of life imprisonment. I do not support acts such as that, but is life imprisonment a suitable penalty? I give another example. Murder would be a terrorist act if it were politically, religiously or ideologically driven. However, murder is already covered by the Queensland Criminal Code and already carries a mandatory life sentence.

My concern is that successful prosecutions could be jeopardised if we have two parallel systems, and the act of killing could be prosecuted under either. The problem is that, if evidence is obtained under the Commonwealth law and it then emerges that an act was not politically motivated but could be covered by the state's criminal laws, the evidence may not be admissible in a Queensland court. We are also increasingly concerned by the manner in which the Commonwealth is progressing these issues. The Minister for Justice, Chris Ellison, has made several recent announcements about some of the proposed uniform national laws. He did so after addressing a police commissioners conference and has since requested that this government agree to certain measures as soon as possible.

For example, Senator Ellison has asked the Police Minister to agree to uniform laws to crack down on hand gun trafficking before it is considered at the Australian Police Ministers Council meeting in July. While the Police Minister and I support many of the Commonwealth's proposals, these important policy issues demand detailed consideration by the elected governments, and I urge Canberra to hold an open dialogue with us. This is not an argument about state rights. It is an argument about the rights of Queenslanders and other Australians to express their objections to government policy and actions without being labelled terrorists and threatened with severe penalties. It is about freedom of speech. We want to crack down on terrorists, but we do not want to destroy one of the fundamental planks of this democracy.

I hope that the federal government will uphold the importance of balance—and it is about balance—and commonsense as it undertakes the important business of bolstering Australia's antiterrorist capabilities. I say this to the Commonwealth: work with us. We will work with you to defeat terrorism, but we do not want to defeat people's basic rights in the process.

## MINISTERIAL STATEMENT

### Capital Works Program; Dairyfarmers Mozzarella Factory

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.41 a.m.), by leave: This Queensland government's \$5 billion Capital Works Program is providing vital community infrastructure for Queensland. The program has a strong regional focus, with approximately 58 per cent of capital expenditure occurring outside the Brisbane area and approximately 46 per cent occurring outside the south-east corner. We are a government for all Queenslanders. Our Capital Works Program is generating about 46,000 full-time jobs in the construction industry throughout the state this financial year. It is a bricks and mortar investment in jobs and better facilities in all parts of our state. The Capital Works Program generates massive spin-offs in regional communities. It is an important program, and I will take a moment to update members on some of the government's major capital works projects.

On 3 May I turned the first sod on the site of the \$55 million, 16-level tower at 33 Charlotte Street in the Brisbane CBD, a project that is likely to generate more than 700 jobs. I congratulate my colleague the Minister for Public Works and Minister for Housing, Robert Schwarten, on driving the project through to this stage. Construction firm Barclay Mowlem is working to a 78-week time frame to construct the new tower, which complements its neighbour, the existing 111 George Street building. But there is more. In Cairns the new \$17.5 million government office building is about 70 per cent complete. It is on schedule and has generated about 240 jobs in the Cairns community. Another important project now under way is the Kelvin Grove Urban Village. We expect all necessary infrastructure such as roads and services to be in place by mid to late 2003. The \$37 million infrastructure work will create about 500 jobs. That is again being pursued by the Minister for Public Works.

The \$279.7 million Suncorp Metway Stadium is on track. We are all looking forward to seeing World Cup Rugby and State of Origin Rugby League matches played at this great venue. It will create about 3,400 jobs. Earthwork started on the \$118 million Gold Coast Convention Centre on 11 February and is due for completion in April 2004. The schematic design of the Brisbane Magistrates Court project has now been completed and a select tender process is under way. The new court building is due for completion in 2004 and should create 1,300 jobs. The master plan has been completed for the Millennium Arts Project.

**Mr Foley:** Hear, hear!

**Mr BEATTIE:** It includes the new Queensland Gallery of Modern Art and the new-look State Library of Queensland. I take the minister's interjection. He is very keenly driving—

**Mr Foley:** And the Musgrave Park Aboriginal Cultural Centre.

**Mr BEATTIE:** Indeed, and the list goes on. The \$230 million project will generate 2,800 jobs. The \$38.5 million west block of the Royal Brisbane Hospital is almost half finished and will create 440 jobs. The \$68 million east block, with its 1,400 jobs, is 70 per cent built and the \$43 million block 7, with its 570 jobs, is moving quickly towards the construction phase. At Maryborough work on the \$94.5 million Maryborough Correctional Centre is more than 70 per cent complete. It is creating about 1,340 jobs and providing a major boost for the local economy. Construction is well under way at the \$10.5 million Toowoomba Police Station with 145 jobs.

**Mr Horan** interjected.

**Mr BEATTIE:** At the \$10.5 million Toowoomba Police Station with 145 jobs—and he is whingeing about that!

**Ms Bligh:** Was it delivered when they were in government?

**Mr BEATTIE:** No, but we delivered it. We are delivering for Toowoomba.

**Government members** interjected.

**Mr BEATTIE:** Absolutely. More than \$33 million worth of work has been completed on blocks A and B at Cairns Hospital creating 450 jobs. It is a similar story with the Gold Coast Hospital. The \$13 million redevelopment of the main building was completed recently and created 180 jobs. A \$13 million construction and refurbishment project is rapidly nearing completion at the Nambour Hospital with 180 jobs. At the Rockhampton Hospital the latest \$19 million project stage is wrapping up with 240 jobs. We have completed the \$6 million stage 1 and are moving on the \$5 million second stage of work at the Mount Isa Police Station with about 150 jobs and are about to go to tender for work on the Mundingburra Police Station with another 90 or so jobs. This is a terrific Capital Works Program. We are providing the infrastructure that underpins Queensland's social and economic development, and will continue to do so.

Let me tell members that we are delivering across the state. I want to mention briefly that I was again back on the Atherton Tablelands on 30 April, as the local member knows, because she was there. I was there to officially open Dairyfarmers \$7.2 million mozzarella factory. Dairyfarmers deserves great praise for its efforts with this plant. By converting its existing factory from cheddar production to mozzarella, Dairyfarmers has been able to supply Australia's mozzarella market, including Australia's biggest pizza chains. It is also primed to take on a burgeoning overseas market as well. The expectation is that most of the mozzarella produced at Malanda will be exported. The establishment of this plant will help secure the future of the 90-year-old dairy industry on the tablelands and will also safeguard the jobs of 51 full-time employees and create 15 new jobs. It is also underpinning—and Tom Barton knows this, because his department has been running it—the dairy industry's stability in that region and sustaining as many as 185 dairy farmers. We are looking after the dairy farmers.

Jobs and export dollars— that is what this government is about. The state government provided a one-off financial assistance package to ensure that the project went ahead. Adding to its Smart State focus, Dairyfarmers also plans a \$9.7 million biotechnology plant next to the mozzarella factory. After the milk is made into cheese, food proteins will be extracted from the mozzarella whey. A quantity of milk would produce not just cheese but also valuable proteins for sale. This extraction plant will be the first of its type in Australia and employ an additional five people. High-quality proteins extracted from whey will be used to make infant formula, sports drinks and nutritional supplements for export to the US, Japan and Korea. The high-quality proteins sell overseas for as much as \$600 a kilogram. The addition of a whey proteins extraction plant would give the industry access to long-term secure markets with a high-value product.

My government sees biotechnology as one of the essential planks of our Smart State future—a future to be shared by all Queenslanders wherever they live in this great state. Australia is one of the world's 12 most biodiverse regions, and Queensland is the most biodiverse part of Australia. If Queensland's regions are to prosper and grow, we have to think smart. The mozzarella factory and planned protein extraction plant are perfect examples of smart thinking in the Smart State.

## **MINISTERIAL STATEMENT**

### **Education and Training Reforms**

**Hon. A. M. BLIGH** (South Brisbane—ALP) (Minister for Education) (9.48 a.m.), by leave: In March this year the Beattie government announced sweeping new reforms to Queensland's education and training system. In a nutshell, these reforms include trials of a full-time preparatory year before year 1, increased funding for information and communication technology in our schools, and more flexible senior schooling options. These reforms are for all children in all schools.

Our government recognises that any changes to the compulsory years of schooling at either the entry or exit points will affect all children, regardless of the schooling system in which they are enrolled. The Beattie government supports every parent's right to choose the education that best suits their child, be that in a state, Catholic or independent school. That is why it is important that

every person who will be touched by these changes is given the opportunity to contribute to shaping future policy in these areas.

Our government has launched a series of public forums across the state to obtain community feedback on the reforms. The non-government school sector is an important partner in this process, with nine of the 39 public forums being hosted by Catholic and independent schools. Our government has already taken on board some of the sector's early feedback, and I am pleased to report that six Catholic schools and three independent schools will take part in the 2003 preparatory year trials. This brings the total number of trial sites starting in 2003 from 30 to 39. This agreement significantly enhances the relationship between Education Queensland and the non-state sector.

All state and non-state school trial sites will have access to the same early education curriculum, professional development for teachers, advice and support and will also be part of the same evaluation process. The involvement of the Catholic and independent education sectors will ensure that the preparing for school trials captures a truly representative sample of this state's children.

The non-government sector will choose its schools for the trials using the same guidelines which Education Queensland is using to select state trial sites. Funds for the preparatory year trials for the non-government sector will be sourced from existing government allocations to the Catholic and independent sectors. Our government has considered the long-term implications of the trial, including potential capital costs for the non-state school sector if the trials were to proceed to full implementation. We will also consult with all school sectors before making any final decisions about changing the model of education and training in this state.

As part of our commitment to keep the non-government sector informed during this process, a representative from the sector has recently been appointed to the Education Queensland team overseeing the reforms. Ms Terry Creagh, a teacher and senior administrator with more than 30 years experience in the Catholic sector, will represent both the Catholic and independent schooling sectors on the education and training reforms for the future team. Queensland has a strong and vibrant education system. By working together, we can make it even better.

## MINISTERIAL STATEMENT

### It Pays to Stay Campaign

**Hon. M. J. FOLEY** (Yeerongpilly—ALP) (Minister for Employment, Training and Youth and Minister for the Arts) (9.52 a.m.), by leave: In accordance with the education and training reforms just outlined to the House by the Education Minister and as part of the Beattie government's commitment to supporting young people at risk, we are actively involved in a special program aimed at young people in danger of quitting their apprenticeship or traineeship.

My department, the Department of Employment and Training, has been working closely with the Australian National Training Authority on the It Pays to Stay campaign to encourage apprentices and trainees to stay with their training. The campaign focuses on young people who are currently training but are in danger of quitting. The It Pays to Stay campaign provides access to information addressing issues that threaten the successful completion of their training. These issues range from money worries, study stress and uncertainty about the future to concerns of a more personal nature.

Our strategy is to improve the completion rate of apprentices and trainees in Queensland by increasing their awareness of the support services provided by the department and other organisations. By doing this, we hope to encourage them to consider options other than quitting their courses. Members may recall a media report in January which incorrectly claimed that there was a huge dropout rate amongst apprentices and trainees. While the report was misleading in that it referred to the period when the coalition government was in power, it is in fact a real issue which this government takes very seriously. The It Pays to Stay campaign is very much in line with the government's green paper on education and training reforms which aims to keep young people earning or learning.

The information resources developed as part of the campaign will provide apprentices, trainees and their employers with ready access to professional advice and assistance. I table some of those information resources for the information of members. Staff in the department's regional offices offer assistance with work and training, career advice, study tips and advice on

how to get back into training. We employ qualified psychologists and social workers to provide free, confidential advice to address communication problems in the workplace.

To make young people aware of the support services, a handy reference brochure has been sent to all current apprentices and trainees in Queensland. This brochure refers them to the department's training line, a telephone information service operated by officers throughout the state. An email service and a web site are also available for those apprentices and trainees who are more comfortable finding information through this medium.

Under this campaign the important part played by employers in ensuring those in training complete their courses has been recognised with specifically developed materials. Feedback from the program is very encouraging, and we will continue to work to ensure every apprenticeship and traineeship is a positive training experience.

## MINISTERIAL STATEMENT

### Policing by Local Government

**Hon. T. McGRADY** (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (9.55 a.m.), by leave: I want to inform the House about a recent proposal from federal Local Government Minister Wilson Tuckey which suggests local governments should take over control of policing services from the states. I would also like to outline some of the disadvantages this foolish plan could have on law and order in Queensland. This proposal has rich potential for disadvantage, bureaucratic overlap and wasted resources. I am not sure what the federal Minister for Local Government, Mr Tuckey, was thinking when he came up with this ill-conceived suggestion.

Last year, I travelled with the Queensland Police Commissioner to the United States. During our trip we met many high ranking police officers, including the Deputy Commissioner of the New York Police Department and also the Director-General of the FBI. Now Mr Tuckey suggests adopting a United States-style system, with councils overtaking essential services including police. In America, there are many tiers to the police service. There are the country police, city police, state and federal police and in some areas the local sheriff. It sounds like a complicated system. According to police we spoke to in the United States, it is an unnecessarily complicated one. When we explained Australia's system of state police services, every American officer we spoke to agreed that our system was far superior to theirs.

They told us their system had led to jurisdictional confusion and the unnecessary duplication of resources. Can members imagine, for example, a distressed business person who has been held up and who calls the local police but they say that that person's shop is outside the boundaries of that local police jurisdiction and 'to call the next local police area'. Meanwhile, a state or federal officer is probably cruising past in their car but does not stop to help because it is a local issue and the robbers are driving away laughing. In America, they even have different radio frequencies on the various cars. This is a recipe for total disaster.

Also, given the sheer number of local authorities in Queensland, creating any kind of consistency within policing if it were controlled by local government would be incredibly difficult. Can one imagine Boulia shire or McKinlay shire trying to keep up with the latest modern technology, including DNA and fingerprinting? It is crazy—

**Mr Schwarten:** What about Mount Morgan?

**Mr McGRADY:** Or Mount Morgan. I find it hard to believe that this is not merely another attempt at a power grab by the federal government from states which have opposing political views. Here in Queensland this government is about creating the best possible use for the taxpayers' dollars. A system such as the one the federal minister suggests would not help in tackling crime in this country or indeed this state. I am sure the people of Queensland would like to know the views of the opposition in this parliament.

## MINISTERIAL STATEMENT

### Regional Transport Services

**Hon. S. D. BREDHAUER** (Cook—ALP) (Minister for Transport and Minister for Main Roads) (9.58 a.m.), by leave: Quality passenger transport services are essential in ensuring the economic and social wellbeing of many of our rural and remote communities— no more so than in this, the

Year of the Outback. However, a number of factors have taken a toll on patronage numbers and put many services in western and remote areas of the state at risk of closure.

Indeed, air services to some rural and remote centres have been under a cloud since the collapse in 2001 of Ansett Australia and Flight West Airlines. I am therefore pleased to announce today that the Beattie government has acted decisively to ensure continued air and coach services to rural and remote communities. Government has decided to regulate and/or subsidise a number of air and bus routes in rural and remote Queensland. To this end, shortly we will be inviting tenders for five-year contracts for a range of important passenger and transport services.

Queensland Transport will award contracts for regulated and subsidised airline services for the next five years to the following centres: Barcaldine, Bedourie, Birdsville, Blackall, Boulia, Charleville, Cloncurry, Cunnamulla, Hughenden, Julia Creek, Longreach, Mount Isa, Quilpie, Richmond, Roma, St George, Thargomindah, Toowoomba, Windorah and Winton. As well, the government will call, for the first time, for tenders for subsidised services to ensure the maintenance of at least four return flights per week on the Cairns-Normanton-Burketown-Gununa-Doomadgee-Mount Isa route, with a minimum of two flights to Burketown weekly in the electorate of the Minister for Police and Corrective Services. I appreciate his representations on this issue.

The government will also regulate, or continue to regulate, the Cairns-Weipa, Cairns-Horn Island and Townsville-Mount Isa routes. Another factor influencing access to passenger air services is cost. As part of the government's commitment to ensuring equitable access to passenger transport services in remote areas, I have asked my department to review the cost of airfares in the gulf and on Cape York Peninsula.

For the first time in more than 10 years, the government will regulate and subsidise rural and regional bus routes from 1 July 2002. What regulation means for rural and remote Queenslanders is certainty. Regulation is not only about ensuring the continuation of services but it is also about guaranteeing minimum services and standards. We have identified those bus routes that are essential to Queensland communities—in essence, those communities that have no other viable means of public transport—and we will regulate those routes. Operators will be asked to tender on the routes identified and five-year contracts will be awarded to successful tenderers.

Today's announcement builds on the government's earlier interim financial assistance package to McCafferty's and B&S buses. Funding under the terms of those packages expires on 30 June. Essential bus routes identified by the government to be regulated include Toowoomba-Cunnamulla, Toowoomba-Lightning Ridge, Charters Towers-Townsville, Brisbane-Rockhampton, Rockhampton-Longreach, Brisbane-Charleville, Brisbane-Mount Isa, Collinsville-Bowen, and Mackay-Emerald. These are very significant commitments that have been made by the government to the people of regional and rural Queensland. There has been a lot of anxiety out there over recent times about the potential for closure of services. I think what this demonstrates is our government's commitment to regional and rural Queenslanders to providing the services that we believe they deserve. It is important, particularly in this the Year of the Outback, that we are able to demonstrate our ongoing commitment to the people of western and far north-western Queensland.

## MINISTERIAL STATEMENT

### Anti-Discrimination Commission Booklets

**Hon. R. J. WELFORD** (Everton—ALP) (Attorney-General and Minister for Justice) (10.01 a.m.), by leave: I want to advise members of the House of an important initiative by the Anti-Discrimination Commission Queensland towards a fairer society. Almost 80 per cent of all discrimination complaints in Queensland originate from four key areas: employment, education, accommodation, and goods and services. In an effort to reduce these complaints, the commission is taking a partnership approach in the provision of information and education to these sectors in an effort to cut down the number of complaints.

Later today, on behalf of the commission, I will be launching booklets which provide targeted information for these four key community groups. These booklets use real-life examples to demonstrate how some everyday situations can give rise to discrimination, sexual harassment and racial and religious vilification. In the past, the focus of the Anti-Discrimination Commission has been solely on protecting individuals. Now, the commission is working in partnership with key groups in our community in this new initiative to enhance understanding and awareness.

Using plain English, each booklet contains a detailed description of what constitutes discrimination under our anti-discrimination laws. They are comprehensive publications and include case studies which show how the law is applied in daily life. The case studies are particularly relevant and send a strong message about how discrimination severely disadvantages people and why we must send a clear signal through the law that discrimination is unacceptable in our contemporary civilised society.

The booklet for accommodation suppliers, for example, highlights the case of a single parent who applied to rent a unit. She was told she would have to pay extra because she had children. That is a case of direct discrimination and clearly unlawful. The booklet for providers of goods and services tells the story of a woman who phones a mechanic about a service on her car. She is given a quote and told not to worry about the details, because she 'wouldn't understand them, anyway'. The woman then had a male friend phone the garage with the same request. The quote he received was substantially lower. This is another classic case of discrimination.

However, these booklets are not unsympathetic to the stakeholders they target. For example, the booklet produced for employers cites the case of a woman offered a job as a factory worker. The company withdrew the offer after a medical examination revealed a slight hearing impairment. The woman complained of discrimination, but an investigation supported the factory's concern that the impairment did represent a significant workplace safety risk.

These information booklets are an important education tool. I think that it is fair to say that some people simply do not realise that they are acting in a discriminatory way. These guides will help improve awareness and understanding among all of those sectors of the community. In that respect, they are a great initiative and will underpin an important ongoing partnership between the Anti-Discrimination Commission and employers. But they will also help improve communications between the commission and these key community groups as well as reducing the level of discrimination in our community.

## MINISTERIAL STATEMENT

### Great Walks of Queensland

**Hon. D. M. WELLS** (Murrumba—ALP) (Minister for Environment) (10.05 a.m.), by leave: In line with the Beattie government's election commitment to construct a series of long distance walking tracks throughout Queensland, I can report to the House that planning for the Great Walks of Queensland in the Wet Tropics, Whitsunday mainland, Mackay highlands, Fraser Island, the Blackall Range in the Sunshine Coast hinterland, and the Gold Coast hinterland is well under way. These communities are involved in discussions to identify the best routes for the walks and ensure that they reflect community needs, environmental and cultural protection and provide a high-quality walking experience. Earlier this year, I visited Airlie Beach with the honourable member for Whitsunday to encourage community participation in the project.

**Ms Jarratt** interjected.

**Mr WELLS:** I note the honourable member's remark and I add that the mayor of the Whitsunday shire has met with me and the member on a number of occasions to discuss the project. Other community groups in her area have also met with us in order to get this project up and going. Construction on that walk should commence by the end of this year.

The Wet Tropics great walk aims to link with and enhance the misty mountains trail, which is a project funded through the Queensland Heritage Trails Network, and which has been planned by the Eacham, Johnstone, Cardwell and Herberton shire councils. A works program for the misty mountains trail is currently being developed to enable construction to commence.

**Mr Mulherin:** What about Eungella?

**Mr WELLS:** It is funny that the honourable member should mention Eungella, because in the Mackay highlands a project officer has recently commenced work and is currently identifying potential options for locating the great walk. Fraser Island has a draft track strategy that will be released for public comment in the near future. This strategy includes a long distance walk. The feasibility of including the Cooloola section of the Great Sandy National Park as part of this great walk will also be investigated. Options for the great walk in the Blackall Range in the Sunshine Coast hinterland are currently being identified and consultation with key stakeholders has commenced. A variety of options have been suggested as potential great walks in the Gold Coast hinterland. A project officer is assessing these options through consultation with proponents, community representatives and technical staff.

The great walks will provide an opportunity for Queensland to showcase its special environment to the world and encourage people to stay and enjoy what Queensland has to offer. We are well on track to delivering on this important election commitment.

## MINISTERIAL STATEMENT

### Building Services Authority Licence Compliance Blitz

**Hon. R. E. SCHWARTEN** (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (10.07 a.m.), by leave: I wish to report briefly to the House on the results of the latest licence compliance blitz undertaken by the Building Services Authority. As honourable members would be aware, the BSA undertook a blitz on building sites in August last year to identify cases of unlicensed contracting. This approach was repeated in March and April this year. The latest blitz involved more than 3,400 compliance interviews at more than 1,100 building sites around Queensland. As a result, 49 instances of suspected unlicensed contracting were detected.

As expected, the south-east corner of the state produced the most cases of suspected unlicensed contracting—21 in the Brisbane area, 11 on the Gold Coast and three on the Sunshine Coast. Carpentry featured most prominently in cases of suspected unlicensed contracting—also 21 cases out of the 49. The blitz in August last year produced 196 cases of unlicensed contracting from more than 3,000 compliance interviews. The lower figure this time around hopefully indicates greater compliance with licensing requirements. Regardless, the BSA will continue to monitor compliance across licence classes and will not hesitate to prosecute instances of unlicensed work.

As with last year's blitz, a publicity campaign was run by the BSA prior to inspections starting in March this year. This had the desired effect of prompting people needing a licence to apply for one. In fact, the BSA advises that the level of applications for licences throughout its network of Brisbane and regional offices rose on average by 15 per cent as a result of the prepublicity. Almost all the cases of suspected unlicensed contracting uncovered in the latest blitz are now being processed for the issue of fines and two cases will be referred to the relevant Magistrates Courts.

## MINISTERIAL STATEMENT

### Disability Services Funding

**Hon. J. C. SPENCE** (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services) (10.10 a.m.), by leave: In the last session of this parliament I raised my grave concerns regarding Commonwealth funding for disability services as part of the Commonwealth State/Territory Disability Agreement; specifically, a \$17.5 million reduction in Queensland's allocation for 2002-03, revealed in estimates figures on the website of Treasurer Peter Costello. This drop in funding relates to the \$18.3 million in unmet need moneys which have been provided over the last two years by the Commonwealth and matched by Queensland as part of a bilateral agreement.

My concerns are mirrored by all states and territories. This week all state and territory Ministers for Disability Services issued a joint communique calling on the federal government to include these unmet need funds in the base of the next CSTDA, as well as provide growth funding. State and territory ministers have called on the Commonwealth to work in partnership with us to address the needs of this most vulnerable section of the Australian community by confirming that the Commonwealth's contribution to unmet need funding will continue post 30 June 2002; agreeing to respond jointly to outstanding unmet need demand and future growth requirements; and reaffirming its role as a joint funder of specialist disability services under the CSTDA. We are calling upon the Commonwealth government to honour the commitment it made in a joint communique with the states and territories in July 2000. In this communique, the Commonwealth affirmed its commitment to including increased contributions to address unmet need in base funding under the third CSTDA. I table that communique.

I have written to Senator Vanstone three times regarding this issue. Queensland Treasurer Terry Mackenroth has also written to Federal Treasurer Peter Costello. However, we have heard nothing. In other words the federal government has refused to confirm that commitment, made two years ago, to include unmet need funding in base funding in future CSTDAs. I am aware that others in this House are also deeply concerned about this issue and have written to their federal

counterparts seeking assurances that this funding will not be omitted from the forthcoming budget.

Community concern continues to mount. In fact, ACROD, the peak body for Queensland disability services, has informed me that most disability groups in Queensland will be issuing media releases today as part of a campaign on this issue. In Queensland, the threatened reduction in disability services funding from the Commonwealth will impact on at least 1,200 families and individuals with disabilities. It will also mean job losses for more than 500 Queenslanders. If the Commonwealth abrogates its responsibility to fund future growth and indexation, it will compromise the wellbeing and lifestyles of many more Queenslanders with disabilities and their families and carers.

Last week I wrote to the Commonwealth Minister for Family and Community Services, Amanda Vanstone, committing this government to improved accountability procedures and new policy priorities for disability services. I also indicated that the Queensland government will provide recurrent funding for unmet need, including growth funding and indexation. The Beattie government has increased spending on disability services by more than \$110 million since coming to office. We have also committed more than double that of any other state or territory in growth funds under the current CSTDA.

This week the Australian Council of Social Services (ACOSS) has warned that the Commonwealth government will tighten eligibility for the disability support pension in the upcoming budget, with specific restrictions on blind people. It looks as though the Commonwealth is determined to fund its defence commitments off the backs of some of the most disadvantaged members of our community. It seems that the Commonwealth will break its promise, made in 2000, to properly care for Australians with disabilities.

Australians with a disability are anxious about next week's Federal budget. Senator Vanstone has done nothing to allay their fears. The Queensland Government has no interest in playing politics over this issue. We hope that those fears are unfounded and we will continue to work cooperatively with the federal government on the third CSTDA.

## MINISTERIAL STATEMENT

### Consumer Complaints

**Hon. M. ROSE** (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (10.14 a.m.), by leave: The number of complaints lodged with the Office of Fair Trading has risen rapidly. Motor vehicle sales have again topped the list of individual written complaints to the Office of Fair Trading for the first half of this financial year, while household goods topped the category complaints list. Statewide, written complaints to the Office of Fair Trading have increased 21 per cent in the first half of 2001-02 to a total of 5,921—up from 4,902 for the same period the previous year.

We believe that the increase is mainly due to Fair Trading's increased promotion of consumer and business rights and responsibilities, and the introduction of key new legislation, including the Property Agents and Motor Dealers Act 2000. It indicates that more consumers are aware of, and willing to fight for, their rights and to let us know when a business has not complied with the law. Written complaints provide the office with a valuable avenue to assess traders' compliance with the law, and a number of prosecutions have occurred following written complaints.

Investigations of complaints often lead to consumers getting their money back. Last year, OFT facilitated consumers receiving \$868,044 in redress. In the first three months of 2002, OFT has been able to obtain \$250,000 in redress for consumers and businesses. We will continue to protect consumers from the small percentage of rogue traders in the marketplace.

The top five individual product complaints for Queensland for July to December 2001 were motor vehicle, sales 655, up 22 per cent; scams, gambling and get-rich-quick schemes 404, up 52 per cent; real estate, sales 340, up 45 per cent; personal computers and home business equipment 289, up 31 per cent; food, clothing, footwear and accessories 266, up 34 per cent.

With around 480,000 motor vehicles sold in Queensland each year, the proportion of complaints to sales is quite low and that is a good sign for the industry and consumers. New legislation has provided greater protection for consumers, including statutory warranties for used cars, and has resulted in higher industry standards. Notable increases in written complaints occurred for gambling and get-rich-quick scam complaints, up 52 per cent; communication related

post, phone and publications (not related to Internet or mobile phones) complaints, up 63 per cent to 213; and advertising and directory service complaints, up 62 per cent to 203.

The most common complaints were fairly consistent across the state, although the relative levels of increase or decrease varied. While some complaints revealed traders had not complied with legislation, many others indicated that consumers had acted in haste and without proper consideration. The written complaints process is an important avenue for consumers to consider. However, they should first attempt to negotiate a resolution with the trader before lodging a written complaint. Often issues are easily resolved. Of course, consumers can then make written complaints to the Office of Fair Trading where they believe their legal rights have been ignored.

## MINISTERIAL STATEMENT

### Fire Trucks

**Hon. M. F. REYNOLDS** (Townsville—ALP) (Minister for Emergency Services and Minister Assisting the Premier in North Queensland) (10.18 a.m.), by leave: Members of this House may have heard about a large number of new fire trucks being rolled out throughout the state in recent weeks, both for the urban and rural fire services. The new urban trucks are medium pumper tanker fire trucks worth \$540,000 each and the rural vehicles are medium attack trucks worth almost \$70,000 each.

As minister, I am proud to let members know that every one of these 18 urban trucks and 25 rural trucks is being made right here in Queensland. That is a total of \$11.5 million worth of fire vehicles. Our trucks now have a reputation for quality second to none and other fire services from around the country have been interested in Queensland's progress in this area.

For the new urban trucks, there has been training and familiarisation for crews from the Noosa and West Logan stations, and these stations have been the first to receive their new trucks. Another vehicle travelled north to Cairns after stopping in Bundaberg, Gladstone, Rockhampton, Mackay and Townsville on the way to show local firefighters some of the vehicle's new features. These new vehicles are based on either Scania or American La France chassis and are a result of extensive feedback from staff on six prototype vehicles delivered to stations last year.

The new vehicles are delivered with more than \$45,000 of road accident rescue equipment—a very important component of the work of our Queensland Fire and Rescue Service officers—and have a 1,500 litre water capacity. They also have two types of foam supply and the pumping capacity to deliver 4,500 litres of water per minute onto a fire. All of these urban vehicles will be delivered in the next two months. We are delivering right across Queensland.

Eight of the new rural vehicles, the Isuzu-based medium attack trucks worth almost \$70,000 each, have already gone out to all parts of Queensland. Two more are due to be collected in Toowoomba for brigades in that region this week. These medium attack vehicles have also been developed with extensive input from volunteer firefighters. Volunteer firefighters right across the state do a great job. The attack vehicles are fitted with a complete tray body and feature a 1,800 litre water tank, pump, hoses and a range of ancillary equipment.

This latest delivery of vehicles has further reduced the age of Queensland's rural fire fleet, and more than half of the state's 900 strong rural fire fleet is now less than six years old. The Beattie government is committed to delivering the best possible equipment for our frontline emergency services personnel, and I know this delivery will be extremely well received by all the firefighters involved.

## MINISTERIAL STATEMENT

### Smart State Training Initiative

**Hon. G. R. NUTTALL** (Sandgate—ALP) (Minister for Industrial Relations) (10.21 a.m.), by leave: The Queensland Labor government is leading Australian industry in the development of innovative Smart State training initiatives for our own 175,000 employees. Over the past 12 months we have been implementing a training initiative that is not only the first of its kind in Australia but is already being adopted as a model in other states and by other industries.

The new public sector training initiative puts public sector employees all across Queensland in touch with national training programs and qualifications—literally at the touch of a button over the Internet. It makes training easier and more accessible than ever before to keep our workers

as skilled as any in the country, and to encourage our workers to want to update and add to their existing skills and qualifications. Under the new model, training is being rolled out in stages, initially targeting entry-level employees in administration and operations. Eventually, training for all public sector occupations and classifications will be integrated into the new training system.

Some 1,400 workers have already signed up as part of stage 1 of the program, training in areas such as asset maintenance, transport and distribution, client services, IT and software applications. This targeted training is undertaken at no cost to employees, and in many cases learning and assessment can take place in the workplace. There is recognition for a worker's prior experience and competency, and they are encouraged to access online learning materials and advice from TAFE Queensland trainers as well.

I am pleased to say the first year of operation has been an outstanding success. Almost 10 per cent of eligible employees have enrolled for training since January 2001. Right now stage 2 is under way in a program that, as I said earlier, puts the Queensland government at the forefront of innovation in training for our own employees and leads the way for other states and industry.

### **SITTING HOURS; ORDER OF BUSINESS, 10 MAY 2002**

**Hon. A. M. BLIGH** (South Brisbane—ALP) (Leader of the House) (10.23 a.m.), by leave, without notice: I move—

That notwithstanding anything contained in the Standing and Sessional Orders, the House will meet for the dispatch of business at 9.30 am tomorrow, on which day the routine of business shall be as follows—

9.30 a.m. to 10.30 a.m.—

- Prayers
- Messages from the Governor
- Matters of Privilege
- Speakers Statements
- Motions of Condolence
- Petitions
- Notification and tabling of papers by The Clerk
- Ministerial Papers
- Ministerial Statements
- Ministerial Notices of Motion
- Any other Government Business
- Personal Explanations
- Reports
- Question Time

10.30 a.m. to Adjournment of the House—

Government Business followed by a 30-minute Adjournment Debate.

Motion agreed to.

### **ORDER OF BUSINESS**

**Hon. A. M. BLIGH** (South Brisbane—ALP) (Leader of the House) (10.24 a.m.) by leave, without notice: I move—

That notwithstanding anything contained in the standing and sessional orders a Matters of Public Interest debate will follow question time today at 11.30 a.m.

Motion agreed to.

### **PRIVATE MEMBERS' STATEMENTS**

#### **Public Liability Insurance**

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (10.25 a.m.): I am pleased that we have finally reached this stage at 25 past 10! Today I wish to speak about something very important, that is, the continuing issue of public liability and professional indemnity insurance.

The National Party has indicated that it will give bipartisan support to the proposals put forward by the government. We have been pushing it for many months on this issue. As I have said over and over again, we were the first to raise this issue in the parliament and the first to put forward a six-point plan. We are pleased that much of our six-point plan, though not all of it, has been taken on board by the government. The problem is that this process has been too slow.

This should have happened months and months ago. The other problem is that the government's plan for a pooling system will not come into place until later in the year. In the meantime, many organisations will fall by the wayside and close down. That is an important issue that has to be addressed.

Interestingly, there also seems to be a split in the ranks. The member for Toowoomba North has proudly proclaimed that he was a pioneer of the no win, no fee system. It is that system and the trawling that he pioneered that has brought this dreadful curse upon the people of Queensland. It will be interesting to see whether the questions that he has posed and wants answered before the bill is passed about whether these sorts of restrictions have worked before in workers compensation will be of any use. He is certainly walking with one leg either side of the barbed wire fence as he tries to look after his Labor lawyer mates and at the same time tries to conform with what is going through the parliament. Despite all of the protestations by the member for Toowoomba North, the National Party wants to see all of this progressed quickly. We want to see those clubs and organisations looked after now and not in six months time.

### **Labour Day Celebrations, Gold Coast**

**Mr LAWLOR** (Southport—ALP) (10.26 a.m.): For several decades up until about 10 years ago, Labour Day was celebrated on the Gold Coast with a traditional Labour Day march. The march, organised by the Trades and Labor Council, would travel through the streets of Southport passing by the Trades and Labor Council building, and was followed by a picnic and sports day.

The many Labor stalwarts enjoyed the opportunity to celebrate the granting of the 8-hour working day and to demonstrate solidarity between Labor Party members and their union comrades. It was a disappointment, therefore, when the old Trades and Labor Council building was sold and the Labour Day march discontinued. Fortunately, with Brisbane not far away, many of the Labor supporters travelled to Brisbane to participate in that Labour Day march, as they still do.

Therefore, it is with great pleasure that I advise the House of the resumption of the Labour Day celebration on the Gold Coast. Last Sunday at Macintosh Island Park, all Gold Coast Labor members, together with union and party members and their friends and families, gathered to celebrate Labour Day. Notwithstanding the inclement weather, a crowd in excess of 200 gathered to listen to speakers, including the Minister for Tourism and Racing and Minister for Fair Trading, Merri Rose; Grace Grace, General Secretary of the Queensland Council of Unions; Julie Bignell, Vice President of the Queensland ALP; and Senator elect Claire Moore. Music was provided by an excellent band called 2 Bucks 40, and there was strong union representation, which also ensured a successful and dry day as the unions were responsible for the erection of marquees. All ALP branches contributed with food and drink stalls.

On the Gold Coast I am sure the Labour Day celebrations will continue to grow. Interest in the Labor Party and in unions generally has increased since 17 February 2001 and, with the continuing efforts of the government members on the Gold Coast, I am confident that that interest will continue to increase. The Gold Coast is no longer the conservative bastion that it has been until last year and is unlikely to ever be again. I look forward to celebrating Labour Day on an annual basis with a strong contingent of Gold Coast party members and union representatives, together with their families.

Time expired.

### **Ms E. Douma; Portability of Nursing Qualifications**

**Mrs PRATT** (Nanango—Ind) (10.29 a.m.): Evelyn Douma migrated from the Netherlands to Australia in 1996 due to her marriage. After leaving school, she studied and became a highly qualified nurse and, on her arrival in Australia, she had attained a nursing level 8 in the Netherlands—level 10 being recognised as the highest. Her working career also included five years in an intensive care unit in Switzerland. With such training she believed she would have no trouble working in Australia.

In January 1997, Evelyn started the process with the QNC to be registered as a nurse in Australia. From February to April, the Translation Institute received all requested documents for translation and in August the Translation Institute destroyed the documents without referring to

the QNC or Evelyn. From February to September, Evelyn studied to ensure she passed the occupational English test held only twice a year, and in September she sat and passed. From February through to November, although requesting information as to whether a re-entry test was necessary, Evelyn failed to be notified that that was so. In December she was eventually given contact details for the institute for the re-entry course.

Time expired.

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

## QUESTIONS WITHOUT NOTICE

### Public Liability Insurance

**Mr HORAN** (10.30 a.m.): I refer the Honourable Premier to the continuing cancellation of hundreds of fetes, festivals, shows and other community events and organisations as a result of the skyrocketing increase in the cost of public liability insurance. I refer also to his reported backdown on his earlier commitment to introduce a group buying scheme for not-for-profit organisations by September to provide lower insurance costs. I ask: when will this scheme now be introduced? How many more organisations and events will have to close down before the Premier appreciates the need for urgency? What will he do to save those organisations and events that need help now before they are forced to close down?

**Mr BEATTIE:** I thank the honourable Leader of the Opposition for his question. That is not what I said at all. I know that he is going to his major research document, the *Courier-Mail*, but the reality is that I was asked this question yesterday. The *Courier-Mail* has accurately reported what I said, in that I did not have the date with me. I was at a Tourism Council lunch, and—as I always do in these things; I always give honest answers—I said 'as soon as we possibly could'. The projected date indicated by the Treasurer has not changed. I just did not have the date with me. There is no big deal about it. We have not changed anything. I do not remember every date. If I had it in the top of my head, I would have said so. I never mislead the media or the Leader of the Opposition. I gave an honest answer, as always.

**Opposition members:** Ha, ha!

**Mr BEATTIE:** We have seen the Leader of the Opposition's misleading this morning. I am waiting to see whether he asks me a question about his beat-up on the news this morning. I am looking forward to that!

Let us come back to the issues that have been raised. The Queensland government has outlined—and this was released by the Attorney-General, the Minister for Health and me on Tuesday—a detailed package of tort reform. Yesterday in the House I spelt out what those details are. We are proceeding with the group buying scheme. We have around 6,000 not-for-profit organisations that are now part of a scheme. They have put in their expressions of interest. We are now getting that scheme up and running. I understand that we are hopeful of getting it up and running by September. So all that is on schedule; all that is going ahead. We announced major tort reform on Tuesday after cabinet, and I announced it in the parliament yesterday.

We are in this position: no insurance company now has any excuse to continue the premium hike. Why? Because they base premiums on long-term projections! We have now outlined major tort reform which limits their projections for the future. I say to the insurance industry today: let us have no more rip-offs, let us have no more hikes through the roof. My government has spelt out exactly what reforms will be in place. We have been attacked by the plaintiff lawyers, but we know this is fair. We have had some criticism from the AMA representative, but we know this is fair. The insurance industry needs to start responding around Australia to what has been announced by my government and the New South Wales government for the benefit of every one of the not-for-profit organisations the Leader of the Opposition referred to and every one of the tourism industry companies which were part of the survey that the tourism industry announced yesterday. The ball now is fairly and squarely in the insurance industry's court. I look for some responses from the major insurance companies about bringing down premiums. They have been let off scot-free in this debate till now.

We have done our bit. It is now up to the insurance industry to do its bit. Let me put insurance companies on notice. I will be watching very carefully their profit and bottom line, and so will all Australians.

### Financial Assistance, Warner Roadshow

**Mr HORAN:** I refer the Honourable Minister for Arts to the \$8 million loan to Warner Roadshow from the Revolving Film Finance Fund and his admission in the *Courier-Mail* today that his department, Arts Queensland, has now joined the trend set by other Beattie government portfolios in not following mandatory criteria for the provision of financial assistance. The guidelines for the Revolving Film Finance Fund state that—

An applicant may apply for funding for a number of different projects. However, the maximum amount of funding which may be outstanding to any applicant with respect to a number of projects is \$6 million.

The minister has said in the media today that the Beattie government made special provision for the \$8 million loan to Warner Roadshow. I ask: given that the maximum funding available under the fund is \$8 million, where did the extra \$2 million come from, and does Arts Queensland have a special provision fund for foreign millionaires and global giants like Time Warner, which last year earned \$76 billion—nearly four times the size of the Queensland budget?

**Mr FOLEY:** The money came from funds earmarked for the Revolving Film Finance Fund. That fund has a limit of \$6 million, and accordingly, the Pacific Film and Television Commission has no authority to exceed that limit. It must seek authority from government. It did so. That approval was given, and approval was given by the Governor in Council. I am delighted that the opposition has drawn attention to this matter, because we expect that that loan of \$8 million—\$2 million of which will be forgiven provided that Warner Brothers complies with certain conditions and achieves certain production outcomes—will lead to some 2,500 jobs for Queensland. We believe that this will lead to an additional \$640 million in economic impact over three years.

What I cannot understand is what the National Party has against the Gold Coast. Here we are approving, in the most public possible way, the provision of funds to generate jobs on the Gold Coast. Once upon a time the National Party stood up for the Gold Coast. Remember? Maybe this is a get-square by the National Party on the Gold Coast for not voting for it at the last election. But I will be reminding the people down the Gold Coast that the National Party has stood up for arts funding. Where? For the Brisbane Repertory Theatre Company in Brisbane; for Festival Hall in Brisbane. But when it comes to funding to generate jobs in the film industry on the Gold Coast, it is nowhere to be seen, and indeed, it is knocking.

**Mr Seeney** interjected.

**Mr SPEAKER:** Order! The member for Callide will withdraw that.

**Mr SEENEY:** Mr Speaker, I withdraw on your instruction.

**Mr FOLEY:** This is an excellent deal for the people of Queensland and for the film industry. It makes it possible for the construction of two extra sound stages so that we can attract movies like *Peter Pan*, movies like *The Last Man*, which will possibly include people like Cate Blanchett and Brad Pitt. I do not know what the opposition has against jobs on the Gold Coast. I would like to see it standing up for Queensland jobs in the film industry, because that is what Premier Peter Beattie and the Treasurer did in order to ensure that this opportunity would not be lost to Queensland. This has produced a very strong result which will help build the critical mass of the film industry in Queensland.

### Smart State Initiatives

**Ms NOLAN:** I refer the Premier to Queensland's growing reputation as Australia's Smart State and the opposition's attempts to denigrate the government's strategy of creating thousands of new jobs in high-technology industries. I ask: does the Premier have any examples of third-party endorsements of the government's initiatives in this Smart State area?

**Mr BEATTIE:** I thank the honourable member for her question. Before I answer it I will say one other thing about insurance. Our plan at this stage is to introduce our tort reform bill into the parliament in June, on budget morning. If the opposition is serious about clearing up and dealing with this issue, I urge it to come to an arrangement with us to pass that bill through all stages that week. There is the challenge. If it wants to get behind tort reform it should get behind the bill and put it through all stages that week. I will hear from the opposition later.

**Mr Horan:** We'll do it.

**Mr BEATTIE:** Thank you. For the record I state that it is being done. I thank the Leader of the Opposition. Let us get it through that week. Well done.

I come back to the question. Chris Anderson, the chief executive officer of Optus, was interviewed on ABC Radio recently after addressing the AM club about future directions in Australian communications. He was asked for his vision for Australia. Mr Anderson replied—

I think the Queensland experience. Genuinely, I think the Beattie Government has done a marvellous job in actually turning Queensland into the IT centre of Australia.

One in every three jobs in Australia is being created in Queensland.

Queensland will be larger than Victoria by 2004, 2005.

You take what this government has done by using the resources of the government in a sensible, wise way to deal with industries like ours.

You take the Reef Network which we have built with the Leightons Company, a great company.

A hundred million dollars we've spent building a fibre cable between Brisbane and Cairns and all the places in between that can drop off fibre, two-way broadband, to tertiary institutions and the schools on the way.

And I think that shows a really far-sighted government.

What an intelligent man! He goes on—

So I think the vision for Australia is as, very much as an intelligent, smart nation, and I think the Queensland model could be used for that.

That is what being the Smart State is all about. That is what providing the future infrastructure is all about. But there is more. I also draw attention to *Australian Biotechnology News* of 12 April, which I table for the information of members. It carries a four-page feature on the way in which the state government has driven Queensland's biotechnology industry. The headline is 'Beautiful one day, smart the next'—a great headline. It is exactly what the Smart State is all about—the jobs of the future. The article states that one of the ingredients in the state's success is 'astute government leadership'. Garry Redlich, managing director of Peplin Biotech—he is in one of the emerging biotech industries we have encouraged—said—

I give the state government five out of five ... They have done an outstanding job in providing the right climate and a high level of encouragement.

I table that for the information of the House. The Smart State is about a vision for not just today but also tomorrow. It is about having a far-sighted vision to benefit from the jobs of tomorrow. That is exactly what we are seeking to do and are delivering on.

### Financial Assistance, Warner Roadshow

**Mr JOHNSON:** I refer the Premier to today's revelations that his government's movie madness in providing money to global giants such as Warner Roadshow is \$2 million more than the maximum amount allowable under the Revolving Film Finance Fund, yet last year he refused assistance to businessmen such as Mr Phil Eagle to establish a movie studio at Murarrie.

**A government member:** The Gold Coast sacked the National Party and they want to get square.

**Mr JOHNSON:** The member has a short memory. It has become a characteristic of this government to flout proper process and mandatory guidelines in order to bypass Queensland businesses in favour of foreign businesses. Is the only way existing Queensland business can negotiate or obtain assistance under grant schemes administered by the government to adopt his new commonsense criteria and locate offshore as a foreign corporation?

**Mr BEATTIE:** Basically, the proposal referred to was not supported by my government as I understand it could not guarantee recurrent expenditure. That is basically why. Let us think about that. If the government is to support a project it has to be able to continue to get recurrent expenditure, year after year. We are not going to support projects that cannot come up with a business plan to deliver that. That is a harsh thing to say. I do not want to have to say that, but that was the reality of the proposal and that is why it was not funded—end of story. It is black and white; it is very clear.

Let me make a point about our extension of the loan. The minister, along with the film corporations, came to see me because what he wanted was what I and the government want. We want jobs here. The member should consider what has happened elsewhere in Australia. Let us look at Fox Studios in Sydney. It has behind it the Murdoch organisation, which is a very significant organisation—one of the biggest in the world. It was given tens of millions of dollars by the New South Wales government—not just a few. It was given millions and millions of dollars. What happened in Melbourne? Again, there was a multimillion dollar proposal supported by the state government. I do not remember the figures; I do not have them with me. So let us look at

the other two examples in Australia: Sydney, given millions of dollars; and Melbourne, also given millions of dollars.

What did Queensland do? Because we are so astute and I have such bad Scottish ancestry, we did not give them money. We gave them a loan. We gave them an \$8 million loan. Yes, it is true: if they comply it may well be that a couple of million of it may be forgiven, provided they reach targets. What are those targets? They are job targets—jobs, jobs, jobs.

**Mr Johnson:** But these are Queensland companies wanting to create jobs.

**Mr BEATTIE:** Is the Deputy Leader of the Opposition suggesting to me that we should fund a project—

**Mr Johnson** interjected.

**Mr BEATTIE:** What he is suggesting is that we should fund a project that cannot guarantee recurrent expenditure. That is what he is suggesting. This is not a steam car proposal that we are prepared to fund. I do not want to be unkind to the gentleman concerned—I am going out of my way not to be—but the reality is that we need to have a business plan. The Department of State Development, the Department of Employment and Training and any others need to look at a business plan. This is what we consider as the basis for funding. There could be no guarantee of recurrent expenditure; therefore, we could not fund it.

Let us look at what happened. Warner Bros Movie World on the Gold Coast has been an unmitigated success. It has been a great success. We are extending it—more studios, 2,500 jobs and some of the biggest movies Australia has ever seen. Why do members think there is some concern in the American movie industry about the number of movies being made here? Why are some American actors saying that they will not come? They are afraid of pressure at home because we have a better quality product. We are getting jobs for Australians. Let me make it clear: I will not move away from any opportunity to get jobs for Queenslanders and Australians.

**Mr SPEAKER:** Order! Before calling the member for Stafford I welcome to the public gallery students and teachers of Rochedale South State School in the electorate of Mansfield.

### Prostitution Laws

**Mr TERRY SULLIVAN:** The state of Queensland has undergone major changes when it comes to prostitution laws and regulation of brothels. I ask the Premier: are these laws developed by the government working?

**Mr BEATTIE:** The answer is yes. My government has virtually a double mandate to have introduced reforms to make the state's prostitution industry safer and better regulated. We put our proposals to the electorate in 1998 and in 2001 and they were endorsed on both of those occasions, so there is clearly a mandate.

Those courageous reforms are working. Instead of trying to hide this and play ostrich, which was done in the 1980s, we had the courage and the guts to say, 'Let's bring this out in the open and regulate it.' But it is a fair process. Regulation also means that we crack down on the illegal industry, which is what did not happen elsewhere. On average, for the past 17 months we have been closing one illegal brothel a week. Since 1 January last year 72 illegal brothels have been closed.

As I said, we won a mandate to introduce tough new laws and to introduce legal brothels to operate under strict controls and in suitable areas, and they are working. We are clamping down on a difficult problem. Prostitution cannot be stamped out, regrettably, but it can be regulated. That is what we are doing. I would love to see a situation where there were no clients and therefore no industry. That would be a nice outcome, but unfortunately human foibles do not allow that.

Gone are the days when corrupt police and politicians ran this industry. Ten legal brothels have now been approved, with six more applications under consideration. The approved persons who are already operating brothels include four on the Gold Coast, three in Brisbane and one each on the Sunshine Coast, in Townsville and in Mackay. Applications pending are for brothels at Logan, the Gold Coast, Sunshine Coast, Redcliffe and Townsville.

We are taking a tough approach to illegal prostitution while at the same time providing strict laws to ensure that health and safety standards are preserved within the legal industry. We have not adopted a head-in-the-sand approach when it comes to criminals, street walking and escort agencies. From 1 January 2001 to 30 March this year there were 883 reported prostitution

offences, including 484 reported offences of soliciting, 125 of people knowingly participating in the provision of prostitution and 151 of people found in places used for the purposes. Recent operations have centred on Morningside, South Brisbane, Spring Hill, Fortitude Valley, Surfers Paradise and Broadbeach, but police do not limit their operations to the south east. For example, an operation in Cairns between December 2001 and April this year resulted in enforcement action against five people on 17 prostitution related charges.

The old laws were not working and my government made a commitment to address this issue head on. We are a government which faces up to difficult issues—the tough issues—and we will continue to do so by tackling prostitution head on. This is an area where we can already see that our tough decision making is paying off. There are two strands. Firstly, we crack down on the illegal industry and, secondly, we allow the regulated industry to operate under strict supervision so that we can look at issues such as health to make sure that we do not return to the corrupt practices of the past when there were corrupt police and corrupt politicians. Those days are gone. The only way to do that is to put the whole industry out in the broad glare of daylight, and that is exactly what we have done.

### Education Queensland, Media Releases

**Mr QUINN:** I refer the Premier to a letter he wrote to me last week when he said that he would not be taking any action against the Education Minister for having used her department's staff to write media releases to promote Labor backbenchers in their electorates. In that letter he said that he would not be taking any action because he 'was satisfied with the minister's explanation that the media releases in question related to events at which she was represented by government members'. For the Premier's benefit, I now table a second batch of media releases prepared by public servants in Education Queensland for Labor Party backbenchers. None of these relate to functions where the members represented the minister. I ask: is the Premier now prepared to implement his own Public Service guidelines which state that the Public Service will operate with a common set of values, including political neutrality?

**Mr Bredhauer:** You used to take Liberal Party candidates to schools.

**Mr BEATTIE:** That is a great response. I have to tell you, Mr Speaker, that is actually a great answer. I just want to make sure it is on the *Hansard* record. That is why I—

**Mr Bredhauer:** When he sacked the cleaners he used to go through the back door.

**Mr BEATTIE:** I am happy to take that interjection as well. The way we are going, I will not have to answer anything here. Is there anything else you wanted to add? I have to tell you, Minister, you are doing really well. Were you a teacher at one point?

**Mr Bredhauer:** I was.

**Mr BEATTIE:** I just wanted to check. You can take the teacher out of the classroom but you can't take the teacher out of the teacher, or whatever it is.

**Ms Bligh:** Ten out of 10.

**Mr BEATTIE:** Ten out of 10. I will give the teacher a high mark. He will more than pass; he is an A student.

**Government members** interjected.

**Mr BEATTIE:** I am giving him a peer review. He got an A. Leave him alone. I have to say two things.

**Government members** interjected.

**Mr BEATTIE:** I have had enough help on this answer, thanks. I need to actually give one of my own. Can you just leave it be.

**Mr Seeney:** Give him his job back.

**Mr BEATTIE:** Here we go. Are members going to let me answer this? I know I have been given some help. I actually do not need it all. I did write to the Leader of the Liberal Party. He wrote to me. I always treat him with respect. I gave him a detailed answer, as I always try to do. I wrote to him. I checked that there were appropriate protocols in place, as I expect all my ministers to have. Obviously I will have to look at the material. I have not seen what he has tabled today, but I am satisfied on the advice given to me by the minister and the department that appropriate protocols are in place. This state has a long history of the politicisation of the Public Service under conservative governments. We sure do. Let us look at what we have done.

Can members imagine this ever happening in National Party days? The former Leader of One Nation who lost his seat has just been re-employed in the Police Service. Can members ever imagine that happening under the National Party and Liberal Party? Did we intervene to prevent the former Leader of One Nation being re-employed in the Police Service? The answer is no. Who is the head of TAFE? One of our heads of TAFE used to be a former, if I recall correctly, National Party minister in this parliament, and he is doing an excellent job. Let me make it clear that he is doing an excellent job. I have no criticism of him, only praise. What have we done? Let us look at the trade commissioners we have appointed. We have appointed them from the ranks of the National Party and Liberal Party. We do not go out to victimise people.

**Mr Horan** interjected.

**Mr BEATTIE:** Wendy is still a Queensland public servant, and I would not have it any other way.

### **Police Bicycle Squad**

**Ms BARRY:** I ask the Minister for Police and Corrective Services: can he inform the parliament about any initiatives to establish alternative, highly visible patrolling methods, including police bicycle squads, in the busy Brisbane city area?

**Mr McGRADY:** I thank the honourable member for the question. Today in the Botanic Gardens I am going to launch a project whereby we are going to establish a bicycle squad to look after the Brisbane city area.

But before I elaborate on the answer, I want to congratulate the member for Aspley. I often address this parliament about the need for community policing. I have had the opportunity on a number of occasions to go along to groups in her electorate to talk about what we are doing to encourage community policing in this state. The project which I am going to launch today is about bicycle patrols. The reason I am a strong supporter of bicycle patrols within the Police Service is that they are a more visible way of policing. Police officers tell me that they have a far better communication with members of the public who can stop the police officer on a bicycle and give them information. More importantly, it allows the police officer who is riding the bicycle to get to places where, in many cases, cars cannot. Hervey Bay and the Gold Coast have had similar schemes. Everywhere I go to discuss this issue I get rave notices from members of the public about the effectiveness of these schemes.

If we are going to improve policing in this state, there has to be a physical presence of police officers. We need more police on the beat. The project with which I am involved today will mean that more and more police officers are going to be seen by members of the public, and that will certainly improve community policing in Queensland. This project launch will take place at lunchtime today. I invite those members of parliament who are free to come along and assist me in launching what I believe is going to be a great innovative idea. Policing is all about being proactive, not reactive. This is just another way in which the Queensland Police Service will assist the people of this state, particularly the people of the Valley area and other parts of the central Brisbane district. I think it is a great scheme. I hope to see many members at the launch.

### **Mental Health Patients, Escapes**

**Miss SIMPSON:** I refer the Minister for Health to the tragic death of Aleesha Hanna, a 17-year-old regulated mental health patient who absconded from the Nambour Hospital mental health ward only to die under a train two hours later despite the fact that she was supposed to be on quarter-hourly checks. I also refer to a tragic incident in September of last year when a mental health patient from Princess Alexandra Hospital stole a government owned car and drove at high speed causing the death of one woman and shattering the life of Logan man George Warren, who lost both legs and suffered severe cranio-facial injuries. In addition, I refer to yet another incident when an escaped mental health patient who, only weeks after George Warren's life was devastated, absconded from the Gold Coast Base Hospital's mental health ward, stole a car and drove to Canungra because he wanted to join the Army. After each case the families and public—families like Robyn Clarke who lost her daughter at the hands of Claude John Gabriel—were assured by Queensland Health that this would not happen again and that security would be tightened.

I ask: as poor staffing and security of suicidal and psychotic patients in Queensland hospital wards is still endemic, with police throughout the state weekly having to search for absconded

mental health patients, how can the public believe that the security of mental patients in the care of Queensland Health has been tightened when these tragedies keep occurring?

**Mrs EDMOND:** With regard to Aleesha Hanna, the Nambour Hospital mental health patient, the coroner's findings will need to be considered before making a detailed comment on this terrible tragedy. However, I am advised that the coroner was satisfied that Nambour Hospital has made adequate changes since the girl's death on 11 September 2000. Furthermore, in recognition of the need for a more secure area in the mental health unit at Nambour Hospital, \$800,000 was recently allocated and the project has commenced, with completion due later this year. Staffing for this area is a high priority and of course will be considered in the forthcoming budget, as it has in every other budget. This government has already significantly increased funding to mental health services since coming to office, with major boosts to staffing right around this state.

In relation to some of the other patients that the member mentioned, police investigations are continuing and charges may be laid, but I will not discuss that. But this patient died before the new Mental Health Act came into force this year and before the new protocols controlling regulated patients came into effect at Nambour Hospital in February this year. Since July 1998, Queensland Health has supplied Nambour Hospital with an additional six mental health beds, fully funded to Australian and Queensland standards. I am advised that the member for Maroochydore reached her own conclusions about this tragedy and put such views in a media statement before the coroner brought down his findings.

These sad cases are difficult to predict and prevent. I am sure the Opposition Leader would have advised the member for Maroochydore of this fact if she had spoken to him before asking this question, because I recall in this House drawing to his attention five patients who absconded from a single hospital and who died in similar circumstances while he was Health Minister. It is easy to have hindsight. It is always wonderful to have diagnostic hindsight with the acuity that the member opposite has, but I know that this is a very difficult and tragic area and that it is difficult to manage.

We have a commitment nationally and under our obligations to the United Nations to treat people with a mental illness in the least restrictive environment. This recent tragic event reinforces the fact that mental health patients are far more likely to injure themselves than they are to injure other people. This really flies in the face of the member's continuing request to lock up everybody who has a mental illness, to throw away the key and not to allow them any rehabilitation.

### **Domestic and Family Violence Prevention Centre**

**Mr MULHERIN:** Will the Minister for Families inform the House when and where a new Queensland domestic and family violence prevention centre will commence operation?

**Ms SPENCE:** I thank the member for the question and acknowledge his ongoing commitment to domestic violence prevention. I am pleased today to announce that the Central Queensland University in Mackay has been chosen to establish the new state wide domestic violence prevention centre in which operations will commence on 1 July. I am sure all members will agree with me that it is good to see a regional centre such as Mackay and a regional university such as CQU having the capacity to deliver first class research, education and evaluation in such a very important area as this.

Over the next three years the CQU in Mackay will receive \$1.3 million from the Beattie government to operate this state wide domestic violence centre. In its application for this centre, the CQU at Mackay clearly showed an understanding of the issues involved in domestic violence prevention and of responses to domestic and family violence. The CQU showed an excellent capacity to understand the needs of Aboriginal and Torres Strait Islander Queenslanders as well as the Australian South Sea Islander community and other diverse ethnic groups. I understand that in February this year the CQU signed a memorandum of understanding with ATSIC at ATSIC's initiation. I congratulate them on that, because I understand it is the first MOU of its kind between any indigenous organisation and a university in this state. That is terrific for CQU.

The CQU Mackay will operate a service that will meet the training, resource and support needs of our regional, domestic and family violence prevention services. It will also establish a strong evidence base for effective practices within the sector. The centre has indicated that it is strongly committed to focusing research on domestic and family violence within indigenous communities as well as looking at the areas of elder abuse and abuse of people with disabilities.

As all members would be aware, it is Domestic Violence Prevention Week. We are celebrating the 10th year of that week in Queensland and we have gone a long way in terms of establishing domestic violence services in this state. We funded the Department of Families' Domestic Violence Services to the tune of \$19.5 million this year. Ten years ago was the first time really that any Queensland state government started funding domestic violence services in this state. In terms of government commitment, we have come a long way. When we are spending that kind of money it is important that we constantly evaluate our legislation, our policies and the services that we fund. I am sure that the new centre to be established in Mackay will lead us in this state forward into the future in domestic violence thinking because, apart from this government's commitment to the area of domestic violence, many of us would be concerned that we are not seeing the kind of reduction in domestic violence that we in this state would like to see.

### **Public Liability Insurance**

**Mr FLYNN:** Premier, all the states are hopefully working with the federal government to reach a best practice solution in relation to public liability, with our own state proposing a number of controls, as the Premier recently announced, to relieve pressure on the insurance industry. One measure, I might add, that we should not consider is preventing no win, no fee, a recipe for placing litigation in the hands of the wealthy few. The Premier has rejected interim measures to prevent cancellation of fetes and festivals on a cost basis. I wish that were not the case, but I cannot find an argument that will hold water against that choice.

No doubt, the Premier would agree that community halls provide facilities for the delivery of many very important community services where the bill might otherwise have to be picked up and treated as a government responsibility. Does the Premier think that group buying is an appropriate channel for these clients in community halls, and can we afford to address the damage that would be caused to service providers if many halls close? As an interim measure, surely we could address the shortfall by picking up the difference in premium costs where halls are able to gain renewal, but only at a considerably increased fee?

**Mr BEATTIE:** There are three issues raised by the member's question and I will quickly deal with them. We did not ban no win, no fee as a legal option for people simply because for a lot of people who are poor it is the only way they get access to the courts. We strongly believe that from an equity point of view that should be maintained. However, we have banned all advertising which could emotionally encourage people who do not have a legitimate claim to go down that road. That was the way we have dealt with that.

Further, I issued a challenge which has been accepted by the Leader of the Opposition. We will do everything we can—and the parliamentary draftsman is now finding out about this and will have to move other bills down the list—so the Attorney can introduce legislation into the parliament on the day of the budget. I seek the support of all members of the House to pass that legislation that week. The Attorney will obviously have to consult at appropriate times.

My next point is in relation to the group buying scheme. The group buying scheme for the 6,000 not-for-profit organisations who participate in the scheme at the moment—and more are welcome to come in—is being established and hopefully will be operational by September. I also refer to our reform of the tort system. If those laws are in operation by the end of June, we will have a resolution of the whole insurance issue.

**Mr Flynn** interjected.

**Mr BEATTIE:** Yes, I understand that. I would encourage those people who fit in the category outside not-for-profit, for example the tourism industry—and I said this to the industry yesterday—to get together and use their group buying power to get better premiums from insurance companies. So, those in categories that do not fit within the not-for-profit regime should get together in their own associations and negotiate.

My next point about this issue relates to what I said before. As of Tuesday, the insurance industry no longer has any excuses. I spelt out the detail in this parliament and put it on the record so the insurance industry understands that this is on the parliamentary record and therefore the government is serious about this. The insurance industry now has no excuse not to reduce premiums to every one of the people to whom the member referred. The industry's worry related to projected liability into the future. We have introduced a number of restrictions to bring that down significantly. Setting certain parts of damages—and it is made up of many layers—and limiting them to three times weekly earnings brings down the exposure of insurance companies. If it brings down their exposure, it should bring down their premiums, and that is their challenge.

This morning I did notice a story on the front page of the *Courier-Mail* about the Mater Hospital. I mention this because I am advised that the Mater Hospital's insurance expired at 4 p.m. on 30 April. By 4.15 p.m., the hospital executive was advised that the hospital had cover.

**Mr SPEAKER:** Before calling the member for Bulimba, I welcome a second group of students and teachers from Rochedale South State School in the electorate of Mansfield.

### **Whitsunday Development Corporation Incorporated**

**Mr PURCELL:** I draw the attention of the Premier to an ABC news item this morning in which the opposition alleges that the Premier had to answer questions about the Whitsunday Development Corporation and that many questions needed to be answered. I ask the Premier: has the Opposition Leader actually raised any questions with him at all?

**Mr BEATTIE:** Let me go through this. I want to make sure that everybody understands the position. The Whitsunday Development Corporation Incorporated has been created by the Whitsunday Shire Council and Tourism Whitsunday. The Mayor of Whitsunday, Mario Demartini, is hardly a card carrying member of the Labor Party. The only two shareholders of this company are the Whitsunday Shire Council and Tourism Whitsunday. The incorporated corporation has recently replaced the Whitsunday Tourism Strategy Implementation Group. The corporation's charter is 'To make sustainable development happen in the Whitsundays'. The corporation's funding of \$100,000 is provided by each shareholder, that is, the Whitsunday Shire Council and Tourism Whitsunday each providing \$50,000. I am advised that Tony Haywood—he is the CEO of the Whitsunday Shire Council and he has told this to one of the representatives in the minister's department—has stressed that there is not one red cent of state government money involved in Mr Elder's appointment. That is his advice to the government.

Whitsunday Shire Council is funding Tourism Whitsunday with a \$300,000 grant. It is through this grant that Tourism Whitsunday supports the Whitsunday Development Corporation. Tourism Queensland provides an annual regional tourist organisation grant to Tourism Whitsundays of \$200,714. Under a Partnership Queensland agreement with Tourism Queensland and strict funding guidelines, this money is allocated towards joint marketing activities. That is where the money goes.

I have had a discussion with the minister—and let me put them clearly on notice today—that, in accordance with those guidelines, not only are they correct in saying that not one red cent will go to Jim Elder, I make it clear to them today that we will ensure that it does not. He will not get one red cent. It is not just what they are saying; we are saying it as well. We expect the guidelines to be followed.

As I say, the Whitsunday Shire Council CEO, Tony Haywood, has given an assurance that 'not one red cent of government money is involved in establishing the corporation'. Shareholder representatives on the board comprise the mayor and the CEO of the Whitsunday Shire Council and the chairman and CEO of Tourism Whitsunday. The board also includes one local developer, one local business person and a representative of the sugar industry as directors with voting rights. It is intended to also include an external developer. Associate directors have no voting rights and include a representative each from Tourism Queensland and the Department of State Development.

I am advised that Jim Elder was approached to chair the board. His position is not permanent and he is receiving a payment of \$10,000 a year to chair meetings of the board. The staff of the Whitsunday Development Corporation comprises an executive officer. The Whitsunday Development Corporation will be encouraging further development of the Whitsundays as a tourism destination and working with various stakeholders to grow other sections of the local economy.

Therefore, it seems to me that the Opposition Leader was simply indulging in a media stunt. He went on radio this morning and attacked a decision of the Whitsunday Development Corporation and he alleged that I had to answer questions. Well, I have done it. I look forward to his apology.

### **Farm Assistance**

**Mr ROWELL:** I refer the Minister for Primary Industries to the reforms to the exceptional circumstances scheme proposed by federal Agriculture Minister, Warren Truss, to simplify and speed up the process and provide better assistance in the form of farm business support grants

worth up to \$60,000. I ask the minister: given the positive response by other state agriculture ministers to this much-needed reform, will he provide the funding needed or will needy Queensland farmers have to miss out because his government puts more priority on spending millions of dollars on pet projects and self-promotion?

**Mr PALASZCZUK:** I thank the member for the question. As far as I am concerned and as far as the state government is concerned, when the federal government talks about reform to the exceptional circumstances scheme, all they talk about is shirking their responsibility, reducing the level of funding from the Commonwealth government and putting their share back on to the states. There are three important issues—

**An opposition member** interjected.

**Mr PALASZCZUK:** Rubbish! It is all rubbish!

**Opposition members** interjected.

**Mr SPEAKER:** Order! The opposition has asked the question. We will hear the answer.

**Mr PALASZCZUK:** There are three important issues in relation to the ministerial council meeting that was held last Thursday in Hobart. The first one is speeding up the process of approval for exceptional circumstances—tick. We all agreed with that. It is a very worthy reform. No more are we going to see what happened on the Darling Downs whereby our farmers had to wait for six months to receive their exceptional circumstances approvals.

**Mr Hobbs:** That was your fault.

**Mr PALASZCZUK:** That was because there was not a state election on. The member should compare what happened on the Darling Downs to what happened in WA. That state's application for exceptional circumstances was approved in one week. Why was it approved in one week? Because the Court government was going to an election!

The second point is the buffer zone. What did Warren Truss propose should be the buffer zone in the exceptional circumstance area? He proposed 10 per cent. What did the working group recommend? Twenty-five per cent. I took up the fight on behalf of the primary producers in Queensland and I gained the concession from Warren Truss that 25 per cent will be considered by him.

**Mr HOBBS:** I rise to a point of order. The minister is misleading the House. He took nothing to the Agriculture Minister. In fact, he got done over down there by the other states.

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

**Mr Hobbs** interjected.

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

**Mr Johnson** interjected.

**Mr SPEAKER:** Order! The member for Gregory will also cease interjecting.

**Mr PALASZCZUK:** Mr Speaker, thank you for your kind comment. That point there, a 25 per cent buffer zone—a tick for the Queensland government. That is two out of two.

**Mr Hobbs** interjected.

**Mr SPEAKER:** The member for Warrego, I now warn you under standing order 123.

**Mr PALASZCZUK:** The final point is business support. The federal government is trying to fill in its black hole. It wants to fill in its black hole—its deficit in the budget—through one way: out of Queensland farmers' pockets. It wants to decrease its 90 per cent support for business support down to 50 per cent and it wants the state government to fill in that shortfall.

We are not copping that. When Warren Truss writes to the Treasurer about our money, I am going to advise the Treasurer that there is no way Queensland is going to add any more than the 10 per cent that it puts in for the exceptional circumstances scheme, because it is the federal government's responsibility.

### Exports

**Mr CUMMINS:** I direct a question to the Minister for State Development. Sunshine Coast businesses, like all regional businesses, realise exports are a valuable component of the Queensland economy. I now ask: can the minister inform the House of what the Beattie Labor government is doing to encourage exports in the regions?

**Mr BARTON:** I thank the member for the question, because I am pleased to inform the House about the latest initiative of my Department of State Development with regard to its export strategy. As part of the Beattie government's Smart State agenda, as recently as 24 April my parliamentary colleague the member for Kawana, Chris Cummins, who asked the question, was on hand to officially launch the Sunshine Coast Export Network. He did that in his own right but also he was representing me on that day.

The exporters network at the grassroots means that Sunshine Coast exporting firms will directly benefit from the newly formed association, which will regularly bring together local exporters, providing an opportunity for them to share information and improve export proficiency. The main aim is to contribute to increasing the number of exporters in the Sunshine Coast region and increasing the value of exports.

The exporters network concept has been developed in consultation with my Department of State Development's State Development Centre on the Sunshine Coast, with industry and with a range of collaborating companies. It brings government and exporting companies together in one central point to provide significant networking opportunities for both the experienced and the emerging exporter.

Exporting is extremely important to the Sunshine Coast region and to Queensland in general. It contributes directly to the economy through job creation. In fact, one in four jobs in Queensland is related directly to exports. The Sunshine Coast is already home to many world-class exporters, including Cedar Hill Flowers & Foliage, winners at both the Sunshine Coast Export Excellence Awards and the prestigious Premier of Queensland's Export Awards. Also, the overall winner of the 2001 Sunshine Coast Export Excellence Awards, Becker Helicopters, recently secured a \$1 million export contract.

We believe that exports are the key to Queensland's continued prosperity. We need to think globally, not just locally, and to seek new overseas markets and tackle increased competition. Business is certainly very, very keen to achieve this. It is also important to note that it is not just happening on the Sunshine Coast. We have similar export networks operating in other areas of the state, including Toowoomba, the Gold Coast, Cairns, Townsville and Mackay.

Again I thank the member for his question, because my department will continue to work with him and his local Export Network. We have an aggressive export strategy called Export Solutions and we intend to ensure that we do all we can to make sure that companies throughout the state benefit from that initiative and increase exports and increase jobs in Queensland.

### **Fishing Legislation, Enforcement**

**Mr WELLINGTON:** I direct my question to the Minister for Primary Industries. Recently I attended the annual general meeting of the Queensland independent trawlers association. At this meeting it was reported that after state parliament passed new fishing laws for Queensland there has been over the top enforcement of the new laws by the minister's fishing enforcement officers, to the extent that many—and I stress 'many'—Queensland professional fishermen who have never been in trouble with the law before are all of a sudden appearing in record numbers in Queensland courts, responding to summonses for serious offences brought by his officers. I ask: is the minister aware of how his officers are exercising their enforcement powers and will he personally investigate this matter?

**Mr PALASZCZUK:** I thank the member for the question. Could I say at the outset that I have been advised by the Queensland Fisheries Service that numerous serious fisheries offences have been detected and prosecuted. As a matter of fact, more than 140 fisheries offences have been prosecuted with the use of the VMS system. The Queensland Fisheries Service has confidence in the accuracy of the VMS and I support it in that assertion.

Honourable members should take note of a couple of other issues, such as closures. Currently, trawler operators are able to determine which areas are closed to trawling by referring to the trawl plan. Basically, that has been part of the problem, too. I have had representations from the independent trawlers association, as has the honourable member. Basically, the trawl plan details each point of a closure area by latitude and longitude or by other references such as river mouths. I am advised that the Queensland Fisheries Service is investigating the possibility of using electronic mapping facilities under the legislation to provide a simpler mechanism for trawler operators to determine closed waters. I understand that under this system trawler operators could install software containing area closures onto their plotters and other on-board computer hardware. The government certainly has introduced significant reforms in fisheries management

to deliver what is most important, that is, greater sustainability of our fisheries. The Fisheries (East Coast Trawl) Management Plan is one of the most advanced anywhere in the world. Our government has been committed to ensuring the plan maintains the sustainability of fisheries and minimises the impact on small commercial fishers.

In response to the honourable member's final point as to whether I will discuss the issue further with the Queensland Fisheries Service, I certainly shall.

I turn back now to exceptional circumstances to make a final point. Queensland is the only state in Australia that offers drought relief to primary producers. We are the only state in Australia that offers business support to our non-farming sector in exceptional circumstances. If the federal government insists on an increased share, that will put in jeopardy and at risk our Queensland drought relief program.

**Mr SPEAKER:** Order! Before calling the member for Mansfield, could I welcome to the public gallery members of the Paradise Point National Seniors.

### South East Busway

**Mr REEVES:** I direct my question to the Minister for Transport and the Minister for Main Roads. As the number one ticket holder of the South East Busway, I had great pleasure in joining with the minister to celebrate the first birthday of the South East Busway last week at the Upper Mount Gravatt busway station. Can the minister inform the House how the busway has performed in its first year of operation?

**Mr BREDHAUER:** I thank the honourable member for the question. He has certainly been one of the best advocates for the busway that we could possibly have hoped for. I genuinely want to congratulate the honourable member on the work he has done in helping to promote the busway. Promoting public transport plays a big part in actually getting people to use it. Through his practical advocacy and, dare I say, use of the busway, he has been a shining example for many people of the use of efficient, safe and secure public transport operations, particularly the busway.

Earlier today I talked about how this government will deliver public transport services for rural and regional Queensland. The member for Gregory has already acknowledged that that is a positive decision and I thank him for that feedback. We are also delivering for people in south-east Queensland. If we are to achieve the targets in the Integrated Regional Transport Plan, we need to build on the success of the busway in its first year.

For the information of honourable members, I tell the House that in one year of operation the busway has carried almost 900,000 extra passengers. The core services operating on the busway have had a growth in patronage of 45 per cent. That demonstrates that if people are provided with fast, efficient, safe and reliable public transport, they will use it. People in this corridor—as the honourable member said yesterday during another debate—who have not had access to rail services—

**Mr Johnson:** He only uses it because he doesn't have a drivers licence.

**Mr BREDHAUER:** I do not know whether the member has a drivers licence or not, but it does not matter if he does not because he can use public transport. He demonstrates that people do not need a drivers licence. He can live out in the beautiful electorate of Mansfield, he can represent his constituents out there and he can use the busway and be here at parliament in 15 minutes on the 136 service, which he often tells me about. In fact, when I travelled on the busway the other day, the bus was jam packed with people. We have had to introduce new services which will run at five minute intervals.

We are not resting on our laurels. The Springwood bus interchange is under way, which will benefit the members in the Logan shire. The Cultural Centre busway is being updated, which will benefit patrons right across the bus network. The northern busway is under construction and will be completed by late next year. The people to the north of Brisbane in the electorate of the Premier and other members will experience benefits similar to those to people on the south side.

We have demonstrated that with good public transport services, people will support public transport. It has been a fantastic outcome for its first year. Again I thank the honourable member for his support and everybody who has used the busway. The member told me that many of the kids from Rochedale South State School who were here earlier put their hands up and said they use the busway.

### Freedom of Information

**Mr SPRINGBORG:** I refer the Premier to a question without notice asked by the Leader of the Opposition on 16 October last year as to whether, in the interests of democracy, openness and accountability, he would exempt the opposition from the burden of his government's accountability tax, the FOI time based charges. In his response he stated—

We do not believe that the opposition should be disadvantaged. We believe that it should have access to FOI under reasonable circumstances. We would consider that as part of the budget. The Leader of the Opposition need not be concerned about that. I am happy to discuss the matter with him.

To date, the opposition has received preliminary assessments of \$11,389.40 for eight FOI applications. I table a summary listing the details of these applications. The average cost of these assessments is \$1,423.68 per application. Clearly, these costs are prohibitive and a significant barrier to accountability. Given the Premier's previous commitments to the parliament to address emerging barriers to accountability, will he now amend the FOI Act to exempt the opposition from the time based charges and, for that matter, other non-government members?

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

### MATTERS OF PUBLIC INTEREST

#### Public Liability Insurance; Professional Indemnity Insurance

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (11.30 a.m.): This morning the Premier issued an invitation to me as Leader of the Opposition and to this side of the House to put through legislation in respect of the public liability insurance problems. I have indicated already in this House that, yes, we are willing to do that. However, we would require decent notice of what that legislation would be. I see the Attorney-General nodding his head. In a bipartisan spirit, as we have already indicated, we would be prepared to do that, particularly because some of the principles in the proposed legislation announced by the government are what the National Party has been pushing for since last year. We have taken the lead on the public liability issue. We want to see it and the professional indemnity issue solved once and for all, and we want this done urgently. We will do everything we possibly can to see that this urgent legislation goes through immediately. We want to see the legislation before it comes into the House so that we can conduct proper research and prepare our speeches.

I highlight the urgent need to look after the organisations in danger of collapsing before the funding pool comes into place. We cannot just walk away from this issue, as the Premier indicated this morning, when he said, 'We've done our bit. Now it's up to the insurance companies.' The insurance companies have to do their bit now. I want to see that they have responded. I want an indication from them as to how much the premiums will be reduced. When the pooling system is introduced by the government, I will want some sort of record to be kept so that we can determine whether pooling is working, whether the insurance companies have played their part in reducing premiums, and whether the reforms we have introduced into the parliament are working. For example, we do not want community organisations facing premium increases of 1,000 per cent—and many have—finding that they are being reduced by only 500 per cent. There have to be realistic reductions for the pooling system to be a success. We have to see far more significant results.

If the pooling system does not work, it will behove this government and the parliament—and we will play our role in this—to look at another form of community insurance fund that provides affordable premiums for community organisations. Already the government has taken some 1,600 P&Cs under the wing of the fund for the government and its agencies. It may be necessary to look at an extension of that scheme, if the pooling system does not work. Hopefully, the Premier has reined in future liabilities and government agencies will be able to make accurate predictions in an environment of reduced premiums.

The reforms indicated by the government are a step in the right direction. After all of our advocacy on this issue, our formulation of a six-point plan, and also our raising the issue of professional indemnity insurance, we are pleased to see that these reforms have come in. However, they do not go far enough. I am highly critical of the slowness of this process. We brought these issues into the parliament mid-last year. From October onwards we consistently raised the issue, and we put forward our six-point plan in early January. It has taken the government until May to outline a plan. As I said, we have indicated our support for that.

In addition to the public liability issue we have to look at the parallel problem of professional indemnity insurance, which is creating very serious social problems, just as the public liability insurance problem has created viability problems for clubs and organisations. Professional indemnity problems are causing specialists to question continuing to work and causing young doctors to consider not completing their five or six years training to become an obstetrician. I have even heard talk about private specialists doing Caesareans only rather than natural births because of these problems. It would be a tragedy if those sorts of things came to pass. The professional indemnity insurance issue is just as urgent and serious. Many specialists will move away from rural and regional areas where they perhaps do not have as much professional support as in the capital cities. It is a crisis. Some of my colleagues who represent the more remote areas of the state are very concerned because rural doctors are facing increased insurance costs, and the people in these areas will face difficulties if specialist services pull out.

Our proposed reforms in respect of professional negligence addressed five key areas—a capping of payouts, a review of court rules, better mediation, court reforms and the introduction of a professional standards act. Some of the reforms that the government has announced today will cover that. We have some concern about the capping of payouts. I note that today's media refers to the Australian Medical Association's extreme concern that the capping capabilities likely to be introduced in Queensland will go nowhere near the bold measures taken in New South Wales. We have to take bold measures. We must have a stringent fence around damages claims, because the time has come to realise that in addition to caring for victims of negligence we have to consider society as a whole. We have to have specialist medical services and community organisations.

One of the real problems we are facing now is the closure of a number of community organisations in the months leading up to September. We have heard that a pooling system will come in as at 1 September. I see no reason at all why that could not be brought forward. We have been talking about the pooling system for some weeks now. A community insurance scheme has been pushed and promoted by the National Party since the beginning of January. All of the preparatory work has been done. Some 6,000 community organisations have put forward expressions of interest.

If this had some value as a media stunt, the Premier would swing behind the entire 800 or so officers in the Premier's Department to make this happen. This is a crisis. Everybody in the department, be it the Premier's Department, the Treasurer's Department or the Attorney-General's Department, needs to get behind this scheme, put out tenders to the insurance industry and find an answer to this problem. Every month saved will mean that more community organisations may be able to survive if their premiums are reduced. It is important for the government to look at ways of saving these organisations.

At the same time, we all need to put pressure on the insurance industry to respond to the reforms that will be put forward. One of the ways we can do that is by putting in place a monitoring system. We need records to be kept so that we can see by how much the premiums of the various community organisations reduce. The whole parliament needs to know that so that we can see whether the reforms are working, whether the insurance industry is pulling its weight and providing an adequate response to the reforms put into place. We need to keep records so as to find out how much these reforms are affecting professional indemnity premiums. We need to know this. The process has to be open and accountable. We cannot just do this, walk away and say, 'We've done our bit.'

This is an urgent matter. We have pushed this issue from the start. We will pull our weight and make sure that the legislation gets through the parliament, because we want to see this crisis fixed. I urge the government to do whatever it can to help community organisations facing imminent closure. Again, we must have a system whereby we can assess whether our reforms in this parliament are working and whether the insurance industry is pulling its weight so that we can make a difference and resolve this crisis.

### **Workplace Bullying**

**Ms NELSON-CARR** (Mundingburra—ALP) (11.40 a.m.): Monday was Labour Day, as we all remember, and in Townsville we celebrated a first. It was a fantastic day attended by over 1,000 people, set on the balmy shores of Cleveland Bay on The Strand. I say 'a first' because the Townsville City Council supported the event to make it more family friendly. It hosted two bands, put up a stage, provided equipment and so on. Games, competitions and food and drink stalls

were organised by the participants. So while the speeches and rallies were held, families were able to take part in a regular fun day.

During the speeches it was time to reflect on how far we have come in Queensland in winding back some of the draconian state coalition IR regulations imposed by Santo Santoro, the former and almost forgotten member for Clayfield. I am pleased to say that our government will continue its proactive stand in the workplace by attempting to improve the lives of Queensland workers. These workers will soon have to become conversant with the banning of bullying in the workplace.

Most of us have encountered bullying in the workplace, and many of us have been victims. Our government appointed a task force. It wrote a report which will go to cabinet shortly. The committee found that bullying costs Australia about \$13 billion a year in lost productivity, and that does not take into account the dreadful cost to victims. Bullies are cowards who stand over a person who is physically, intellectually or in some other way under their control.

The task force defined workplace bullying as a broad range of behaviours across a wide spectrum, from one-off attacks of violence to repeated acts of covert ill treatment. Examples of overt workplace harassment include loud and abusive language, yelling and screaming, unexplained rages, unjustified criticisms and insults, constant humiliation and unjustified threats of dismissal or other disciplinary procedures. The report describes covert workplace harassment in a fairly detailed way.

It is totally unacceptable for anyone to be subjected to intimidation or discrimination in any form, and only when those practices are stamped out will proper civilised conditions be achieved. Unfortunately, bullying is alive and too prevalent in the workplace. At some point in their working lives, more than 2.5 million Australians will have been bullied at work. Griffith University School of Management senior lecturer Michael Sheehan, who heads a workplace bullying project team, said the state government would be among the first in the world to respond to workplace bullying. He said that although Sweden had introduced a code of practice about a decade ago and Victoria had recently introduced a similar code, there had been no developments in the US, Europe or Asia. Britain has only recently considered the introduction of dignity-at-work laws. But Dr Sheehan said that the incidence of workplace bullying could be greater than identified by the task force's report. Studies showed that the prevalence rate is up to 30 per cent and the cost to the nation up to \$36 billion annually, considering lost productivity, absenteeism, staff turnover and so on.

As a member of the Beattie government, I am most proud of the changes to the Queensland Industrial Relations Act. The most significant changes were restoring powers to the Industrial Commission and giving it the right to arbitrate in the settling of disputes and the pursuit of enterprise bargaining. The difference between the state and federal government legislation is enormous. Federal industrial legislation is basically the law of the jungle and there is no independent umpire. The unions and the workers have their hands tied behind their backs by this harsh federal legislation. This, of course, restricts unions' ability to recruit, to organise and to conduct industrial campaigns, and on top of this there are large penalties for non-compliance.

A clear example is the meat industry dispute in Rockhampton. The commissioner asked both parties to attend a two-day hearing where facilitation could occur in discussing enterprise bargaining. The union immediately accepted the offer. The company's answer was 'no' and it continued to pursue a lock-out rather than accept any form of mediation, let alone arbitration. Under this system, workers' wages and conditions will continue to spiral downwards.

The conduct by CMG has been not only un-Australian—and it makes us remember the Patrick waterfront dispute—but it is also quite unlawful. CMG's true colours are progressively emerging through the course of this dispute. It consistently moves the goalposts. The workers have always held a position of goodwill in putting their pay and conditions on the bargaining table. CMG's offers have been industrially tactical. Never has the company been genuine in attempting to resolve this dispute. Everything is on its terms and its conditions. This is industrial thuggery and a clear case of workplace bullying. Federal IR laws have encouraged this despicable behaviour by CMG.

Compare this with the expansion of the Stuart meatworks in Townsville, where 250 new jobs were created as a result of effective enterprise bargaining negotiations between AMH, the union and the delegates. The result was achieved without conflict or industrial disputation. Bullyboys like CMG use federal IR legislation to stand over their employees and should hang their heads in shame.

Time expired.

### Local Authorities

**Mr CUMMINS** (Kawana—ALP) (11.45 a.m.): The Beattie Labor government has a policy that I strongly support that we will not—and I repeat 'not'—force any local governments into amalgamation. Forced amalgamations are not part of my or this government's agenda. I wish to comment on an article in the *Sunshine Coast Daily* on Saturday, 4 May, which I seek leave to table.

Leave granted.

**Mr CUMMINS:** I commend the editor and also the chief political reporter for their supportive editorial and accurate reporting. The community of the Sunshine Coast is, I believe, very supportive of the massive cost savings of ratepayer funds when councils operate in an efficient manner. I am constantly advised by residents and business owners of the need for the Maroochy Shire Council and Caloundra City Council to consider combining or amalgamating. I believe that both councils' first job is to put aside the 'can't do, too hard' mentality and replace it with a 'can do, let's find a better way' mentality. Councillors should begin investigations.

Presently, there are dozens of senior officers, including the chief executive officers, senior managers and third-level managers, across these councils. I am not criticising the ability or standard of their work; I am outlining the sheer numbers of these council positions. I wish to again publicly encourage the local councillors to begin investigations into combining councils, thus ensuring that millions of dollars of Sunshine Coast residents' hard-earned funds are saved or better spent through their local government authorities. The concerns of many regarding Maroochy Shire council's debt compared with Caloundra City Council's and other local governments' debt is easily addressed. When an amalgamation goes ahead—and I, for one, believe it is inevitable, as the community opinion is very strong on this issue—once an amalgamation is investigated, economies of scale will quickly be identified, thus ensuring savings that can offset debt levels.

Maroochy shire and Caloundra city have a wealth of assets, and some obviously should be closely scrutinised. Are they all core businesses of local government? Caloundra city residents are concerned at Maroochy's debt and political goings-on. It was only a few terms of council ago that Caloundra City Council was the political joke of the Sunshine Coast, with then mayor Barry Grey going AWOL and the deputy mayor being sacked or replaced as his ability was obviously not commensurate with his ambition. Bad councils will occasionally come, and hopefully go. An amalgamated Sunshine Coast council will sing with one voice, and at present this is not happening.

I want to mention the feedback from the *Sunshine Coast Daily* resident poll on the ill-conceived suggestion of transferring the responsibility for police, education and health to local councils. On Monday, 6 May, one man said that he would have concerns about the uniformity between the different council areas. Another lady said that cutting out the jobs at state government level would not necessarily be a good thing. Another man questioned doing the same with the police force, saying, 'That part's ridiculous. Can you imagine councils running a police force?' I fully agree with that comment. Another lady said '... not the police. I'd certainly like to see nursing homes run by local authorities'. Finally, another lady said '... you'd have to question consistency across the different areas'. When asked their opinion on the federal government's proposal to transfer certain tasks to local councils, five out of five people were not in favour.

I want to comment on the recent proposal by the federal local government minister, Wilson Tuckey, that local governments take control of state issues or services from the states. I have no idea what the federal minister for local government was thinking when he came up with this ill-conceived suggestion. I encourage Liberals and conservatives, both in this parliament and the federal parliament, to take these issues on board. No-one in the community believes that councils should be running police forces.

Mr Tuckey suggested adopting a United States-style system, with councils taking over essential services, including police, education and health. As we know, in America there are many tiers to the police service. There are county police, city, state and federal police, and in some areas also the local sheriff. Given the sheer number of local authorities across Queensland, creating any kind of consistency with policing, education and health, if those services were controlled by local government, would be incredibly difficult. In Queensland, this government—

Time expired.

### Government Grants

**Mr SEENEY** (Callide—NPA) (11.50 a.m.): On 11 March the opposition referred to the Auditor-General for investigation a series of government grants to Berri Ltd and to National Foods that led to the establishment of a fruit juice plant at Lytton and a milk plant at Crestmead. This will not be the first time the Auditor-General has investigated the administration of government grants.

On 17 May 1999 the Auditor-General produced a report titled *Auditor-General of Queensland Report No. 6 1998-99: Review of the administration of grants and subsidies*. It was tabled in this parliament. Its recommendations are very relevant to the case of Berri and National Foods. In that report the Auditor-General made seven specific recommendations in respect of the Queensland Investment Incentive Scheme. Recommendation 4 states—

In relation to QIIS, the Department should have in place—

standard appraisal checklists and forms to assist in the appraisal of grant applications and recording of decisions;

...

an external reporting framework which provides greater disclosure of scheme achievements and details of individual grants made ...

Recommendation 5 states—

In relation to the QIIS, the Department should have in place—

procedures to ensure that all eligibility criteria have been evaluated when appraising applications ...

That is what the Auditor-General recommended in May 1999. How it contrasts with the situation created by the Beattie government in the Berri-National Foods instance in December 1999, just seven months after that report was tabled in this parliament!

In the Berri-National Foods case the Beattie government has not been able to demonstrate any standard documented procedures for appraising applications and it has not been able to show any clear management trail in relation to the appraisal of those applications. Most significantly, it has not been able to produce any evidence at all that established eligibility criteria have been complied with, or even that any attempt has been made by the government to comply with those mandatory criteria. Instead the Premier has spoken about his so-called commonsense approach to grant funding—a commonsense approach in an attempt to defend his government's ad hoc approach. That was despite assurances given by the Department of State Development to the Auditor-General following his report to this parliament in May 1999. On page 184 of that report there is a section headed 'Departmental response to audit recommendations'. That section states—

The Department—

that is, the Department of State Development—

agreed with all seven audit recommendations. The results of the audit were referred to the Director-General and the Executive Director—Corporate Management provided the following comments—

'I have sought the views of the Manager, QIIS and the Chairman of the DSD Grants Administration Steering Committee regarding the Report's findings. In both cases the recommendations of the Report are supported.'

So the Department of State Development assured the Auditor-General that it agreed with the recommendations in his 1999 report regarding the QIIS. The executive director of corporate management went on to say—

The Report's recommendations will provide guidance to the Grants Administration Steering Committee to further enhance the administration of this Department's grants program.

That is the assurance the government gave the Auditor-General in response to his report in May 1999. It is in stark contrast to its actions in the Berri-National Foods case in December 1999, just seven months later. The assurances given by the Department of State Development to the Auditor-General in response to those specific recommendations relating to the QIIS were simply empty rhetoric. The department's assurances were insincere and untrue, and there is no evidence of any attempt to implement the Auditor-General's recommendations.

The Beattie government has treated the Auditor-General with enormous contempt in relation to the specific recommendations relating to the QIIS. The government has quite dishonestly advised the Auditor-General that it supports the recommended changes and intends to implement them and then in fact has done the complete opposite. That is not only dishonest; it displays an overwhelming arrogance and it demonstrates a complete contempt for the important office of the Auditor-General.

It is worth noting that the scheme's original intent was in line with the Auditor-General's recommendations, but that original intent has been abandoned by this Beattie government. A submission made to the coalition cabinet on 18 August by then minister Bruce Davidson to set up the QIIS emphasised the importance of transparency and accountability and set out the scheme's mandatory criteria. That submission states, in defining the principles of the QIIS, that the program should 'be transparent and consistent in both assessment and decision making. Ad hoc decisions on the provision of incentives run the risk of reducing the effectiveness of the industry policies in general and may expose the state to potential criticism of bias and giving of special favours to selected firms'. That is exactly what has happened in the case of Berri and National Foods. It has happened because this Labor government has treated the Auditor-General with contempt and dishonesty. It has happened because of the Premier's so-called commonsense system of allocating government grants. It is a complete abandonment of the process—

Time expired.

### **World War I Artillery**

**Ms PHILLIPS** (Thuringowa—ALP) (11.56 a.m.): I wish to tell members in this House about a treasure hunt that has been undertaken over the past 12 months by some remarkable people in my electorate. They are searching for World War I German artillery pieces buried somewhere in Townsville. The 105 howitzer and 105 cannon were captured by two battalions after victorious battles on the Western Front in 1918, which effectively turned around the war in Europe. The battalions were the 9th, which was from south-east Queensland and part of the 3rd Brigade, now based in Townsville and, incidentally, the first battalion to land at Gallipoli, and the 26th Battalion, which was from north Queensland.

The battalions brought these trophies back to Australia and presented them to the Townsville City Council for safe keeping. They were put on display at the Strand, where they held pride of place, commemorating the brave actions of all who fought, particularly the local soldiers who lost their lives in these battles. Many people tell me that they remember them being there for over 40 years, and I have seen lots of family photos of children clambering over them. In the 1960s the guns were removed to make way for the new Anzac Fountain. They were taken to the council yards to be returned for display in the near future. However, they have not been seen by the public since. In the manner of all good detective stories, there have been lots of rumours over the intervening years as to what happened to them. Were they taken as souvenirs? Melted down for scrap metal? Who knows?

Last year a local resident, Sergeant Leon Coad, approached me for assistance. He had an interest in Army history and had read about the guns prior to being posted to Townsville. He went in search of them, asked around and talked to two retired council workers now in their 80s, Eric Myers and Pat Cunningham. They said that they had witnessed the guns being buried in 1969 as fill for a creek bed. Leon came to me to ask for my support for this treasure hunt, which he and Lloyd Hurlock, an ex-council worker, were about to embark on. And what an adventure it has been!

Their initial research led them to an area of reclaimed land that used to have a creek running through it. Kevin Parkes offered the assistance of his GIS equipment, and he came up with possible sites using old aerial photographs. This led them to a site on an area of Queensland Rail land that ran along the track and that was as large as a football field. Undaunted, they persevered. They then embarked on some exploratory digs using large backhoes provided by the council for a day and by QR for a week. At the end of the week we were really no closer to knowing where the guns were.

I then approached the Army, and Brigadier Mark Kelly agreed to lend engineering personnel and equipment. Unfortunately they came on site the day it rained in Townsville this year and the area became waterlogged. We decided that we needed a more accurate picture of what the site looked like when the guns were buried, so I approached the Townsville council to see if it had records in its archives, such as maps or photographs of the actual path of the creek in 1969. Unfortunately the council was not able to help. However, the local media in Townsville had taken on the story. The people of the area were intrigued by the unravelling mystery, and this resulted in offers of assistance from many sources. The most significant has been from a geophysicist who has detecting equipment used to find buried minerals for mining companies.

The geophysicist's search of the area identified two sites where the reading was of a solid metal buried more than three metres down. It also pretty much matched the dimensions of the guns. They were facing north-south, as the witnesses remembered. They were very solid—the guns weigh about four tonnes—and they were the right size, about as big as a car. Of course, it may in fact be that the reading is just of old car bodies. But the group is very excited that it may have found the guns and is lobbying for assistance to dig in these two areas under the geophysicist's guidance. There will of course be very real technical problems in trying to get the guns out and then the momentous task of restoring them to their original condition.

I hope that all military personnel from our region see the determination to recover this memorabilia as a sign that the community values what they have done for us in every theatre of war and now in peacekeeping duties in East Timor. It is ironic that these symbols of local soldiers' courage may have been dumped on one side of Townsville at the same time as young men and women were being shipped off to war in Vietnam from the port on the other side of the city. I hope that the reinstatement of these guns may demonstrate to our ex-servicemen and women that we are proud of their commitment, and these symbols of their deeds deserve pride of place in our community.

### **Pittsworth Abattoirs; WorkCover Premiums**

**Mr COPELAND** (Cunningham—NPA) (12.00 p.m.): I rise to bring to the urgent attention of the House the critical situation being faced by the Pittsworth Abattoirs as a result of increases to its WorkCover premiums. The Pittsworth Abattoirs is a locally run family enterprise that employs between 70 and 100 people from the Pittsworth district. It is one of the major employers in the region and is a very important supporter of local businesses and tradespeople. To lose such a dominant economic contributor in a town of approximately 3,000 people would be nothing short of devastating. The Pittsworth Abattoirs has recently been advised that its WorkCover premium for the coming year will be lifted to a massive figure of approximately \$412,000. This premium is almost double its last yearly premium of \$218,000 and nearly four times the 1999-2000 premium of \$104,000. A family owned business of this size is simply not able to accommodate a monumental jump in premiums of this degree.

It is my understanding that the Minister for Industrial Relations has received correspondence from Pittsworth Abattoirs outlining the very serious financial problems it is facing as a direct result of these incredible premium hikes. The principal reason for this dramatic premium increase is the estimated cost of a handful of statutory and common law claims that have been lodged against the abattoir. These cases, which were highlighted in the abattoir's correspondence to the minister, demonstrate the disproportionate amounts of money being paid out to claimants in contrast to the relatively minor severity of the injuries they have sustained. They also demonstrate how an increasingly litigious society is cashing in at the expense of businesses and organisations.

In one case, a worker received a minor cut to his left forefinger which required an afternoon off work and a couple of stitches. Several months later after leaving his employment, the worker claimed that the accident had left the top joint of his left hand with five per cent numbness and consequently, through WorkCover, he received an out-of-court settlement of around \$50,000 following the WorkCover conference. In another case, a worker claimed that he had contracted Q fever which was later changed to leptospirosis. Despite having no serology results to support his claim and a medical report that stated that he was able to work six days a week in a physical job, this man was able to receive a payout of more than \$40,000. The linchpin of his case had been reported symptoms of mild fatigue. These types of claims are literally holding employers and WorkCover to ransom. The authenticity and legitimacy of each case seems to be superfluous to the process of attaining huge payouts that do not match the level of the injury sustained.

In reality, employers such as Pittsworth Abattoirs find that their hands are bound because it is simply too expensive to fight a case through the courts. For Pittsworth Abattoirs to defend a case in the courts, it is facing a personal cost of at least \$25,000. Consequently, it is forced and encouraged to have the action settled out of court. Despite these payouts, Pittsworth Abattoirs has, over the years, managed its operations to the best of its ability and has kept claims to a minimum level that is below industry levels. However, it has been hit with a flow of premium increases that is crippling its operation.

With the inclusion of next year's premium, Pittsworth Abattoirs will have paid a total of around \$1.15 million in premiums to WorkCover since 1996-97. However, thus far, WorkCover has only needed to cover claims lodged in relation to workers at the Pittsworth Abattoirs amounting to

approximately \$256,000. This leaves a residual amount of money in the WorkCover coffers totalling nearly \$900,000. It seems unjust that Pittsworth Abattoirs is being forced to shell out significantly increased premiums to bolster Queensland's overall WorkCover system when, in reality, it has a history of only a relatively low level of claims.

It is obvious that the system has been unfair on Pittsworth Abattoirs. It has done everything by the book, but because of a system that promotes a litigious culture and discourages increased growth and employment it is now faced with impossible premium increases. These WorkCover premiums, combined with other industry pressures such as drought and high stock prices, have created a situation where the forced shutdown of the operation is almost inevitable. I strongly urge the state government to step in and do whatever it can to save Pittsworth Abattoirs from this critical situation. Relief from these skyrocketing premiums is urgently needed so that such an important provider of local employment, business and capital in the resilient town of Pittsworth is not forced to close its doors. The state government must show commitment to home-grown Queensland businesses and come forward with vital assistance that will not only save the future of a local family owned enterprise but also help to secure the economic and social future of a rural district independently fighting to remain strong and viable.

### **Indigenous North Basketball, Kuyyam Pride**

**Mr PITT** (Mulgrave—ALP) (12.05 p.m.): The emergence of a second Cairns based basketball team playing in the Australian Basketball League is more than a sporting coup for the city. The franchise for this new team is held by Indigenous North Basketball, with the team playing under the name Kuyyam Pride. To the indigenous peoples of the region, the name Kuyyam means warrior. The team has, in its short history, lived up to its name. In four competitive matches thus far, the Pride has won two and lost two. It opened the season with the local derby against the Cairns Marlins. In an away game, last year's premiers Marlins proved too strong for the Pride. However, the closeness of the scores gave every indication that the team would be a real threat come finals time. It has followed this with a comprehensive win over Townsville and a narrow loss to Mackay. In an indication of its potential, Kuyyam Pride turned the tables on the Marlins at its temporary home venue at the Marlin Coast Sports Centre.

North Queensland has the highest density population of Aboriginals and Islanders in Australia, yet participation rates at the elite level in the sport of basketball are not reflective of this situation. Participation at the local level is quite high, with over 20 per cent of indigenous people actively involved in basketball. Many play in minor competition. However, most participate in some form of unstructured competition or 'street ball'. Indigenous North Basketball, through its flagship teams playing as Kuyyam Pride, is set to change all of that. Under the chairmanship of Jim Savage, an excellent administrative team consisting of Vice Presidents Valma Gara and Wally Ziegelbauer, Secretary Chrissy Deemal, Treasurer Danny Morseu and General Manager Rod Popp has made significant progress. INB is dedicated to developing the capacity for indigenous Queenslanders to participate in a high profile sport at a very high level of competition. It is providing new and exciting career opportunities in administration, promotion, coaching and sport services.

As outlined in its strategic plan, the organisation is committed to developing a style of operation that is both culturally sensitive and culturally appropriate. It is underpinned by a capacity to build leadership within the community and promote an environment that values and commits to accountability, accessibility and openness. INB is an organisation with commendable objectives. I seek leave to have a list of those objectives incorporated in *Hansard*.

Leave granted.

#### Indigenous North Basketball Objectives

To increase the level of participation of Aboriginal & Torres Strait Islander people in basketball;

Ensure access to opportunities are clearly available for Aboriginal & Torres Strait Islander people to participate in basketball;

Promote and foster the sport of basketball in the region by taking development programs to regional Queensland;

Ensure pathways to the elite level of sport are there for our participants to pursue;

Facilitate regional competitions by working with other affiliate associations;

Foster and promote the objectives of Basketball Queensland and Basketball Australia;

Foster and promote the principles of fairness and safety of participants and the public;

Promote and encourage participation in sport and recreation as a healthy lifestyle activity;

Ensure the principles of the Anti-discrimination and Occupational Health & Safety are adhered to; and  
To protect and enhance the reputation of basketball at all times and not partake in any activity to the detriment of the sport of basketball.

**Mr PITT:** The board of INB has gained admission to the ABL competition, established strong links with business, forged partnerships with sponsors and, to top it all off, secured a home venue that will prove to be the equal of any in the ABL competition. Kuyam Pride currently boasts four teams, all of which are very competitive. Besides the men's team, the ladies side has recorded strong wins in three of its four matches. The under 23 development teams in competition for men and women are laying the groundwork for a long-term commitment to the sport in the north.

The only Aboriginal and Torres Strait Islander player to represent Australia in basketball is Danny Morseu. He is considered to be one of the all-time greats of Australian basketball. Danny has taken on the role of coach of the men's team. Players like Timmy Duggan and Paul Vandenberg have, in recent years, played with NBL teams the Taipans and the Canberra Cannons respectively. Danny Morseu aims to nurture indigenous talent and give players the chance to represent at the highest levels of the sport. INB has joined in partnership with the Fretwell Park Sporting Association to establish its match and administrative base at this magnificent multisports complex in the southern suburbs of Cairns. Fretwell Park is in the electorate of Mulgrave. As the local member and through my involvement with the FPSA, I welcome its decision to call it home.

Due credit for forming this partnership rests with Rod Popp, INB's general manager, and Glenys Huyser, the association's sports administrator. Rod, who is widely regarded as having put Cairns basketball on the map, brings to his role a wealth of basketball experience as well as a proven administrative track record and ability to promote sport. Glenys is a passionate advocate of sport and has wide administrative experience and is recognised as having been instrumental in the development of one of regional Queensland's premier community sporting complexes. Together they have managed to negotiate a win-win situation for both organisations.

The involvement of INB will see a significant upgrade to this community-run facility. Already, the stadium has been enlarged. The new timber floor, retractable seating, electronic scoreboard, corporate boxes, TV standard lighting and revamped office space are all on target for construction and installation. Future plans include the establishment of a basketball centre of excellence in conjunction with local schools. The southern suburbs of Cairns along with INB are big winners from this arrangement. The mayor of Cairns, Kevin Byrne, has also grasped the enormous potential for both reconciliation and the growth of sport. He has indicated that the Cairns City Council will consider air conditioning the stadium in partnership with the Fretwell Park Sporting Association and Indigenous North Basketball. This offer will put the icing on the cake and have a major positive impact in the southern suburbs.

This project has captured the imagination of the community at large, and with the goodwill of all parties and a generous helping of hard work we can see it recognised as a landmark venture to be used as a template for the future.

### **Ms E. Douma; Insanity Pleas**

**Mrs PRATT** (Nanango—Ind) (12.11 p.m.): I would like to finish what I started this morning. Evelyn was told to complete the re-entry course in a period of one year—and this she achieved. On starting nursing and receiving her pay slip, Evelyn found that she was demoted from the experienced level she had held in the Netherlands to a first year nurse's pay rate here in Australia. One of the most important pieces of information was never offered to her, namely, that there was a time limit between the time she finished nursing in Holland and the time she started in Australia. Through various delays, Evelyn missed the deadline by 19 days. Evelyn has done everything in her power to be reinstated to her proper level as a highly qualified nurse, even returning to Holland to work at her previous high level and being elevated to a level 10, the highest level.

Evelyn hoped that, on her return, Australian recognition would be given to her so that she could take her rightful place, but this did not happen. It has been a frustrating period for Evelyn to obtain her nursing qualifications to work in Australia. She made 29 telephone calls to the Queensland Nursing Council, four calls to the Translation Institute, where she was told not to keep calling, and five calls to the Cunningham Centre, which provided the re-entry course.

This highly qualified nurse sits at the bottom of the pile. Evelyn did not work hard for so many years to receive so little return or recognition. It is particularly galling for her when we hear reports

of the nursing shortage in Australia and endeavours by government to attract foreign nurses to fill the gaps.

My second issue relates to the insanity defence. I am becoming very angry with people who cause death or injury to others and who are then able to walk away virtually scot-free while hiding behind insanity as an excuse for their deeds. I call upon the government to act now to make it impossible for people to escape punishment on the grounds of insanity. In the cases where it can be proved beyond any reasonable doubt that they were insane at the time of an illegal action, their committal to the proper institution should be mandatory. They also should be detained for their actions at least for a comparable time to that of a prison sentence and, like prisoners who have to prove their rehabilitation to be eligible for parole, must be declared sane again and prove it.

The legislation needs to be tightened to make it far harder for people to plead insanity, especially in the case of serious road accidents and when life is taken as a result of such accidents. The community in general wants and in fact is demanding that it be addressed. Time and again I hear of the horrific injuries to people involved in motor vehicle accidents, yet in a growing number of cases the perpetrators walk away in a very short time because they claim insanity.

The latest such case to come to my attention is one that makes my blood boil. I refer to a man full of life, a man soon to be married, a man beginning a new courier service business, a man paying off a home, a man whose life could not get much better. That was until the fateful morning of 17 September last year when his life was shattered forever. A woman in a stolen car rammed into him at high speed while he was stationary at traffic lights. A witness estimated the woman's speed to be well in excess of the speed limit at approximately 140 kilometres an hour. That same man, who only minutes earlier had the world at his feet, lost both legs, had metal frames inserted in his body, had his face disfigured and has a ruptured bowel. This is an horrific story. Sadly, the story does not end there.

The same accident, the one that took away his right to lead a normal, happy life, also took away the life of a pregnant young woman and her unborn child. The vehicle driven by the thief bounced off the delivery van and killed—no, murdered—two human beings. No-one who drives at the speed it is alleged the perpetrator was travelling at can call this an accident. At speeds like that in an urban area, in my book it is just plain murder. What punishment did this woman receive for taking not one but two lives and maiming another? Nothing! Not one single solitary year in prison! She was not even charged with any offence. Why? Because she was declared insane!

As the elected representatives of our communities, if we allow this to go on we are the ones who should be declared insane. Since the accident I have detailed, I have become aware of other fatal road accidents where perpetrators have received little or no jail time. The pleas for help from victims such as this do not just end there. They suffer many more consequences than just physical ones. In the example of this man, the bank foreclosed on his mortgage and he lost his business but, thankfully, not his wife to be. I admire her for the courage she has shown, because she will virtually become a carer for the rest of her life. A pitiful pension will be no compensation for this man's suffering. And, to beat it all, if and when any compensation is paid, the Commonwealth government will take it back in various forms.

It is time perpetrators paid for their actions and learnt of a little of the suffering that they inflict. This is not asking for vengeance but for a reality check. Suffering is being experienced, sadly, every day on our roads. People are becoming sane and insane to suit themselves. Let the crime be recognised first and a sentence imposed. If the person is declared insane, let them then be transferred to the proper facility to serve time. If after a period of time they are declared sane, let them be transferred to the right facility.

### **Barcaldine Labour Day Festivities**

**Mr PURCELL** (Bulimba—ALP) (12.15 p.m.): This year, 2002, is the Year of the Outback, so where else would you want to be for Labour Day but Barcaldine. For the first time in 30 years, instead of marching with my Builders Labourers brothers, I had much pleasure in joining the Barcaldine branch of the Australian Labor Party and unions at Barky for the Labour Day march. As members will know, the first Australian Labor Party in the world was formed at Barcaldine after the shearers strike in 1891. So I was very pleased to be invited to attend the march at Barky, which has had such a proud labour history.

Getting to Barcaldine that weekend was fairly difficult. All flights to Barcaldine were heavily booked as I was not the only one making the pilgrimage to Barky for the celebration. I would like to thank Colleen Horn for getting me to and from Barky. Business got off to a flying start on Friday night with a concert by Graham Connors, a country and western performer who has written 13 songs for Slim Dusty, someone I am a great fan of. Timmy Mulherin would know of Graham's work as he hails from the beautiful town of Mackay. However, Graham now has a new fan as I thoroughly enjoyed his performance on the night. The town hall, which was full to the rafters, had its airconditioning turned on for the first time. Graham entertained us for about four hours. Graham also donated all moneys from the concert to Rotary International as it was holding an international conference at Barcaldine that weekend for charitable purposes.

The proprietor of the 'Barky Hilton', better known as the Globe Hotel, Paddy Ogden, woke me early on Saturday morning. We got busy mopping out the bar from the night before. By mid morning we had an official welcome and tour of the Australian Workers Heritage Centre for our Turkish friends from the country town of Sile, which has a city-country relationship with Barky. I met the mayor of Sile, Mr Ihsan Cayiroglu; his partner, Ms Songul Gun; the deputy mayor, Mr Erol Ozberk; Mrs Ozberk; and Mr Abdula Gulluce, our interpreter. We all toured the centre and they told me about life in Sile, Turkey. As I said earlier, Sile, with a population of 11,000, is a sister town to Barcaldine. However, my new Turkish friends inform me that during the summer months Sile turns into a tourist mecca, with the population growing to a staggering 200,000 people. Sile welcomes its visitors with clean, sandy beaches, clear water and friendly people. One of Sile's many tourist attractions is its lighthouse, which is over 1,000 years old. It is a first-class lighthouse, is in full working condition and once guided vessels off the treacherous shores of the Black Sea. The Turkish delegation were impressed with the Australian Workers Heritage Centre and thoroughly enjoyed their tour.

On Saturday afternoon we attended the Tree of Knowledge Race Cup. I had some punting success at the race meeting. I would like to add that handicappers for the Barcaldine race meeting are 'on the money'. Race four, no. 4, Bolshevik, a Danehill horse which really stood out, looked good value and came home at five to one. I tipped the horse to our Turkish friends and Paddy Ogden and we all had a great win.

I was in Townsville last week and met Ray Murphy, better known as 'Spud' Murphy, who I met at the races at Barky and who entered a horse, Foreign Monarch. The horse was short of a run, but Ray reckoned it would be there at the end plugging away and doing very well. It started at three to one. So I also let Paddy and our Turkish delegation know about it. After the horse flew home at those odds, I had much pleasure in presenting Ray, his father and family connections with the Barcaldine Tree of Knowledge Cup, kindly donated by the Australian Workers Heritage Centre. I spoke to Bobby Gleeson last night when he brought the Turkish delegation into parliament for tea with the Speaker. They will donate another tray to go with the cup, because two families are involved and we want to make sure that both connections receive something for their win.

I would like to congratulate Greg Horne, the President of the Queensland Barcaldine Workers Heritage Cup race meeting, and his committee members on their excellent and very professional running of the race meeting. After an exhausting day, we retired back to the 'Hilton Globe' delighted with our success. We also had the pleasure of taking some presentations to Rotary International from the Turkish delegation.

On Sunday—no rest for the wicked—we went out to Dunraven, Peter Donnelly's place. Peter, and his seven-year-old son, Robert, showed us through there. The Turkish delegation had a great day. They had not seen kangaroos or emus before. The cattle were in great nick. They saw sheep getting shorn. Peter's wife, Roberta, was not there, but I met her as I was getting on the plane on Monday to come home.

I must say that the Barky Sand Goannas beat the Barcaldine Magpies on Sunday night by 54 to 10. It was a great match. We celebrated that win also, I will have members know, with an odd beer. But I now get to the reason that I was there: for May Day. Everybody marched in Barky. If they did not march, they were in the crowd cheering us on. I would like to thank Paddy Ogden, his wife, Clare, and his family for a great weekend out at Barky. If anybody reckons that there is nothing to do in the scrub, they should go out to Barky or a place like that and they will be busy all weekend.

Time expired.

### Retractable Needles

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (12.20 p.m.): I rise to again express the community's concern about Queensland Health's continued recalcitrance in implementing safer practices for health and allied staff. Over the past 12 months or so there has been a groundswell of support for the introduction of retractable needles. In addition to the petition, with a significant number of signatures attached, that was tabled here, there is now also support from the AWU, the Queensland Medical Association, the Queensland Police Union, the Queensland Nurses Union and the Queensland Transport Workers Union.

Mr Bill Ludwig's press release stated—

Queensland AWU Secretary Bill Ludwig has called on every State and Territory Government to outlaw non-retractable syringes saying they pose an unacceptable risk to workers and the broader community.

The public health benefits of banning non-retractable needles are obvious and compelling—not only will workers be safer, but families will be able to go to the beach and public parks without the fear of contracting deadly diseases from a needle.

Mr. Ludwig said the impact on workers and their families was traumatic even when a needle stick injury did not result in the contraction of HIV or Hepatitis B.

"Workers often have to wait up to six months to find out if they're HIV positive and that does have an enormous impact on their health, their social life, their families and their relationships," he said.

Mr Ludwig said three Queenslanders workers had developed HIV/Aids from needle stick injuries and many others had contracted Hepatitis and other viruses.

Mr Ludwig has also been on the record claiming that 18 workers had contracted hepatitis B and C as well as those three contracting HIV.

Additionally, the Queensland Nurses Union has come out very strongly in support of retractable needles. In a press release put out by the Queensland Nurses Union, Amanda Richards states—

A search of Workcover claims has shown that 900 involved accidents with syringes in the past five financial years, resulting in more than 120 lost work days and \$75,000 in costs.

Further in that press release she said that there is also an emerging problem of latex allergies. Further, she states—

A large city hospital had admitted to 131 needlestick injuries among its nurses last year alone ...

She said the personal trauma of syringe accidents, which left nurses at risk of hepatitis and HIV, also had to be taken into account.

The Queensland government's workplace health and safety guidelines titled *Employers' Guide To Health and Community Service Workers in People's Homes* at paragraph 4.4.3, Control measures, notes—

Some of the controls that may be adopted to manage the risk of contracting and transmitting disease include

...

Eliminate unsafe work practices.

But then further it states—

Use retractable needles or a safety lock blood collection set to help prevent or minimise reduce risks associated with skin penetration injuries.

The government realises that retractable needles are beneficial, yet it still appears to be unwilling to implement them, at least from a Department of Health point of view.

On a number of occasions I have tabled retractable needles made particularly by companies whose genesis has been from overseas. A gentleman in Gayndah, Ivan Brewer, along with his father, who is an engineer, has invented a retractable needle. The factors that make Ivan's syringe stand out from the others is that it has been purpose built to meet all of the requirements outlined in Queensland Health's criteria for retractable syringes, including factor 7, which states that it must be comparable in price with the currently used devices. On 7 March 2001 this gentleman's dad approached the minister offering the patented prototype and, to my knowledge, has had no response—at least no positive response.

The community frustration is that there have been any number of opportunities for the retractable needles to be implemented by the government. This particular needle that Mr Brewer has invented would mean more jobs for Queenslanders. It is a Queensland invention. He is looking at going overseas to get funding for the production of this needle, and that would be a travesty. However, more importantly, we have health workers, people in the community and children who would benefit immensely from the use of retractable needles in needle exchange

and needle issue areas and in the public health system. Yet, despite there being a number of models that are safe and acceptable, the minister refuses to implement them.

### **Climatic Research Funding; Toowoomba YWCA**

**Mr SHINE** (Toowoomba North—ALP) (12.26 p.m.): I would like to speak about two matters. One is the climatic research funding situation in Toowoomba and Toowoomba's YWCA's 70th birthday. We have seen the Howard government try to reduce its funding for drought stricken farming families in need. The Howard government wants to almost halve its contribution to exceptional circumstances and make the states and territories pick up the slack from the federal government.

The Queensland Primary Industries Minister has argued strongly against this push, because it is a push to reduce funding for farming families in their time of need. The Queensland government has argued for genuine reform to exceptional circumstance with a greater buffer zone for producers outside EC areas and a speedier assessment of EC applications.

The need for the reform that the Queensland government is advocating is best reflected in the case of the Darling Downs EC area. Industry and the Queensland government appealed for exceptional circumstances assistance for six months last year before the federal Minister for Agriculture finally approved it. The federal government could not be convinced that there was a drought in southern Queensland. As far as it was concerned, if it was raining in Canberra, it was raining everywhere. Now we see the Howard government turn off the tap for research into our climate. There is concern that the federal government will not continue assistance for the Managing Climate Variability Program. This is in stark contrast to the efforts of the Queensland government. As members would know, Toowoomba is home for one of the world's leading climate research organisations, the state government's Queensland Centre for Climatic Applications. This centre and the associated Agriculture Production Systems Research Unit are breaking new ground. In addition, the QCCA assisted the University of Southern Queensland in providing the world's first undergraduate degree in climatology.

It is this research work that has ensured that Queensland primary producers and other business communities plan for climate variability. Australia has one of the most variable climates in the world. That, in turn, puts enormous pressure on our research base and threatens the competitiveness of our industry.

So where is the representation from the federal member for Groom, Ian Macfarlane—the federal Minister for Resources and Industry—for federal government funding? This country, this land of sweeping plains, of drought and flooding rains, needs to be better understood. By better understanding our climate, we can work smarter, we can plan more confidently, and we can be more self-reliant. We can be better managers. The Howard government and Mr Macfarlane have the opportunity to make a difference. They have that opportunity next week with the federal budget.

This year, Toowoomba's YWCA celebrated its 70th birthday. Today, as it has over the past 70 years, Toowoomba's YWCA remains a creative dynamic organisation. Its work has placed it firmly in the national spotlight, receiving awards and attracting support for core services from the state government. Some of its successes include providing innovative program services to hundreds of disadvantaged young people, such as work for the dole, Project Self-Discovery and Get Set for Work program. Last year, through these programs Toowoomba's YWCA impacted 242 young people's lives by delivering over 4,912 program hours with approximately 65 per cent of program participants gaining sustainable employment or further training. Twenty of the participants in Toowoomba YWCA's recent Get Set for Work program will graduate tomorrow. That is wonderful news for the YWCA and for those young people. What is even better news is that some of the graduates will not be able to attend tomorrow's graduation ceremony because they have already gained jobs.

In other wonderful news, the Toowoomba YWCA is opening a new office in Roma in July. It is extraordinary for a non-profit service to extend its services. I acknowledge the contributions of past president Julie Ryan, current president Anne Stuart, executive director Pamela Yensch, treasurer Sharon Learmonth and their program staff team, Sue Ross, Rodney Watton, Jack Dempsey and Mick Byrne. Providing high standards of accommodation and services for a variety of disadvantaged people remains a high priority for staff at the YWCA. The YWCA's mission statement is: 'More opportunities; better lives.' Clearly, the dynamic passion of everyone at

Toowoomba's YWCA proves that this organisation is successfully advancing the lives of the disadvantaged in regional Queensland.

**Mr DEPUTY SPEAKER** (Mr McNamara): Order! The time for matters of public interest has expired.

## TRANSPORT LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 8 May (see p. 1340).

**Mr ENGLISH** (Redlands—ALP) (12.30 p.m.), continuing: I compliment the minister on the amendments to the Transport Operations (Passenger Transport) Act. I believe that this will offer an improved quality of service to the people of Queensland. However, I draw the minister's attention to a number of concerns held by residents in my electorate. My electorate includes the five southern bay islands, which are serviced by passenger ferries. These passenger ferries are on service contracts, and hopefully the amendments introduced by the minister will improve what is already a high-quality service to the residents of the bay islands.

To the people of the bay islands, the vehicle barges are just an extension of the road. Where they do not have a barge service, or a cost-effective barge service, many bay island residents are forced to own two vehicles—a vehicle for use on the island and a vehicle stored on the mainland. This results in significant parking problems in parts of my electorate. Residents of the bay islands must store and park their vehicles on the mainland, leading to the creation of quite large and unsightly car parks.

Some thought should be given to the introduction of service contracts for barge companies because whilst they provide a very good service, there are concerns about the fee structure. A customer is charged according to the size of their vehicle. According to the dimensions used by various barge companies, a Hyundai Lantra station wagon is classified as a large vehicle. In my books, that is a medium-sized vehicle at best. However, people who own vehicles of this size are charged as though it were a large vehicle. If barge services were under service contracts, maybe it would result in improved service delivery and an improved fare structure for residents of the bay islands. I ask the minister to give that some consideration.

Another concern raised by people in my electorate and by the ferry company is the provision of ferry infrastructure in the southern bay islands. A number of years ago floating pontoon jetties were installed at many of the bay islands. However, some of the bay islands still do not have floating pontoon jetties. There are ongoing concerns about aspects of their structure and their construction. I would like the minister and his department to listen to the concerns of residents and the ferry operator of the Bay Island Taxi Service, or BITS, about the design of some of these structures.

Boarding the ferry at Redland Bay is very difficult for anyone with a disability. At times, wheelchair-bound people have to be carried down 20 or 30 stairs. This can be quite demeaning, especially if they are travelling alone. There is no floating pontoon at Coochiemudlo Island or at Victoria Point. I have spoken to departmental officers at some length about installing a floating pontoon at Victoria Point, where the ferry travels across to Coochie. I understand there are significant tidal wind forces at Victoria Point which make it very, very difficult to construct a floating pontoon. I compliment the minister for spending approximately \$40,000 on upgrading the facilities at Victoria Point. However, issues such as disability access and improved pontoon design need to be addressed to better service the residents of my electorate.

Again, I compliment the minister and his departmental officers for bringing about wide-ranging reform in transport legislation. I commend the bill to the House.

**Hon. V. P. LESTER** (Keppel—NPA) (12.35 p.m.): I will take a few moments to raise the issue of people using passenger transport where possible and trying to avoid the use of motor cars. We all have a responsibility to try to do this. I have to report a very, very alarming statistic. In the 32 kilometres of road linking Rockhampton and Yeppoon there have been 111 accidents in five years, six of them fatal. Ironically, that compares with only 65 accidents for the corresponding distance on the Bruce Highway.

One wonders why this particular road is prone to accidents. A lot of these accidents are happening on straight stretches of the road. Nobody is condemning the road. There are quite a number of passing lanes and, interestingly, quite a few kilometres of that road is four-lane highway. One would not expect there to be accidents on that road because it is quite safe and a

lot of it is divided, which means that there is less chance of a vehicle leaving one side and heading out into oncoming traffic. Yet the accident rate for the four-lane highway is serious; in fact, the statistics are just as high for that section as they are for the two-lane sections.

A driver of a passenger bus has commented about this situation. It has the police baffled, it has the Main Roads Department baffled and it certainly has this bus driver baffled. He maintains that speed and stupid behaviour are responsible for this carnage. I travel on that bus. I remind myself a little bit of the member for Mansfield sometimes; I am either travelling on a bus or a train. If only we could get more people onto passenger buses. Unfortunately, buses have accidents too, but at least they are driven by professional drivers. However, a driver cannot get out of the way of someone who does something very silly.

Ironically, the other night I was travelling from Gympie and Maryborough on the highway near Pomona in heavy rain, and there was a fatal crash. A chap who was driving an older, souped-up, petrol-guzzling American Pontiac was doing the wrong thing, much of it in blinding rain. Generally, I was most impressed with the standard of driving. The traffic was moving along at about 80 kilometres an hour—you could not go faster—and nobody seemed to be doing anything stupid until such time as this character decided to pass everybody and create problems.

While parts of my contribution might not have related exactly to the subject matter of this bill, I felt it was very, very important to take this opportunity to raise those issues. When one sees statistics such as these, one wonders what all our research and so forth has achieved. I am not in any way knocking anybody—not the Travelsafe committee, of which I am a member, nor the people who conduct such great research. However, it seems there will always be accidents and there will always be lunatics on the road.

Very few accidents are actually caused by malfunctions in motor vehicles, although some are—and even then they are often due to human error. I understand that this Pontiac had bald tyres. That character literally went for a skid along the highway in the blinding rain. Most accidents come down to human error. Nevertheless, I will never know why people continue to use cars wherever possible.

**Mr Johnson:** A lot of impatience mixed with it.

**Mr LESTER:** There is an enormous amount of impatience. Recently, we read reports of a high profile footballer engaging in road rage. There is no need for that sort of thing. When a daredevil motorist speeds up behind us, we should get off the road and let them go past. That is the better way to go. We should allow people to pass us if they want to. We have to change our whole attitude to these things. There will always be accidents, but we all have a duty to use commonsense when behind the wheel.

The crash statistics for the Emu Park-Rockhampton road are also proportionally higher than those for both lanes of the Bruce Highway south and north of Rockhampton. There is nothing wrong with either road. They both have bends in places, but they are not that much different from any other part of the road. Where the stretches are not particularly safe by comparison is not really where accidents are occurring. That leaves us all in a quandary.

I thank the House for its indulgence. I felt I should raise this issue in the parliament. I hope everybody takes note and is a little bit more careful in the future.

**Mr PEARCE** (Fitzroy—ALP) (12.41 p.m.): I wish to take a few minutes to speak about a road issue in the Fitzroy electorate. The condition of the Kabra to Mount Morgan road has been a concern for some time. The road is the responsibility of both the Fitzroy and Mount Morgan shire councils. It is a shire road, not a state or federal road. In recent years the road has become a vocal point for people from Mount Morgan wanting to access the AMC project at Stanwell for work opportunities. The road link to Stanwell and the proposed light metal industries park will reduce travelling time between Mount Morgan and the developing employment hub by about 20 minutes, so it is important for those who live there. The other important benefit is that Mount Morgan could be a place where future employees of the Stanwell project and the light metal industries project could live and call home. The Mount Morgan to Kabra Road is therefore an important road for jobs and the economic development of the region. The state government recognised the importance of the road and, in a cost-sharing arrangement between the Mount Morgan and Fitzroy Shire Councils, has been carrying out road improvement programs over the past couple of years. We all accept that that has been slow due to limited funding, but it is making headway.

People in Mount Morgan and the two shires have continued to lobby me for the state to complete the upgrade of the road to a bitumen seal. They would have also lobbied their local

federal member, the member for Hinkler, Paul Neville, just as they would have lobbied their local government. We all know that the average man and woman in the street does not really understand the different funding streams for roads, whether it be for building, maintaining or upgrading them. Often they assume that if a road needs to be maintained or upgraded the government should do it. The state has been working with the two shires in a cost-sharing arrangement to upgrade and seal sections of the Mount Morgan to Kabra road. We are at the stage where just over nine kilometres of road needs to be sealed. In the lead-up to last year's federal election, Deputy Prime Minister John Anderson and federal member for Hinkler Paul Neville announced at the Mount Morgan council a commitment of \$1 million to seal the road under the Roads of National Importance program.

The local newspaper, the *Mountain Echo*, carried a front-page story about the promise under the heading 'Coalition commits to seal the Mount Morgan-Kabra road'. It also ran a photograph of Paul Neville and John Anderson with local councillor Evelyn Rogers. In the front-page story Mr Anderson gave the member for Hinkler credit, saying that the lobbying effort of Mr Neville had been instrumental in gaining the funding. But the story makes no mention of a state contribution. At the time, I labelled the promise a political stunt for the following reasons. It was in the lead-up to an election, the announcement had no credibility because there had been no consultation with the state minister, no exchange of letters, no contact with the state minister's office, and no intergovernmental agreement. It was nothing more than what I saw at the time as a panic-driven announcement close to the election. The same edition of the *Mountain Echo* carried an editorial written by Mr Neville in which he said—

The Deputy Prime Minister's announcement that the National Liberal Coalition would commit \$1 million to seal the Mount Morgan-Kabra Road is the news many people have been waiting for.

Those are Mr Neville's own words—written by him. He made a clear statement that the federal government would commit \$1 million, not up to \$1 million. In an election advertisement Mr Neville gave himself a tick for delivering \$1 million to seal the Kabra to Mount Morgan Road, linking it to the exciting Stanwell industrial precinct. In that advertisement he gave himself credit for the \$1 million commitment. In the same advert, right alongside a big plus sign and another tick, Mr Neville takes credit for up to \$150,000 to fix Mount Morgan's television reception black spot—not a fixed amount of \$150,000, but up to \$150,000. However, in the ad, in his own editorial and on the front page of the *Mountain Echo*, the language is loud and clear: it is a \$1 million commitment.

Mr Neville went on to say in his own words after advocating the benefits of the project—

I just hope the State Government can be convinced of the truth as readily as the Federal Government has been to contribute their share to the project.

So here we have what can be considered to be a backdown from the \$1 million commitment. Several days after the announcement was made at Mount Morgan, I met Paul Neville at Calliope, where I was representing the Minister for Main Roads at the opening of a section of road. Mr Neville suggested that I might be happy with the \$1 million announcement for the road upgrade. I responded by saying that it had no credibility because there had never been any consultation with my minister, no exchange of letters and therefore no agreement. I told him that I considered it to be a stunt—one of the oldest tricks in the book—that is, to make a promise before the election, then walk away after the election and point the finger of blame at the state government. I had no reason to take the commitment seriously. The announcement had no credibility and I was left with no option other than to alert the public to that. That is what I told Mr Neville to his face. He was disappointed and concerned about my response. He reacted by suggesting that he might approach John Anderson to see whether he could get a letter confirming the commitment. I have heard nothing since from him and I do not believe any such letter is in existence.

**Mr Hayward:** They will do anything or say anything.

**Mr PEARCE:** Especially in the lead-up to an election. Following the announcement, I spoke to the local Main Roads officers and, subsequently, with the Minister for Main Roads and Minister for Transport, about the possibility of accessing funds should the \$1 million come along. While I had real concerns about the sincerity of the promise, it was necessary for the state government and local councils to be in a position to take full advantage of the \$1 million if it did come through. I raised this with Minister Bredhauer, who spoke with Main Roads officials. The outcome was that the minister would agree to the provision of additional funding required to secure the \$1 million Roads of National Importance funding from the feds. We have proposed bringing forward future funding so that the federal government's \$1 million is delivered and we can get on with the job.

Minister Bredhauer has moved quickly and positively in committing those funds and we as a government have met our obligations. The Beattie government has funded, and continues to fund, with the two local councils upgrades and seals of the Kabra-Mount Morgan road. To date we have committed \$318,000. The money committed by John Anderson and Paul Neville would allow the road to be completely sealed by the end of this year. That is dependent on the availability of local shire work forces. If the feds do not deliver, we will be left with several kilometres of road unsealed and the hopes of the Mount Morgan community will be dashed. The job would get done—I must emphasise this—but it would take several years and the time frame would be dependent on the Fitzroy Shire Council committing funds to that project.

I have been informed in recent days that funds have been allocated for this project. That is good news. If it is correct, I will be the first to congratulate and thank the federal government. As the state member, I was not prepared to let the federal government simply walk away from that promise. That is why I have continued to pursue the issue and make sure that it honours that commitment. The state has responded in good faith by being prepared to advance funds so that the job can be completed. I applaud the feds for honouring their pre-election commitment, if it is in fact true. This is a good outcome for Mount Morgan. It will certainly be a great thing for the economic stability of the town.

**Mr DEPUTY SPEAKER** (Mr McNamara): Order! Before calling the honourable member for Nicklin, I wish to take this opportunity to recognise in the public gallery Mr Ross Bowering, the past president of the Kimberley Park State School P&C, and his sons Ethan and Alex, from the electorate of Springwood.

**Honourable members:** Hear, hear!

**Mr WELLINGTON** (Nicklin—Ind) (12.50 p.m.): I rise to participate in the debate on the Transport Legislation Amendment Bill 2002. First I would like to refer to the amendments proposed for the Transport Operations (Marine Pollution) Act 1995. I note that the government's proposed amendments expressly exclude the availability of two defence sections of the Queensland Criminal Code, namely, sections 23 and 24. Section 23 of the Criminal Code provides that a person charged with an offence may be able to escape liability if the relevant discharge happened independently of their will or was an accident, while section 24 of the code provides that if the person had an honest and reasonable but mistaken belief in the state of things relating to the discharge, they are also able to avail themselves of that defence.

The simple effect of these amendments is to reverse the onus of proof whereby if a relevant serious discharge occurs, each culpable person will be held strictly liable unless they can establish a defence excluding the defences available under sections 23 and 24 of the Criminal Code. I note that the effect of the removal of these two self-defence provisions will be to have the civil libertarians up in arms, but I want to put on the public record that I support the minister's intent. I believe that when people talk about the effect that legislation has on people's rights and liberties, they also need to acknowledge the significant issue of the effect that the legislation has on rights, liberties and responsibilities.

I now refer members to the Transport Operations (Marine Safety) Act 1994 amendments. Clause 43 proposes that if a ship damages or destroys an aid to navigation, the master and the owner of the ship are jointly and severally liable for the expenses of repairing and reinstating that aid to navigation. The section goes on to provide that the amount of the expense may be recovered as a debt by the state by action in a court of competent jurisdiction. I note that this provision does not create an offence but simply imposes a civil liability. It appears to me that this liability will be imposed regardless of how the ship comes to damage or destroy the navigational aid. It does not appear to be necessary that the master or owner has been negligent in any way.

I now refer members to the minister's explanatory notes in which he said that the current act allows for the prosecution of a person who damages an aid to navigation but does not provide for the repair or reinstatement to be paid by any particular person; this was left to the common law principles. The minister's amendments direct the recovery of these costs to the persons who are most likely to have insurance cover or capacity to pay and who are most likely to be able to supervise the operations to prevent damage to the aids to navigation. I ask the minister to clarify that his intent is to impose strict liability on the masters and the owners of the ships jointly and severally liable for the expenses of repairing or reinstating the aids to navigation.

I also use this opportunity to inform the minister that the bus-rail service between Nambour and Caboolture and the railway towns in between, initiated by him as minister during the last government, is a great success and very much appreciated by patrons on the Sunshine Coast.

Notwithstanding the success of this bus-rail service, I remind the minister of the need to continue pursuing with his parliamentary colleagues the duplication and upgrading of the rail line to Nambour.

A number of members while speaking on this bill reflected on the bus services available in their electorates. I, too, would like to use this opportunity to inform the minister of the need for improved bus services linking Nambour to the Sunshine Coast University at Sippy Downs. I have a meeting scheduled in 14 days with Department of Transport representatives on this matter and will keep the minister informed as to the outcome in due course.

While speaking about meetings with Department of Transport and Department of Main Roads officers, I want to inform the minister of the great rapport that I have with his departmental officers on the Sunshine Coast. I certainly appreciate his willingness to ensure that senior management staff like Dennis Tenant, District Manager of Main Roads, are available at the end of the phone. They are willing to hop in a car and visit sites for inspection to speed up the resolution of the many issues we have in our electorates.

One issue in particular that comes to mind is the problems occurring at the Nambour Connection Road intersection with McKenzie Road. This is almost opposite the entrance to the Nambour Christian College. We certainly have had an ongoing problem there for many years. I thank the minister for finding appropriate funds in last year's budget—

**Mr Purcell** interjected.

**Mr WELLINGTON:** The minister knows where Nambour is on the Sunshine Coast. He has been there many times. I am looking forward to showing him around more of our roads on the Sunshine Coast. I certainly thank him for finding funds so that Main Roads can engage a consultant to come up with some realistic solutions to addressing the safety problem we have at this intersection. I can personally vouch that I had to sit at the intersection for over 10 minutes waiting for the traffic to slow down so that I could cross and attend a function at the Nambour Community College.

I commend the minister for the bill and I commend him also for the way that he has ensured his departmental staff are always available to discuss matters over the phone or visit sites of concern with members of parliament. It certainly is appreciated.

**Mr LEE** (Indooroopilly—ALP) (12.55 p.m.): I rise briefly to support the Transport Legislation Amendment Bill 2002. This bill aims to provide for amendments to a number of statutes administered by the Department of Transport and the Department of Main Roads. I wish to speak of three aspects of the bill and also speak of some transport issues in my electorate.

Firstly, the bill proposes amendments to the Transport Operations (Marine Pollution) Act 1995 which will create a more practical and outcome orientated legislative regime to ensure greater protection to Queensland waterways and waterway users from ship-sourced sewage. Many people in my electorate enjoy waterways for leisure activities. I recently paid a visit to Di Bensley at Queensland Canoeing, based on the banks of the Brisbane River and Oxley Creek in Graceville. While there, I met with some representatives from the Brisbane Canoe Club. I also note that the Indooroopilly Canoe Club on Witton Road is Queensland's largest canoe club and also one that has developed wonderful links with local schools, in particular, Nudgee Junior. Michael Beaver, Ngarangi Rangihuna and Dylan Nagle from that college recently participated in the National Kayaking Championships in Penrith.

The Transport Operations (Marine Safety) Act 1994 is to be amended to extend the state's power to investigate maritime incidents and to enable the costs of damage to navigational aids to be recovered. This is something that my constituents would be very happy to support. The bill also provides for the extension of transitional provisions in the Transport Infrastructure Act 1994 for the identification of rail corridor land, which is required before the existing provisions expire on 30 June 2002.

I want to briefly address a couple of transport-related issues in my electorate. I firstly commend Mr Richard Owen of Chelmer. Mr Owen organises a team of volunteers who assist in the conduct of special stages in forest car rallies. Since the introduction of the international method of conducting rallies, termed 'A to A Timing', he has been involved as a stage commander. His responsibility has been to arrange for a group of people to act as officials, including road closure officials, to ensure that the stage is conducted in accordance with the international requirements. The Queensland round of the Australian Rally Championship, held in the middle of the year, attracts competitors from all Australian states and, with television coverage on Channel 10, showcases Queensland to other Australian states.

I want to also briefly mention a matter that I have raised with the minister. I know it is something that he is well aware of and is genuinely concerned about. I refer to the concerns held by people who are confined to wheelchairs or motorised scooters, particularly in regard to accessing taxicabs. I note that the Human Rights and Equal Opportunity Commission's web site, which deals extensively with disability rights, explains that only around 14 per cent of taxi licences nationally are reported to be for accessible vehicles, but I am pleased to say that a very large proportion of that 14 per cent is to be found in Queensland.

One of the concerns that was raised by persons who made submissions to the Human Rights and Equal Opportunity Commission was that there is a greater dependence on taxi services by people using wheelchairs and motorised scooters because of a degree of inaccessibility which still exists when it comes to the use of other public transport modes. The minister is aware that I am very concerned about disability access to railway stations in my electorate. It is not something that I will speak of at this stage, but I would like to make a suggestion about some of the railway stations in my electorate.

I know that a number of residents would be happy to participate in something perhaps akin to the adopt-a-road program that runs in other parts of the world. They have suggested to me that an adopt-a-station program might work. They are not suggesting that they should be working on or near the lines or anything like that; they are suggesting that outside railway stations they would be happy to plant trees and ferns and to maintain them. It is in mentioning this that I say I am very pleased to support the bill.

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

**Mr TERRY SULLIVAN** (Stafford—ALP) (2.30 p.m.): I rise to support the Transport Legislation Amendment Bill before the House. Any minister for transport and main roads has a difficult task in pleasing Queenslanders because there are really two different Queenslanders when we are considering transport and traffic issues. In the regional and remote areas people want more roads with wider lanes, but in the urban and metropolitan areas we have residents who, while wanting to drive everywhere, do not want major roads past their homes. This latter attitude is impossible to accommodate and we as a society have some difficult issues to face in this regard.

There were a number of articles in last week's *Courier-Mail* which mentioned certain steps being considered to address particular issues in the metropolitan area. They spoke about dedicated lanes on existing roads to be used for buses and the use of transponders on buses to allow priority movement for public transport. These are sensible, practical steps that could improve public transport. One article, in Saturday's *Courier-Mail*, however, was grossly misleading.

The article on a possible route for the northern busway was written as if a decision had been taken to use that particular route. The accompanying map also gave the false and misleading impression that the corridor set aside in the 1960s by Russ Hinze had been chosen. Not surprisingly, my office received phone calls on Monday morning from concerned residents who had read the *Courier-Mail* article. The truth is that for almost 40 years there have been two main options for a transport corridor in this area—Russ Hinze's Kalinga-Wooloowin corridor or the Lutwyche Road-Gympie Road corridor. No decision has been made on the preferred route. I agree with the decision, by both coalition and Labor governments, to keep both as possible options and, while not being privy to cabinet discussions, I understand that the choice of corridor is not under consideration.

It is obvious that the growth in south-east Queensland will necessitate difficult decisions in the coming years for any transport minister. To serve the needs of both public and private transport, difficult choices will have to be made. I hope that sensible, constructive debate can occur. I call upon local media, together with interest groups such as the RACQ, the Property Council, the Real Estate Institute, Bicycle Queensland, road safety groups and resident action groups to engage in progressing constructive discussion of the transport needs in this fastest growing area of Australia. Not just for our own sake but particularly for the sake of our children, we have to make this a wide-ranging debate and come up with solutions that are practical and financially achievable.

**Hon. S. D. BREDHAUER** (Cook—ALP) (Minister for Transport and Minister for Main Roads) (2.33 p.m.), in reply: I start by thanking all members of the House who have contributed to what has been, once again, a wide-ranging debate on the Transport Legislation Amendment Bill 2002. I will briefly address a number of issues that were raised, particularly by the shadow minister. A number of other members have raised issues that are not specifically pertinent to the bill. I thank them for raising those issues, particularly issues from their local electorates. I give a commitment

that I will work with each of those members individually to try to progress those issues to their respective conclusions.

A couple of issues were raised by the shadow minister, the member for Gregory. Most of the issues he raised related to the on-board containment of sewage and the new arrangements for ship-sourced sewage. I appreciate all of the issues he raised. The important thing is that what we have tried to do in the legislation is put a framework in place. The previous amendments made, which tried to be too prescriptive—essentially saying that any vessel over 10 metres in length had to have capacity to contain sewage on board—were effectively unworkable because they did not take into account that the size of the vessel does not necessarily determine either its capacity to produce ship based sewage or other sensitive matters that needed to be taken into account, such as the environment in which sewage might be discharged. There were also considerable difficulties with the notion of retro-fitting some sort of storage capacity to existing vessels, even with potential safety ramifications from trying to put a holding tank of some description into an existing vessel.

I know that SEQROC, the South East Queensland Regional Organisation of Councils, has considered the legislation. I understand that it will consider it again tomorrow and that it has some concerns that what we are doing here is watering down the existing legislation, specifically in relation to its concerns about Moreton Bay.

**Mr Johnson:** About environmental issues?

**Mr BREDHAUER:** About environmental issues in Moreton Bay and the potential for nutrients to cause ongoing environmental concerns in Moreton Bay. As I have just said, the system currently in place is actually impractical and, to all intents and purposes, unenforceable. Therefore, we have moved to this system. It is not actually a weakening of the system; it is an attempt to provide a more practical solution.

The critical issue is that we will work through in the regulation what the no-discharge areas are, for example. We would have the capacity in Moreton Bay to limit discharge in relation to areas of very sensitive marine environment, commercial areas such as oyster leases and so on. We could, in the context of working up the regulation for Moreton Bay, have other restrictions which I would be happy to work through with the SEQROC councils and other stakeholders.

Some of the issues raised by the member for Gregory are issues we will work through in the regulation. Because of the significance of the regulation, a regulatory impact statement will be required. That means going through the full process of public consultation and so on. If the member or the National Party have views, I would be happy for them to make a submission in respect of the regulatory impact statement so that those specific concerns can be taken on board in the context of that process. I suggest the same to SEQROC. I acknowledge that it does have some concerns. I think the appropriate way to deal with its concerns is to pass this legislation, which gives us a practical capacity to deal with the issue of ship based sewage, and then work through in the regulation, especially with their concerns in relation to Moreton Bay, areas where discharge should be limited or excluded.

A number of opposition members, including the shadow minister, talked about the enforcement of the legislation. Once the new legislation is in place, new vessels which meet the requirements will be required to have the holding capacity and so on. The boat building industry and various other people will know that new vessels will require that. We have had discussions with the EPA, which does enforcement work in marine parks, the Queensland Boating and Fisheries Patrol and our own people about putting in place an appropriate enforcement regime. It is not just a matter of enforcement; education is an important part of the process. We need to notify people. If we have restricted areas for discharge and so on, we have to have an education campaign. We anticipate that there will be quite a detailed and extensive education campaign to notify boat owners of the new requirements. It will be a combined effort of all of the agencies that have capability and responsibility in this area to enforce the new legislation.

The member for Gregory also asked about how we might enforce insurance coverage for vessels over 35 metres. I think that is a fairly straightforward matter. Under maritime law, for people to operate vessels within Queensland coastal waters they are required to have things like survey and all those kinds of things. We will simply ensure that the requirement that they have adequate insurance cover is added to those prerequisites for them to operate within Queensland coastal waters. They will have to come to us with their survey, mariners certificate and insurance cover note and that is when they will get the okay to operate in Queensland coastal waters. That

is the arrangement there. We do not want any more of those cases like we had with that boat in the Fitzroy River.

The member also asked some questions about the type of vessels the legislation will apply to. Essentially, the legislation in its entirety applies to all vessels. In relation to vessels like the family runabout, the implications for them are negligible except in some of those sensitive areas. For example, in terms of areas like Currumbin Creek down the coast, I imagine that would be a nil discharge area. So there will be no discharge of sewage in that area. Within that context, the requirements for a charter boat taking 30 people out to the reef will be different from the requirements that apply to mum, dad and the two kids doing a bit of boating on the weekend.

The member also spoke briefly about yachts down the river here. The comment I made at the time is that I would expect that that area would be a nil discharge water area under the regulation and those yachts would be required to either have on-board containment or use land based facilities. One of the issues with on-board containment which he referred to is the capacity for land based pump-out facilities. We are working very closely with local government, marina operators and developers and such to ensure that there are adequate pump-out facilities available in those high-use areas.

I can give the House a good example. When the Douglas Shire Council put its new sewerage scheme in, which we opened a year or two ago, it had incorporated in that facility the capacity to take all of the sewage from the significant number of vessels that operate to the Great Barrier Reef out of Port Douglas. That is an area where the industry, the local government and the marina operator worked very closely together to ensure that we reached an outcome. Who pays for that? Essentially, people pay as they use it. If boats in the area need the services of a pump-out facility, there will be a charge. Whoever owns that facility will charge a fee for the pump-out services. I do not think there is too much more I can say in relation to those issues. I think I have covered most of them. I go back to the point that there will be a regulatory impact statement in respect of those issues.

I just want to make a point for the member for Gladstone. Firstly, there is no privatisation of any part of QR anticipated by the state government. Notwithstanding some claims that have been made to the contrary, there is no intention by this government to privatise QR. QR is the only publicly owned railway left in the country. I intend to make sure it stays that way. In relation to the issue of rail line closures and the sort, I will try to give the member a bit of the flavour. There is always some reserve capacity for the chief executive to make a decision, but I have made public commitments—and I am prepared to repeat them here today—that we have no intention of closing lines or taking lines up. We do have issues to manage in respect of the services on the current lines, and I have made other commitments in respect of livestock issues when that generated a little heat recently. But we do not have any intention to close any railway lines.

From time to time unwise decisions are made, such as the decision to rip up the line to the Gold Coast. It cost a lot of money to replace it later on. This legislation is actually about giving us the capacity to continue to protect those corridors into the future, because we never know when we might need them. We do not have any intention of taking lines up. With those few words, I again thank all honourable members for their contributions to the debate. I particularly thank the members of my legislative committee who worked through the bill with me during that process. I appreciate their support. I also thank my departmental officers, who have worked very hard to bring this bill about.

Motion agreed to.

### Committee

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) in charge of the bill.

Clauses 1 to 35, as read, agreed to.

Clause 36—

**Mr JOHNSON** (2.45 p.m.): I do not intend to take up too much of the time of the chamber, because this legislation has been canvassed pretty well over the last day and a half. I heard what the minister had to say when summing up the debate in relation to discharge. He gave examples of where treated sewage can be discharged and untreated sewage discharged. He talked about waterways. I would think that waterways would mean all waterways in Queensland coastal areas and all waterways adjacent to the Queensland coast. He also made mention of SEQROC and

what it had to say in relation to discharge into Moreton Bay. The emphasis we have to push and continue to pursue—and this is a very good part of this legislation, and I congratulate the minister on it, as I did yesterday—is the environment. Nowadays everybody is very understanding of environmental issues and what they mean, no matter where people live in this state. Our waterways come into that category.

The minister mentioned the Brisbane River, the boats adjacent to the Botanical Gardens and inspection services. I raised those issues in my contribution to the second reading debate. This is an issue that the opposition is concerned about, and no doubt the minister is, too. At the end of the day, if we do not have proper or adequate inspection services, we are certainly going to see people thumb their noses at the law. Now that we are all so passionate, caring and understanding of environmental issues, I urge the minister to assert more authority over this area. He would certainly have the support of the opposition in that regard.

There is another aspect to clause 36—and it is a fairly big clause, as the minister would appreciate. Subsection 51(3) on page 25 of the bill states—

If a ship has on board a shipboard sewage management plan but is not fitted with any equipment that may be required to implement the plan, the ship's owner and master each commit an offence.

The minister might like to explain that a little further. The 'owner' could be me living on shore while the 'master' lives on board. In other words, it is a double whammy with a maximum penalty of 850 penalty units. This has to be a part of the management plan, which I fully support and understand. The other issue I want to touch on relates to the length of boats which come just under the specified length. There are certainly going to be people living on those types of vessels. What sort of criteria will they be covered by?

**Mr BREDHAUER:** Yes, like the member, I think all of Queensland's coastal waters are sensitive environmental areas; however, the level of use in different areas varies. For example, half of Queensland's coastline is actually in the Cook electorate. There are areas of coastline in my electorate that are fairly heavily trafficked by shipping, Torres Strait for example; but there are parts of the coast on the east coast of Cape York Peninsula, for example, where there is very little boating traffic other than ships that use the shipping channels. Obviously, our focus in the first instance will be on those sensitive environmental areas where there is high usage, for example, the Gold Coast, Sunshine Coast, Moreton Bay, Whitsundays and the Cairns area. We will focus on getting the regulations to govern those types of areas. It is matter of working out what are your priorities.

In relation to holding both the owner and the master of a vessel responsible, obviously we do not want someone who owns a boat not to provide the necessary on-board equipment to allow the sewage management plan to be implemented and then to tell the person who is the master of the vessel, 'Don't worry about that, take all those people out to the reef or whatever, but I am not prepared to outlay the capital expenditure to enable the sewage management plan to be put in place.' If it is identified that the vessel requires the sewage management plan, the owner has a responsibility to ensure that the gear is there, and the master has the responsibility to make sure that it is operational and that it is used. This is like the chain of responsibility process we have for roads. It is about making sure that the responsibility is directed home to the person responsible for the decision that might lead to the sewage management plan not being implemented—not just the person sent out on the boat.

The other issue the member raised relates to the length of vessels. We need to be a bit careful here and not confuse the provision concerning 35 metre length vessels, which deals with marine pollution discharges and various other issues of that nature, and the sewage disposal provisions which, as I said previously, relate to all vessels. There is no length requirement for the ship based sewage provisions. These can apply to everything from a runabout to a large vessel taking a couple of hundred people to the Great Barrier Reef. As I mentioned, there would be nil discharge even for smaller vessels in places like Currumbin Creek or near an oyster lease. The 35 metre length requirement actually relates to another issue and not to ship based sewage. This provision covers the ship based sewage issue and all vessels.

**Mr Johnson:** So that 850 penalty points would be for each of those people—the captain or the master—and the owner would also be subjected to that penalty?

**Mr BREDHAUER:** Yes, either could be subjected to penalty. It would depend on the nature of offence, and the maximum penalty would be up to 850 penalty units. Obviously one would leave the final determination to the court. If a management plan requires treatment of on-board sewage prior to its disposal—and we do have systems these days that can treat sewage on board

to a point where it can be safely disposed in certain areas—and if the owner of the vessel refused to buy the equipment that allowed the treatment so that there was just a holding tank that left the master with no option on a two-day trip with 30 fishermen to discharge somewhere untreated sewage when it should be treated, one needs the capacity to go at the owner as well as the master of the vessel. Ultimately, one would determine what was the charge and the court would decide the penalty.

Clause 36, as read, agreed to.

Clause 37, as read, agreed to.

Clause 38—

**Mr JOHNSON** (2.54 p.m.): This is a very responsible clause, and I do not know how in the past it has been overlooked. This provision will make more people responsible again for environmental measures. Proposed section 67A provides—

(1) This section applies if a ship is more than 35 metres in length overall.

As the minister would appreciate, there are some pretty big vessels of 30 to 35 metres length, especially in the minister's part of the world. How will they be policed in relation to this insurance issue and this legislation on pollution grounds?

**Mr BREDHAUER:** I guess it is just a matter of trying to identify where the greatest risk lies and making sure that we have the capacity to cover those issues. The larger vessels are capable of inflicting the most damage. I agree with the member that a ship up to 35 metres in length could carry a fair bit of fuel, but it is unlikely to carry a lot of cargo that is a potential pollutant. Having the mandate for the insurance gives us the capacity to deal with the most serious situations. I am happy over a period of time to look at the progress of the legislation as it is implemented—and this applies for the marine sewage provisions as well—and if we decide in a year or two years that it needs to be toughened up, that we need to reduce that length discretion or that we need tougher legislation for ship based sewage, I am quite prepared to look at it. In both cases we are trying to come up with something which is practical and which will work. We have legislation at the moment in relation to ship based sewage that does not work. I do not want to put myself in that situation again. I am prepared to make a commitment to the shadow minister and to other stakeholders, including SEQROC, that if we feel in one or two years when the regulation is in place that we need to take stronger action, I am happy to come back here and amend the legislation again.

Clause 38, as read, agreed to.

Clauses 39 to 66, as read, agreed to.

Bill reported, without amendment.

### Third Reading

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

## BRISBANE MARKETS BILL

### Second Reading

Resumed from 11 April (see p. 880).

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (2.58 p.m.): The Brisbane Markets Bill will facilitate the sale of the assets of the Brisbane Markets and the business that is owned and operated by the Brisbane Market Corporation Limited. As all members are probably aware, the Brisbane Market Corporation is a government owned corporation. In May last year the Beattie government announced that it would seek expressions of interest to purchase via a competitive process the Brisbane Markets at Rocklea.

The Brisbane Markets were established in 1960. Until 1998, the Brisbane Markets enjoyed exclusivity rights which prohibited the wholesaling of fruit and vegetables anywhere in Brisbane city apart from that Rocklea site. As a result, the Brisbane Markets was the only central market in Queensland, trading some 600,000 tonnes of fruit and vegetables worth more than \$600 million a year.

In 1998 the Beattie government corporatised the market, registering it as a company under Corporations Law with the Queensland government holding all the shares. That meant that the

market had to operate in a way similar to a private enterprise but with the tax equivalents and any dividends going to the Queensland government. If it was a private company, those tax equivalents would have been paid to the federal government.

The government is attempting to sell the Brisbane Markets as a going concern through an open competitive bid process. It was the government's intention to have the sale concluded in the current financial year. Through the process of preparing this asset for sale and through, as I understand it, the due diligence process, it became apparent that the corporation and its predecessors, which were the Brisbane Market Authority and the Brisbane Market Trust, did not obtain all the required approvals for development at the site. It is believed that the corporation and its predecessors operated in good faith on the assumption that they had legislative immunity from the application of state town planning, building and other related legislation. Nevertheless, there is now uncertainty that immunity existed for the entire period during which the development and construction occurred on the site, that time being from March 1960 to the present day.

The lack of immunity identified in the Brisbane Markets case raises a question about the relevant approvals applicable to the assets of other government owned corporations. It is hoped that the government is conducting the necessary audits to ensure that all their assets and facilities have the required approvals and certification. The Brisbane Markets Bill will deem that the required approvals have been issued if any required approvals had not been issued prior to the commencement of works and for the use and occupation of the site.

Retrospective legislation is anathema to the National Party. Retrospectivity is invariably strongly rejected. While on this occasion the opposition is prepared to recognise the special circumstances of this case, the government must recognise that this retrospectivity is applicable to the awarding of building approvals at the Brisbane Markets only and it must not be considered or regarded as some sort of precedent. The opposition notes that the bill does not remedy development or construction that does not comply with applicable codes. Further, the bill does not remove the powers of a relevant authority to take action where, for example, a building is dangerous or unfit for use or occupation.

It would appear that legislation is the only way to address this issue without impacting on the timing or compromising the result of the sale process which is under way. So the opposition will be providing conditional support for the bill on the basis that it is to allow, following the due diligence process, that sale process that has already commenced to be completed. It does not mean that the opposition agrees with the sale of the Brisbane Markets. But this bill has nothing to do with the approval—yes or no—of the sale of the Brisbane Markets; it is just to do with the mechanics of the sale process and ensuring that potential buyers feel that, in purchasing the property, they are not buying a lemon or something that has a problem that might surface later on.

In relation to the consultation process, the opposition notes that Queensland Treasury consulted the Department of Premier and Cabinet, the Department of Local Government and Planning, and the Office of the Queensland Parliamentary Counsel. It is disappointing that, once again, the relevant industries, the fruit and vegetable growers, were left out of the process.

Something that is of real concern about the sale of the Brisbane Markets is how the proceeds will be applied. On 1 May last year, the Treasurer announced that the government had decided to privatise or sell the fruit and vegetable market at Rocklea and would spend the proceeds on recurrent maintenance work in the Education Department. At the time, the opposition strongly criticised the proposal and demanded that the proceeds of the sale be reinvested in the fruit and vegetable industries. At a time when we have seen an \$820 million operating deficit in the last budget—

**A government member:** Here we go again!

**Mr HORAN:** It is happening again. The member opposite should be worried about running the government at a loss instead of making some sort of funny comment about it. Last year, there was an \$820 million operating deficit and this year, at the half-yearly point, there was a predicted \$148 million deficit. That shows that the finances in this state are not in safe hands. But at this very time, what do we see? An asset being sold in order to do repairs and maintenance—the recurrent costs—of schools. How dangerous is that! It is like a person selling their house so that they have the money to clean the car and put petrol in it instead of selling their house to buy another house.

We are going to see one of the most dangerous financial principles that we could ever see. The government is going to sell a fixed asset owned by a government owned corporation and use the money to do painting and plumbing—probably mow the grass and all of those other sorts of

things—things that should come out of a properly presented and adjusted recurrent budget. As I said, it is like someone selling their house and, instead of buying themselves another house, using the money for a holiday, or to wash the car, or put a bit of fuel in the car—all of those sorts of things. The money is frittered away and the solid asset has been lost. That person does not have a roof over their head. Instead, they have to pay rent for the rest of their life.

**Mr Schwarten** interjected.

**Mr HORAN:** The Minister for Public Works is one person who should understand this sort of problem. Would he sell off some of his assets and use the money to mow the grass, paint buildings and so forth? I hope that he would have a bit more sense than the Treasurer. I hope that he realises that assets are important. They belong to the people. I hope that the Minister for Public Works would not waste them by selling them off and using the money to pay for recurrent expenditure.

The opposition has estimated that the process could realise some \$60 million in profit and believes that the fruit and vegetable industries would benefit greatly by an injection of capital funding to develop new infrastructure to support further export development and to create new jobs within the industry. The funds derived from the sale of this important asset that has been built up over the years through the proceeds, commissions and other contributions made by the fruit and vegetable industry could be used to create assets that would enable the horticultural industries to grow and expand. In turn, that would give our state extra export ability and extra jobs.

**Government members** interjected.

**Mr HORAN:** It is no wonder that this government has presided over the worst unemployment figures in Australia. The members opposite laugh about these sorts of important things, but just today the unemployment figures have been released and they show that, once again, this government is coming last. I suppose the members opposite are pleased that for 20 months in a row their unemployment figures are coming last in mainland Australia. That is because of principles like this. The government has a wonderful opportunity to be able to expand an asset base into various horticultural areas, which will provide, for example, security of water supply and security of employment. The horticultural industry, which created and built this market—the capital assets, the buildings and so forth of this market—would not only get back what it has put into the market but also the government would be doing the state a great service by expanding infrastructure, creating exports, creating jobs and creating more farm gate sales. This could be achieved, for example, by providing security of water supply, by spreading this asset base around the state and by constructing weirs, dams or research centres for horticulture and, therefore, creating real jobs.

A lack of infrastructure such as water supply is holding back the development of the fruit and vegetable industries. Yet last year the government wanted to use the proceeds from the sale of the Brisbane Markets to prop up its recurrent spending to pay for that year's school maintenance program. That is an amazingly short-sighted proposition. Where is the strategic thinking and planning that we would expect from a state that the Premier likes to call the so-called Smart State? It is not very smart to sell assets and waste the proceeds from that sale on recurrent spending. The government is operating arrogantly, it is operating in isolation from industry and it is operating with an absence of strategic thinking and planning. The government made the decision to privatise the Brisbane Markets in complete isolation and without any consultation with the fruit and vegetable industries, which contribute more than \$1 billion to the state economy.

Since their inception in 1960 and right up until 1998, the Brisbane Markets enjoyed the right of exclusivity, which meant that all wholesale produce in Queensland had to be sold through the Brisbane Markets. With this monopoly, the enormous financial resources of the industry have been invested in the market site at Rocklea. The markets themselves have built up a considerable value of an estimated \$60 million. Every fruit and vegetable grower in the state—whether they are from Lockyer, Burnett, central Queensland, north Queensland, the tablelands or another part of the state—has invested in the asset which the markets represent today.

You would think that the Beattie government or the Minister for Primary Industries, at least, would have consulted the fruit and vegetable industry before deciding to sell the markets. You would think the government would have consulted industry about how to best accommodate the continuing marketing needs of the industry. You would think it would have considered investing some of the sale proceeds back into the industry or at least facilitating the continued existence of

a central market in Queensland. However, the government and the minister, who reckons he represents primary industry in this state at the cabinet table, have failed on every front. It was interesting to hear him say today that no way would he support increased drought assistance through the exceptional circumstances program. While other states are starting to cooperate with the federal government to provide a better, more meaningful system, the minister has emphatically said in this parliament today, 'No way. No way.' Then we saw the Treasurer turn around and say, 'Good on you. No way.'—in total support of him. Every way you look it at, it is bad luck for primary producers in this state. Whether it is the provision of drought assistance, whether it is improving that drought assistance, whether it is the sale process of the Brisbane Markets—whatever it is—'No way'!

The Minister for Primary Industries, Henry Palaszczuk, has been conspicuous by his absence in this debate. He has failed to consult the fruit and vegetable industry, he has failed to stand up for the industry in cabinet, and he has failed to secure a government guarantee that proceeds from the sale will be reinvested in development of the industry. When it comes to the hard issues, he is a pushover in the cabinet. All he is prepared to say is 'No way' will he help primary industries. After the minister announced the sale on 1 May last year, the minister has been pushed into the shadows-

**Mr Schwarten:** You go and tell him that.

**Mr HORAN:** I wish the minister was here; I would tell him that. If he is listening to his monitor, he might come into the chamber. After he announced the sale on 1 May last year, the minister has been pushed into the shadows of obscurity by the Treasurer in his rush to grab the market gold. This year, the markets will be hocked off to the highest bidder. It will be sold off not to invest in any more modern and efficient marketing system and not to assist the further development of the horticultural industry, but to prop up the Treasurer's budget. It will be sold off to prop up a government that is spending money like a drunken sailor on footbridges that come in 100 per cent over budget and on \$13 million projects—

**Government members** interjected.

**Mr HORAN:** Members opposite do not like it being mentioned, do they? They hang their heads in shame. The government has wasted \$16 million, on top of \$13 million for rebuilding bus stations that do not work and which will be rebuilt. Money has been spent on multimillion dollar arts precincts, football stadiums and on \$10 million handouts for teachers who are deemed by the government to be tired or burnt out.

This Labor government is selling off the family silver to pay for its credit card. While the Brisbane Markets are being offered for sale—

**Government members** interjected.

**Mr HORAN:** Oh, listen to the hubbub. They do not like it when they are reminded of all the waste. The people of Queensland do not like it either!

**Mr Lucas** interjected.

**Mr HORAN:** The Minister for Information Economy should think of all the things which could have been built in his electorate with the money spent on the footbridge. He could have built a nice indoor stadium for the youth of the electorate—things that would have been worth while and would have done something. He could have done some projects that would have created jobs, but instead he hides behind the waste of the footbridge—\$29 million for joggers to go to-and-fro. While the Brisbane Markets are being offered for sale as a going concern, there is no guarantee that the markets will continue to operate after they have been sold off.

**Mr Schwarten** interjected.

**Mr HORAN:** The member for Rockhampton is talking about stadiums. He wants to get his boxing gloves back on again. They may well be wound up, with a site dozed flat for another housing development, leaving the fruit and vegetable industry with no central market.

**Government members** interjected.

**Mr HORAN:** It is difficult to hear over the hubbub from there. That would mean that hundreds of millions of dollars of produce currently sold through the Brisbane market will instead be diverted to Sydney or Melbourne. It will mean there will be no open market left to provide another Queensland outlet for fruit and vegetable growers to sell their produce. The influence of the major supermarket chains in the market place will only increase and growers will be at the mercy of their dominance. The Beattie government has provided no guarantee that the market will remain after

the sale has gone through, and nor can it. The Treasurer knows that, which is why he would not even answer this issue in reply to the National Party's primary industries spokesman's question on notice in February. The fruit and vegetable industry should have been consulted. The only word they have heard is one lousy government media release that was published in the February edition of the *Fruit and Vegetable News*, produced by the fruit and vegetable growers. The Treasurer also cited the stakeholder reference group as the exclusive consultation interface with the government. However, as happens all too regularly with this Labor government, that group has been bound up in secrecy with all the ties of commercial incompetence. It will not release information and it will not consult.

The industry currently contributes more than a billion dollars to the state economy, but with some commitment by the government there is potential to double that and to double the number of people employed in real jobs in this very important industry. If the Beattie government had any genuine commitment to developing industries and creating jobs, it would invest at least some of the \$60 million profit expected from the sale of the Brisbane market into the fruit and vegetable industry instead of sucking it up into Treasury coffers and using it for recurrent spending. The proceeds from the sale of this industry asset could and should be used to fund new capital works to support further export development and create new, important, real and permanent jobs. A lack of infrastructure and especially a lack of new water supplies are perhaps the biggest factors holding back the development of the fruit and vegetable industries. Areas such as the Burnett, the Lockyer, the Downs, the Tablelands and the Burdekin are crying out for secure water supplies on which to expand their horticultural industries. For a government that claims to be dedicated to growing exports and creating jobs, the Beattie government's decision to flog the Brisbane Markets off to pay its credit card bill is short-sighted and indicative of the financial black hole the Treasurer has delivered to the people of Queensland.

Apart from the dubious economic wisdom of the government's decision, I ask how the Minister for Primary Industries could possibly stand by and allow his government to get away with robbing Queensland's fruit and vegetable industry. The minister should have consulted the industry about this sale and he should have insisted that the proceeds were used to produce more exports and new jobs in the fruit and vegetable industries. The minister and the Beattie government have to learn that it takes more to produce exports and create jobs than some glossy advertising and a trip overseas by the Premier after industry has done all the hard work. It takes judicious investment by government in the infrastructure that industry relies on to actually produce the goods that can then be value-added, processed and exported. This bill seeks to tie up some of the loose ends that may inhibit the sale of the Brisbane Markets at Rocklea. It seeks to backdate the approval of works which have been constructed on the site over the many years of the market's operation. Other loose ends include the failings of some buildings on site to meet workplace health and safety, food safety and other government regulations. The Treasurer has given no assurance that these shortcomings will be rectified prior to the sale or, if they are, at what cost. The fruit and vegetable industries were not consulted about this decision, and we know why. They were not consulted because the Beattie government is not interested in developing the Queensland fruit and vegetable industry and creating jobs; it is only interested in getting hold of the money tied up in that asset to prop up its state budget. The sale of the Brisbane Markets in this way is a short-sighted action by a short-sighted Labor government.

The bill represents another step towards the loss of a major industry asset and a desperate bid by the Treasurer to try and balance the budget. While the opposition supports this bill purely and only on the principle that this bill is purely and only about rectifying the mechanics of the sale, the decision on whether the markets were sold or not was a decision made by the government through cabinet and did not require legislation.

On behalf of fruit and vegetable growers, the opposition seeks some assurance from the government that the proceeds of this asset will be reinvested into the fruit and vegetable industries to ensure further development and export expansion for the benefit of all Queenslanders and to repay all those funds, all those commissions, all the provisions that were made into the development and growth of that asset by the fruit and vegetable industry, by the operators at the market and the various farmers and other people associated with that industry.

We support this bill only on the principle that it is solely about rectifying past matters to do with town planning and so forth. If we were to oppose this bill, it would not make any difference whatsoever to whether or not the markets were sold. That process has already commenced. This bill is not about that. This is a timely opportunity for me to highlight again to the people of

Queensland and those in the fruit and vegetable industry what the government is doing to its markets and how it will squander the funds derived from that asset on recurrent funding.

**Mr PURCELL** (Bulimba—ALP) (3.19 p.m.): As the previous speaker said, the objective of this bill is to facilitate the sale of the Brisbane Markets and its assets. The BMC is a government owned corporation. A competitive bidding process is being conducted to sell the asset of the Brisbane Markets.

**Mr Mackenroth:** Hear, hear!

**Mr PURCELL:** The support is overwhelming! The government's due diligence process has revealed that the BMC and its predecessors, the Brisbane Market Authority and the Brisbane Market Trust, did not obtain all of the required approvals for the construction of works at, and the use of, the Brisbane Markets site. The BMC and its predecessors operated in good faith on the assumption that they had legislative immunity from the application of state planning, building and other related legislation. There is now uncertainty that immunity existed for the entire period during which development and construction occurred on the site, being from March 1960, when the Brisbane Market Trust was established, to the present.

The bill will deem that the required approvals have been given or issued for the construction of works carried out at the Brisbane Markets site and for the use and occupation of the site, prior to commencement, if any required approval has not been issued. The bill does not remedy development or construction work that did not comply with the applicable codes. Further, the bill does not remedy the powers of a relevant authority to take action where, for example, a building is dangerous or unfit for use or occupation.

Legislation is the only effective way to address this issue. In that way it will not have an impact on the timing and integrity of the sale process and, of course, the sale price. We want to make sure that this asset brings the maximum funds to government coffers to be used for government purposes. Any other course of action would potentially compromise the outcome from the sale process for the government and Queensland taxpayers. I have pleasure in supporting the bill.

**Mr ROWELL** (Hinchinbrook—NPA) (3.22 p.m.): As the Leader of the Opposition has indicated, at present the horticultural industry is worth about a billion dollars to Queensland. Any future dam expansions or other developments will contribute to our export industries. I would expect—and this is only a rule of thumb—that if we build dams, because our production more than caters for domestic needs, about 40 per cent of any additional production would be sold on domestic markets and 60 per cent would be sold on world markets.

I looked at the legislation establishing the trust. The Minister for Agriculture at the time was a chap by the name of Madsen. In his second reading speech to the bill, the then minister stated—  
The Bill contains power to resume land for the market area under the State Development and Public Works Organisation Acts. The Governor-in-Council may also grant Crown land to the market trust on either freehold or leasehold tenure. The land at Rocklea has already been taken by the Crown and will be made available to the trust for market purposes when the trust is constituted.

He went on to state—

The trust is also authorised, with the approval of the Governor-in-Council, to borrow by the issue of debentures, bonds, or inscribed stock. All borrowings by the trust will be guaranteed by the Queensland Government.

Interestingly, it is difficult to trace how much money was invested by the Queensland government. It appears that no money was invested by the Queensland government. But the land may have been given as a deed to the Market Trust for its use. Later the bill states—

It is clearly laid down in the Bill that the Trust does not represent the Crown for any purpose whatsoever.

That was the intention of the legislation that established the trust, which then became the markets at Rocklea. The land was acquired in about 1960 and the markets opened in about 1964—firstly, as the Market Trust, then as the authority and then as the corporation. During the period of both the Market Trust and the authority it had exclusive rights over trading in the Brisbane area. Restrictions were placed on where people could trade fruit and vegetables, and the market had exclusivity. Importantly, a large amount of money had been borrowed by the Market Authority and it was necessary to ensure that trading occurred only in that area.

The problem with the markets is that the facility does not meet today's requirements. By today's standards it is antique. Sufficient money has not been spent on the facility to ensure that it meets today's needs. We are conscious of the need to preserve the cold chain so that produce from the western areas—the Lockyer and so on—is preserved and achieves its best value when

sold to consumers. Importantly, the value of much produce is reduced after 24 hours or so. The cold chain is an essential ingredient in any process of delivering produce to consumers.

The government's decision to sell the market as a going concern does not provide any guarantee that trading will continue. Importantly, although it is to be sold as a going concern, there is no commitment—and I do not think the government can give one—that it will continue as a market-type operation. I would appreciate clarification from the minister about this. The sale is really a grab for cash. That market was developed by the agents and the fruit and vegetable growers of Queensland. In a report presented during my time in government, we were made aware that growers might suffer financially by dealing with wholesalers who attempt to pass on the high rental charges of selling but would gain through BMA reinvesting its profits in market facilities. As the Brisbane Markets developed, its capacity to serve agents and the fruit and vegetable growers around the state increased. We were told that the net effect of these factors is unclear but that a substantial disadvantage was unlikely. Over time, as growers and agents continued to trade in that area, works were taking place at the markets to increase their capacity.

There was very little consultation with the industry about the privatisation of the markets. The Minister for Primary Industries said that I was going to privatise the markets. I will quote a section of the review on the Brisbane Market Authority done by Price Waterhouse and Ian White in May 1998. It states—

Be that as it may, the threshold decision that the Government needs to make at this time is whether it wishes to retain public ownership of the Brisbane Market and of the Brisbane Market Authority.

Clearly, that was simply a report that was released and not a decision that I made during my period as Primary Industries Minister. While the report may have suggested that privatisation occur, it is a fallacy to suggest that I accepted the recommendations of the report in their entirety. It is extremely concerning that that misrepresentation is being made by the Minister for Primary Industries. It is disappointing, as the Leader of the Opposition has said, that he has been absent for this debate. I raised it with him during the last estimates hearings. He said that the markets were to be the responsibility of the other shareholding minister, who happens to be the Treasurer.

The decision was made to sell the markets. Unfortunately, it appears that there is no guarantee that it will continue as a market. We hope that it will be sold to someone who will continue operating it as a market facility. But in the event that it is sold to someone who sees some other value in the 122 acres of land, they may decide to put a bulldozer through the markets. If that occurs, the fruit and vegetable growers of this state would have to find another venue through which to sell their product. Those growers contribute something like \$1 billion to the economy. Admittedly, not all of that product goes through the Brisbane Markets, but the product currently sold there would have to go elsewhere—Sydney or Melbourne or some other place—or the goods would have to be sold under private arrangements with the supermarkets. I will talk about the supermarkets in a moment. They are now a major component of the trading of fruit and vegetables in this state.

As I said, the maintenance of the cold chain is absolutely essential. The report clearly indicated that refrigeration issues need to be addressed at the markets. They were designed in 1964. Not enough has been done to preserve the cold chain, which is so essential to maintain the quality of many products that go through the markets. I have seen of pallets of fruit left sitting in the elements. Some growers are very concerned about the breakdown of their fruit, which deteriorates very rapidly when the temperature rises from about five degrees to 20 degrees, as they do in the course of some days. On many occasions a pallet may sit in the sun and not be put into a coldroom. In addition, there has to be a variety of coldrooms. Very often, an agent has only one coldroom. It will be set at a certain temperature which may not be suitable for a particular product.

The cold chain is extremely important. There is a need for a state-of-the-art market to be established in Queensland. If we can achieve that, we can sell product from New South Wales. If the market were well positioned, we would be able to send it by air or rail to other areas. Very often transactions occur in Brisbane and the product is railed to southern states. It may be flown as far away as South Australia, or in many cases the product is exported. All of those components are so critical. If we build more dams, we will be looking to the export industry due to the fact that we have an abundance of product on the domestic market. A need exists to look for other markets.

Having sent product through a marketplace and then having it transhipped, whether it be by air or ship or whatever, there is always a time delay. There is a necessity to ensure that product is preserved in its best possible state so that the best possible return is obtained when it is exported.

There is nothing worse than something going wrong in the cold chain system. I have had experience of that myself. A farmer has pride in their produce. It may be sent to a market in Tahiti or Dubai but end up in a pretty poor state, mainly because, despite the efforts of the producer, somewhere along the line the system fell down.

In Queensland we have implemented a Food Safety Act. That is a good measure. There are certain standards with which growers must comply. Unfortunately, at the present time I do not believe that those standards are being complied with at the markets. There is a need to upgrade that facility. That is probably the reason that the government decided to sell the markets, apart from the grab for cash. The Leader of the Opposition has talked about the Triple R program and the minister's intent in that regard. In statements to the parliament the minister has made it clear what he intends to do with the money, which I think is fairly ordinary. There was no mention in those statements that the moneys received as a result of the sale will go to primary industries. There is a whole range of issues, and we will discuss them in a minute, but the fact is that a Food Safety Act was introduced in Queensland. Rural industries have to be particularly diligent. They must have very stringent controls on the processes. If they are not doing the right thing, they can be penalised. They must undertake audits every year. They have to toe the line. Unfortunately, it appears that the markets do not have to comply with those standards.

Supermarket chains dominate the fruit and vegetable selling market. They control around 80 per cent of product at the present time, which is particularly disturbing. There is a growing imbalance in the returns to growers. In quite a few cases, the price at which a product is sold to consumers is double the price paid to a producer at the market. The fact that supermarkets do not have to observe the requirements of the Food Safety Act is also of some concern.

Transport is a critical issue. Road transport has a high capacity to transport goods because of the ability to go on to a farm, pick up produce, take it to the market, deliver it fairly rapidly and in a reasonably good state. Refrigerated containers have improved rail transport considerably. Upgrading of the track in north Queensland is under way. The trains will go faster and carry more weight. At the end of the day, I believe rail will be used even more than it has been in the past. Trucks have the ability to go on to farms and take produce straight to the market, but the rail system has greatly improved. It is very encouraging to see the government spending money on that facility.

Returning to the sale of the markets—to dedicate money that has been contributed by primary producers and agents to the educational Triple R program without any clear indication that the markets will be retained, without any indication of whether primary industries will be a beneficiary of the sale, is not fair to those who have contributed the bulk of the money to this facility. The government corporatised the Brisbane Markets. It is now using its power to sell off that facility and channel the money elsewhere. I do not think many other portfolios would use their power in that way. Would the government sell off the rail line and give it to producers? I do not expect that would occur. Would we sell off some IT equipment and give it to primary industries? Would we sell off these facilities and give them to, say, primary industries? I do not think so. What the Treasurer is doing is totally unfair. If money were being dedicated to the primary industries group, if there had been consultation in the first instance, people would be much more aware of what is to be done with the markets. I do not think there was a great deal of consultation.

**Mr Mackenroth:** When your government sold Suncorp you didn't give the money back to the shareholders.

**Mr ROWELL:** When this government sold its share of Suncorp, it did not give the money back either, so this is a case of the pot calling the kettle black.

**Mr Mackenroth:** If that is the theory, the markets are owned by everybody.

**Mr ROWELL:** In theory, what the Treasurer is saying is that one group can contribute to building up an asset and then the government can come along and simply pull the rug out from beneath them. That is what this government has done. It has pulled the rug out from beneath primary producers. The reason it is doing that is to bolster the government's budget. It is good to hear that this money will go into education—

**Mr Reeves:** You don't want any of it in your schools?

**Mr ROWELL:** What if those opposite contributed money to superannuation and we as a government took the money out? They would not like it, but that is effectively what has happened in relation to the Brisbane Markets. This was an asset. That asset is greatly depended on in order to transact product, but there is no guarantee it will be there after the sale. Can the Treasurer give

a guarantee that it will be there? The Treasurer makes no comment because he cannot. I would not expect him to.

That site is an asset. When it is sold there will be no guarantee that a billion dollar industry will be able to continue to sell its product here in Queensland. The markets may remain, but that will not be as a result of any design the Treasurer has put in the system or has any capacity to put in it. Very simply, this asset was created by people who are out there transacting the sale of fruit and vegetables. Probably the only thing contributed by government was the land. At that time the land could have been dedicated for education, bus lanes and so on. Members of the government ask questions about buses every time they get an opportunity.

**Mr Mickel:** And so we should.

**Mr ROWELL:** That is great, but there is no guarantee that that market will be dedicated to primary industries.

**Mr CUMMINS** (Kawana—ALP) (3.42 p.m.): It is indeed a rare gift some members possess to put an insomniac to sleep. We should realise that the registered owner of the site, the Brisbane Market Corporation, and its predecessors the Brisbane Market Authority and the Brisbane Market Trust did not obtain all of the required town planning and building approvals for a substantial portion of development and construction of works on the site. BMC and its predecessors operated in good faith on the assumption that it had a legislative immunity from the application of state town planning and building legislation. Approval was mistakenly sought from the relevant minister responsible for the approval, construction and development by the state and state authorities. This bill will deem that all development and building construction undertaken at the site prior to the commencement of the act was lawfully approved.

I believe it was Henry Ford who said that a business that makes nothing but money is a poor kind of business. A few decades ago my mother in fact worked as an assistant auditor at the Brisbane Markets, so my family has had a connection. The Brisbane Markets are not only a major source of employment and job creating businesses but also a major supplier for fruit, vegies and ancillary products for the region. One of the many family businesses that operate there is Fruitlink Pty Ltd. Lindsay and Leanne Calvert are friends of mine. Recently I spoke to them about various issues of concern. They, like probably all businesses, want certainty over their future and their investments. Family companies such as Lindsay and Leanne Calvert's Fruitlink Pty Ltd are what make Queensland a great state. They and their three offspring are proud Queenslanders, as are Tom and Lee McNamara, Leanne's lovely parents. Family employment, business and investment and borrowings will benefit by the Beattie Labor government giving certainty to industries such as those that operate at the Brisbane Markets. They will be in control of their own destiny. Therefore, I commend the bill to the House.

**Mr FLYNN** (Lockyer—ONP) (3.44 p.m.): I rise briefly to address the Brisbane Markets Bill. The markets are an icon similar to Covent Garden in London. They are places of excitement and cosmopolitan by nature but still represent the dominant flavour of the host city. I fully support the thrust of this bill, which should rectify the unfortunate mistakes of the past made in good faith. It is an example, perhaps, of one of the very few instances where legislation having retrospective effect can be warranted, providing of course that the markets complied with the conditions as then existed.

Although this bill is not about the actual sale, I feel I must express some little concern about the sale itself. There are some things forming fundamental parts of our communities that cannot be placed at risk. I trust and hope that control of this Queensland icon will not be placed in non-local hands or in the hands of the private sector, which is not known for its community mindedness. We need to know that the new owners can be trusted to take account of the many smaller farmers, particularly in the Lockyer area, that supply their crops to the markets. By that statement I do not mean to restrict this ideal to the national arena but to devolve it to a state level. Part of what makes life so satisfying in Queensland is that we undoubtedly do things better than any other state. If we allow other states, particularly New South Wales, which is already quite predatory as states go, to acquire ownership, perhaps through the Sydney Markets, Queensland will be the loser. There are adequate bidders in Queensland who, if successful, will continue to use the markets as Australia's market flagship. As I say, this bill is not about the actual sale, but I caution the government to recognise that who gains control of this market in actual fact controls a significant financial sector of south-east Queensland.

**Mr LEE** (Indooroopilly—ALP) (3.46 p.m.): I rise very briefly to support the Brisbane Markets Bill 2002. I wish to address the House on this subject because I have a great number of

constituents in my electorate who are currently employed at the Brisbane Markets. This bill addresses approval deficiencies for the development and construction of works at the Brisbane Markets site. I note that the government is conducting a fairly competitive bid process with a view to sell as a going concern the Brisbane Markets' assets and businesses of the Brisbane Market Corporation.

I also understand that the Brisbane Market Corporation and its predecessors have in the past acted in good faith and on the premise that they were immune from the need to apply for state town planning and building approvals. I also understand that the state and local governments have accepted that this was their view at the time. I understand, too, that there is some uncertainty as to whether or not this immunity did in fact exist for the entire period during which developments were taking place on the site. That was from March 1960, when the Brisbane Market Trust was established, up to the present time.

As I said, I am delighted to speak about the Brisbane Markets because I have a large number of constituents in my electorate who work there. I also know that many of these constituents work shiftwork at the markets and they find it very difficult to get from suburbs such as Chelmer, Graceville and Sherwood because of a lack of public transport at those times of the day. There is no direct train link between Sherwood and Rocklea and it is hard to catch a train at four in the morning. I know, too, that many of these residents ride their bicycles the one or two kilometres from Sherwood to the markets. In conclusion, I take this opportunity to inform those persons that the first meeting of the Indooroopilly cycle reference committee will take place on 21 May at 7.30 p.m. at my office. It is a pleasure to support the bill.

**Mr SEENEY** (Callide—NPA) (3.49 p.m.): I welcome the opportunity to make a contribution to the debate on the Brisbane Markets Bill and to support the comments made by other members on this side of the House in relation to the sale of the Brisbane Markets. As they have acknowledged and I acknowledge, this bill simply sets out to put beyond doubt the validity of the building approvals and suchlike on the site. As such, if the markets are to be sold, it is probably best that this bill—even though it is retrospective, and there is a natural caution from most members in this House about retrospective legislation—is passed to allow that sale to realise its maximum value for the markets.

I have to take this opportunity to reinforce some of the concerns that have been expressed by members on this side of the House, particularly the Leader of the Opposition and the member for Hinchinbrook. Both of those members have outlined in some detail the concerns that have been expressed to us by members of the general community who have a particular interest in the continuation of the Brisbane Markets facility and the services it has provided for a great many years. It is beyond doubt that what we are seeing with the sale of the Brisbane Markets is a grab for cash. It is an emptying of the hollow logs. It is the sale of an asset because the Treasurer saw an opportunity to realise \$50 million, \$60 million, \$70 million or however much the eventual figure will be. It is opportunistic, and it cannot be denied that that is the case. We have a situation here where the state government is in desperate financial trouble and the state's Treasurer is desperate to avoid being the Treasurer who has presided over two deficits in a row. They are looking for every opportunity to realise some ready cash—to sell the family silver, if you like, to cash in anything that can be sold irrespective of whether or not it is in the best interests of the people who use that asset.

In this particular case, it also completely ignores the fact that this particular asset has been put there not by government money. Nobody has been prepared to stand up and suggest that the Brisbane Markets is a government owned asset in the sense that it has been paid for by government money. The markets, as developed on the present site and the finances necessary to ensure that development, have come from a very small sector—very small in numerical terms—of the Queensland population, and that is the fruit and vegetable growers, the horticultural growers and the farmers. It has paid the commissions over the years to the agents who have had to pay the site fees involved in operating the Brisbane Markets. Some of those commissions are fairly significant and some of those commissions have long been a bone of contention with people in the particular horticultural industries who have had to pay them, but they have nonetheless paid those commissions over the years. That money has been accumulated by the government and semi-government type structures that have been in place over the years to manage the Brisbane Markets. That has allowed the development of that site to the extent that it is developed today.

It cannot be denied that a small group of Queenslanders put that facility there and made it possible for that facility to exist for the Treasurer to get his greedy fingers on when he wanted

some money. It was a small group of Queenslanders who met the cost of its development, and now this asset is going to be sold so that the Treasurer can somehow meet his commitments in terms of recurrent expenditure. That is just simply economic madness. As the Leader of the Opposition said in detail in his contribution to this debate, irrespective of what the asset is—whether the asset is the Brisbane Markets or any other asset—selling an asset and using the proceeds of the sale of that asset to meet recurrent expenditure in terms of maintaining schools, painting schools, fixing the roofs of schools or whatever is just sheer economic madness. It is a recipe for financial disaster. Only a Labor government could do it. Only a Labor government would dare indulge in such economic mismanagement. It is something that Queenslanders have come to expect from a series of Labor governments.

The Treasurer interjected earlier when the member for Hinchinbrook was speaking and tried to make some sort of a comparison between the sale of the Brisbane Markets and the sale of Suncorp. I truly hope that the Treasurer was not serious when he tried to draw that analogy, because one does not really have to look at the situation too deeply to understand that the situations are completely different and the analogy is ridiculous. In the Suncorp example, Suncorp was owned by all of Queensland. It was a government owned entity.

**Mr Horan:** And they corporatised it.

**Mr SEENEY:** First of all, the government corporatised it and then it was sold and the money was used to generate other assets. A big proportion of it was used to build the motorway between Brisbane and the Gold Coast. It was not used to paint the schools.

**Mr Horan:** Hospitals.

**Mr SEENEY:** There was the hospital building program that so many Labor members benefited from, because they got to open the hospitals and take all the credit for it. That sort of asset replacement is sound financial management. That sort of asset management is respected financial management. The other type of stupidity that the Treasurer is stooping to in the situation with the Brisbane Markets is at the other end of the financial management scale. If the Treasurer of the state does not understand that, then he does not deserve to have the job.

I also want to add my support to the comments made by the member for Hinchinbrook in that it is important to the agricultural industries of Queensland that there is a facility in the long term. I do not believe that anybody has been prepared to give that guarantee. It will be interesting to see how the Treasurer responds to the questions raised in that regard by a number of members on this side of the House but particularly the member for Hinchinbrook. What guarantee do the traditional users of the Brisbane Markets have that there is going to be a facility to meet the obvious need that has been there for quite some years, and will continue to be there? There has been an increasing trend in recent years for the big supermarkets to try to bypass the market system. To some extent, that has been beneficial to some of the big growers. But the smaller growers with smaller quantities of product to sell will never be in a position where they do not need a market facility.

What guarantee do they have? These are the people who have contributed the money. These are the people who have made the contributions through the commissions they have paid over the years to set this facility up. It is now going to be sold and the \$50 million, \$60 million, \$70 million or whatever the government gets is going to be used to prop up the maintenance budget. Will those people who have contributed that money over the years be left with the responsibility of establishing some other facility to meet their continuing needs? Is that really the situation that the Treasurer is suggesting is fair and reasonable for these people who make such a huge contribution to the Queensland economy? And they do make a big contribution to the Queensland economy. They make a big contribution to the economy of the electorate that I represent. I am proud to represent those people, because I know how darn hard they work for their money. I know how important it is that there is a marketing system—a marketing opportunity—for the range of products that they produce. They are never going to be in a position where they can contract direct to the supermarkets in the way that some of the big operators do. There is always going to be a need for a market facility. It would be the height of injustice if they had to turn around at some time in the future and start to develop a market facility from scratch because the market facility they have developed to date has been sold by a Treasurer who is greedy to get his hands on a windfall profit.

**Mr Rowell:** It is a benchmark, isn't it? It is a benchmark.

**Mr SEENEY:** Absolutely. The other point I want to make is why the industry itself is not being given the chance to take control of the markets. I have heard a number of speakers say today

that a competitive tendering process has been put in place, and they seem to be very proud of that. But it would seem fair to me that if this facility is to be sold then the industry which needs that facility and the industry that has contributed most towards the establishment of that facility over the years should be given some sort of a chance to buy it.

**Mr Rowell:** They're going to have to pay for it twice.

**Mr SEENEY:** They are going to have to pay for it twice. It is exactly as the member for Hinchinbrook says. They have paid for it once over the years through their commissions. They have paid for it once over the years.

**A government member** interjected.

**Mr SEENEY:** If the member listened for a while he would begin to understand. Over the years of the commissions, they paid 10, 12, 15 per cent commission on everything they sold there. That money was then collected by the government in terms of agent's fees, representing some of the highest fees per area of any facility one could find. The money has come from the industry. Now if they want to buy the market they have to turn around and buy it again. They have to turn around and pay a second time for a facility that they need to conduct their business. There is no way in the world that can be considered fair and just.

Finally, I put on record my disappointment at the fact that the primary industries of Queensland have been let down once again by the minister who is supposed to represent them. If there is anybody in the Labor government who should have been going in to bat for the primary industries of Queensland, it should have been the Minister for Primary Industries. The minister should have ensured that this facility was protected, that the people he represents most directly, the people in the primary industries in Queensland, would be confident that that facility would be there in the long term to enable them to conduct their business.

The minister has been conspicuous by his absence in this debate today, and that is regrettable. Unfortunately, it is fairly typical of the way primary industries are treated by this Labor government as a whole. It seems as though it is a fairly unimportant area in terms of government administration. This was seen by the government as a great opportunity to get its hands on a windfall profit to prop up the Treasurer's budget. This is a piece of legislation that does not deal directly with the sale of the markets. I realise that, whether or not this legislation is passed, the sale of the markets will proceed.

A number of concerns were raised during this debate. When we get an opportunity to debate retrospective legislation that fixes those town planning issues that may or may not be an issue, it represents an opportunity for us to raise those issues surrounding the sale of the market that are of genuine concern to people I represent, people who feel that that they have paid the money over the years to establish that facility. They are now concerned that they will have to pay again, that the facility will be denied to them. Those are understandably genuine concerns that should not be belittled and that I believe require answers from the government, the Treasurer and the Minister for Primary Industries. None of those answers have been forthcoming in terms of the public debate in the public arena.

There has been no consultation or opportunity for those people to put forward their concerns and to have them addressed. But today in this parliament we as members who represent those people have an opportunity to raise those concerns and we deserve to have those concerns addressed. It is incumbent upon the Treasurer to ensure that we get some explanations. Although this may not be strictly within the ambit of the legislation, in terms of the sale of the Brisbane Markets they are genuine concerns. Concerns are held by people all over the state in areas where these industries have been traditional industries and where they have made quite large contributions—exceedingly large contributions in some cases—to the local economy and to the economy of Queensland.

We need some explanations today. We need a burst of honesty from the government in terms of how the whole future of the Brisbane Markets complex will be guaranteed and in terms of how the government views the interests of those people who believe—quite rightly, in my view—that they have paid for the development of the markets over the years will be protected now that the facility will be sold to allow the government to get its hands on that \$50 million, \$60 million or \$70 million. I hope that before this debate concludes we get an explanation from the government. To date, all we have heard is empty rhetoric from government backbenchers. I look forward to the Treasurer's summation of this second reading debate and I hope that we get some of those long overdue explanations.

**Ms KEECH** (Albert—ALP) (4.05 p.m.): The Brisbane Markets have been a fixture in the minds of south-east Queenslanders for over 130 years. From its original site in Market Street, then to Roma Street and now to its present site at Rocklea, Queenslanders have flocked to the markets confident of finding a regular supply of the best quality fresh fruit and vegetables. For producers, distributors, food processors, retailers and working families looking for a bargain, the Brisbane Markets provide Queensland's only central selling market.

In excess of 600,000 tonnes of fruit and vegetables valued at over \$600 million are traded at the markets each year. The bill is necessary since the government is conducting the competitive bid process to sell the Brisbane Markets and the business of the Brisbane Market Corporation. The bill then can be considered as validating legislation for practices which have been in place since 1960. Since that time, a number of developments and improvements were constructed on the Rocklea site as the business of the markets expanded.

At present, there are 24 warehouse buildings, five fruit and vegetable selling buildings and two flower selling buildings. In addition, the Brisbane Markets shopping centre includes a post office, banks, 13 shops and commercial offices as well as a service station. In preparing for the sale, the government's due diligence process revealed that not all the necessary town planning and building approvals were obtained for the built environment on the site. Members may question how this occurred.

The Brisbane Market Corporation and its predecessor, the Brisbane Market Authority, and the Brisbane Market Trust at all times assumed that they were entitled to immunity from the application of town planning, building and other related legislation since they were a government owned corporation. Approvals were sought and, with the wisdom of hindsight, we can now say granted by mistake by the state minister and the authorities responsible for the approval of construction.

The Deputy Premier's explanatory notes state that there is now uncertainty that immunity existed for the entire period during which development and construction occurred on the site. The Deputy Premier has indicated that before the markets are sold, an independent expert will be commissioned to report on building code compliance and the condition of the buildings. It is therefore important to note that this bill before the House does not intend to remedy any constructions found by the report not to comply with the applicable building codes. If a building is deemed to be dangerous or unfit for use, the local government authority has powers to take relevant actions, just as it has with relevant residential sales.

I note that clause 3 of the bill provides that for the building work constructed without approval 'the approval is taken to have been issued'. Similarly, clause 4 provides that the use of said buildings is taken to be with approval. As a member of the Scrutiny of Legislation Committee, I draw the attention of the House to *Alert Digest No. 4*, which states-

... the committee has been unable to identify any clearly adverse consequences to individuals which might result from the passage of the bill.

Obviously, the non-government members of the committee also agreed with the committee's decision. I therefore commend the bill to the House.

**Ms LEE LONG** (Tablelands—ONP) (4.09 p.m.): I rise to speak to the Brisbane Markets Bill 2002. As I understand it, this bill essentially is to provide the appropriate framework under which the bricks and mortar reality of the Brisbane Markets can be sold while providing bidders with certainty that what they are bidding for is secure and not a lemon, as stated by a previous speaker. It is interesting to note that the objective of this bill is to ride roughshod over the application of state town planning, building and other related legislation in relation to the construction of many of the buildings at the Brisbane Markets site because it so happens that the government wants to sell the real estate. It just proves that when it suits the government, there is one rule for them and another rule for everyone else.

I am sure that producers in the north will continue to send their produce south. As members are aware, in the tropical north we are very proud of our ability to produce the finest of foods and other produce. We have a wealth of knowledge and experience in the man on the land and it is my belief that this very valuable resource should never be lost. Our proximity to the Asian markets is the best in Queensland and is not, in my opinion, exploited enough. I believe that there should be much more assistance from our state government to capture the enormous potential of the Asian regions and I think that it would be timely to suggest that the new centre for the markets should be located in far-north Queensland.

Whilst every other country is actively making its presence felt in the Asian region, we seem to be dragging the chain. I spoke to a Chinese businessman a couple of weeks ago and his opinion was that there are many foreigners making their mark in China, but that Queensland, with its advantage of proximity, was very slow off the mark. Far-north Queensland is very well positioned to take advantage of the opening up of such a huge Asian market, but we do not appear to be taking advantage of the moment.

I also have concerns about the proceeds of any successful sale of the Brisbane Markets. I think it would be a reasonable expectation that such a significant part of this state's agriculture infrastructure would attract strong bids for large sums of money. In my view, it would be shameful if that money was to vanish into consolidated revenue. Instead, I believe that it should be directed to our rural industries, or at least our rural areas. In this regard, there are many avenues that could be taken. The moneys could be used to boost the marketing of our quality Queensland produce both domestically and internationally. However, should the money instead vanish into consolidated revenue, then I think that this government's real level of interest in rural and regional Queensland will be clearly demonstrated. After all, as the Premier himself indicated this morning, 64 per cent of his government's \$5 billion Capital Works Program is being spent in just the south-east corner.

In conclusion, rural Queensland deserves due recognition for its long history of economic contribution to this state, and particularly to these markets. I suggest that returning the sale price to rural Queensland would be the smart thing to do.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (4.12 p.m.): I rise to support the Treasurer in introducing his Brisbane Markets Bill 2002. Although the Brisbane Markets are not located within the boundaries of my electorate, they impact on parts of my electorate, particularly the suburb of Corinda, which is located on the border of the Yeronga electorate. The boundary of Mount Ommaney runs along Oxley Creek. Over the other side of Oxley Creek is a fairly large expanse of undeveloped land that leads to the DPI research farm. Next to that is the Brisbane Markets. The use of this land has been an issue for local residents in the Oxley Creek environment group over a number of years. A number of proposals have been put forward by the local groups that have been lobbying government members for the benefit of the environment.

A city farm had been mooted at one stage. This was a popular idea and would mean that school students within the Brisbane area would have access to a farm within easy travelling distance. Not all schools are able to offer agricultural farm studies as part of their curriculum. Corinda State High School in my electorate has this facility, which gives students a real-life experience of rural industries. I hope that appropriate consideration is given to the needs of local environmental groups and the citizens of Corinda in relation to the future of the undeveloped land adjacent to the Brisbane Markets.

The Brisbane Markets Bill 2002 was brought about to address the approval deficiencies for the development and construction of works at the Brisbane Markets site. People come from miles to the Brisbane Markets, which is a well-known, active business centre located in the south-west of Brisbane. Those members who have not visited the flower market should endeavour to do so. The number of Australian and particularly Queensland native flowers on show is extraordinary.

The government is conducting a competitive bid process to sell as an ongoing concern the Brisbane Markets' assets and the business of the Brisbane Market Corporation. Legislating on this issue is the only way to adequately address this matter without impacting on the timing and integrity of the sale process. Any other course has the potential to compromise the outcome for the government and Queensland taxpayers. I commend the bill to the House.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (4.14 p.m.): In rising to speak to this bill, I acknowledge in my electorate a large group of very honest and hardworking fruit and vegetable growers. In a lot of electorates—and I know that Burnett is in this position—farmers have diversified from growing cane or grazing into small crop production as an alternative because the return from their other commodities has dropped so significantly.

I had a concern about this bill in regard to retrospective validation in that, without any exception, the clauses validate all of the building work carried out at the market site under the law in force at the time. If an approval was required and it was not sought and given, after this bill is passed the approval is to be taken to have been issued. My concern has been answered in part by the explanatory notes in which it is stated that the bill does not remedy development or construction that did not comply with applicable codes. I take it from that comment—and perhaps the minister can clarify it—that if there are buildings or developments of any type that did not at

the time of construction comply but which were built or put in place on the basis that there was no requirement for approval, then that development, or that construction, will not be validated by this legislation. Whilst the explanatory notes state that the bill does not remove the powers of a relevant authority to take action, I believe that the authorities have not had an opportunity to go on site to undertake formal inspections. Therefore, knowledge might be a little bit thin on the ground.

In relation to this bill, I wish to place on record the intrinsic role that the Brisbane Markets has played with producers across the state. Farmers in many areas have relied on the markets as the commercial outlet for their product. Over a long period there has been some disquiet among farmers, particularly those who live some distance away, that they really have been at the mercy of the agents to market their product in a fair-handed way. In saying that, I am not making any allegations about any agent in particular. Several years ago I had the opportunity of touring the markets and I can say that they certainly are impressive. They put through on a daily basis an enormous amount of produce. However, I know that growers living some distance from Brisbane have always had to rely on their agent to receive the fruit or vegetables to market them. In that instance—and I believe the situation remains the same—the grower carries all the risk. What is not marketed is to be returned, if it is in a condition to be able to be returned. But the reality is that the produce is not returned and the grower is not paid for that produce that is not sold. So as previous speakers have said, growers in the state have contributed a great deal towards funding the cost of the development of that site. They have an intrinsic interest—and a justifiable interest—in the handling of the markets, whether it is a continuing management or a disposal.

It is clearly implied in the minister's second reading speech and in the explanatory notes that the intention is to dispose of the Brisbane Markets as an asset. I seek the minister's comment, so that I can pass it on to growers who talk to me, as to what thought the government has given, in its intended disposal of that asset, to ensuring that growers throughout the state are not disadvantaged in any way in terms of the expected payment from the grower to the agent or the new owner of the Brisbane Markets. I also seek an assurance that farmers will not be significantly disadvantaged, particularly those who live some distance from the markets, in the management of their fruit and vegetables by the entity who purchases the markets.

Up until a few years ago, farmers had a greater say through their fruit and vegetable growing cooperatives. Over time, with the change in the structure, that influence has diminished. I am most interested to know what consideration the government has given to the future of horticulture in Queensland, which is a significant industry for many people in this state. What protections will be put in place, or what thought has been given to ensuring that those growers' livelihoods will be protected and that they will have certainty of payment in the government's consideration in selling or disposing of that property?

**Mr CHOI** (Capalaba—ALP) (4.20 p.m.): I rise today to speak also in support of the Brisbane Markets Bill 2002. As many honourable members before me have mentioned, the object of the bill is to facilitate the sale of the Brisbane Markets' assets and business, which are owned and operated by the Brisbane Market Corporation Limited. The government's due diligence process has revealed that the Brisbane Market Corporation and its predecessors, the Brisbane Market Authority and the Brisbane Market Trust, did not obtain all the required approvals for the construction of the works and the use of the Brisbane Markets site. Therefore, this bill is necessary in order to facilitate the sale of the Brisbane Markets.

The Brisbane Markets has been in existence for over 130 years. I regard it as one of the last physical and psychological links between the country and the city. The markets were originally located in the appropriately named Market Street. When one looks at Market Street today, with the hustle and bustle of city cars and cement streetscapes, it is hard to imagine the bullock trails and farmers selling goods in the good old bygone era. I often think that the Brisbane Markets would be a great place to take my children. These days it is hard for some kids to understand where food comes from before it reaches the supermarket shelves. It is sometimes very easy for city slickers to forget that milk does not come from a carton.

The continued encouragement of growth and development of the Brisbane Markets is beneficial for the Queensland economy. Each year, more than 600,000 tons of produce, worth more than \$650 million annually, goes through the gates of the Brisbane Markets. In addressing approval deficiencies for the development and construction of works which have occurred at the Brisbane Markets site, the Queensland government is fast-tracking what would otherwise be a long and drawn out process. In doing so, this government is once again encouraging economic growth in Queensland.

Once again, I congratulate the government on its handling of the issues surrounding the Brisbane Markets. I commend this bill to the House.

**Hon. T. M. MACKENROTH** (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (4.22 p.m.), in reply: I thank members for their support for the legislation. As a number of members have mentioned, this legislation facilitates the sale of the Brisbane Markets by validating acts done in the past.

Two main issues were raised by the opposition and I will answer those. They have a theory that the growers in some way own the markets and in some way they will have to pay twice. Let us look at the history of the markets. The government set up a trust similar to a statutory authority. The government allowed that body to borrow money to build the markets. At this point in time, the growers have not contributed a cent. The money was borrowed by a vehicle established by the state government and the state government facilitated the borrowing of the money.

That body was responsible for repaying those loans and for the further development of the markets. To enable it to do that, it rented out those premises in little modules to tenants—the wholesalers—who in turn paid rent. The growers came to the markets, sold their fruit or vegetables through the wholesalers and paid a commission to the wholesalers—not to the market trust.

**Mr Rowell:** That's right.

**Mr MACKENROTH:** Well, where is their ownership in it? Where is their ownership?

**Mr Rowell:** Without the grower, the whole market wouldn't function.

**Mr MACKENROTH:** Look, that is ludicrous.

**Mr Reeves:** What about people living in rented houses?

**Mr MACKENROTH:** Yes. On the member for Hinchinbrook's theory, if somebody has rented a Housing Commission home since 1960, they should own it now; it should just be given to them.

**Mr Rowell:** No, no.

**Mr MACKENROTH:** That is the member's theory. He would have us believe that if I decided to sell my car down at south side auctions and I took it down there, they auctioned it off and I paid them commission, in some way I would have ownership of the premises. That is the theory the member is advancing.

**Mr Rowell:** It is the whole process of—

**Mr MACKENROTH:** No, no. That is the theory the member is advancing.

Questions were raised about the future of the markets. Whilst I cannot go into the total sale process because it is presently proceeding, I can say that one condition of sale is that the markets continue. The continuation of the markets is in fact currently being negotiated with the short-listed bidders. The continuation of the markets has always been provided and the government has been open about it.

The government has tried to ensure the future of the markets by offering tenants the opportunity to extend their leases for 10 years from the time of sale. That would ensure the continuation of the markets for at least 10 years because those people would have leases. However, they rejected that. It is up to them. When wholesalers raised the issue of security for the future, the government offered them that and they rejected it. Members need to be aware of those circumstances. As I said, part of the conditions of sale will be the continuing operation of the markets.

I think that answers members' questions. I thank members for their support.

Motion agreed to.

### Committee

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) in charge of the bill.

Clause 1—

**Mr HORAN** (4.27 p.m.): The Treasurer has said that it is a condition of sale that the markets continue to operate. In other words, whoever buys it has to keep it operating as a fruit and

vegetable market. For how long does the purchaser have to keep it operating as a fruit and vegetable market under the conditions of sale?

**Mr MACKENROTH:** That would be negotiated.

**Mr HORAN:** If that is to be negotiated, I presume it will be negotiated before the sale is concluded, in which case the purchaser may only want to keep it as a market for two or three years and then change it into a transport terminal. It is not much of a guarantee. The Treasurer indicated in his reply that its operations are guaranteed because part of the conditions of sale are that it continues to operate as a market. Now he says that will be negotiated.

**The TEMPORARY CHAIRMAN** (Mr Mickel): Order! There is a question of relevance. The clause relates to the title of the bill. Under our standing orders, the member is restricted to that.

**Mr HORAN:** That's right.

**The TEMPORARY CHAIRMAN:** I am searching for its relevance.

**Mr MACKENROTH:** Before I started to address that section in my reply to the second reading, I said that I would say something about that, but because of the sale process, which is under way right now and almost coming to a conclusion, it would not be appropriate for me to start to talk about the details of it. Negotiations are going on with the different bidders and it would not be appropriate to be discussing those things.

What I was trying to convey to the members who had that concern is that the government is aware of the need to continue a fruit and vegetable market. That is one of the considerations that we have, but I really cannot go into the details. I think we allowed a fairly lengthy debate on what we have before us, but we are on the clauses and this one deals specifically with validating actions and has nothing to do with the sale process of the markets.

**The TEMPORARY CHAIRMAN:** Order! I will listen very carefully. The member for Hinchinbrook will speak to the title of the bill, otherwise I will sit him down for lack of relevance. There is no provision under our standing orders for a debate other than on the title of the bill.

**Mr ROWELL:** I wish to speak about the bill; it cites the 'Brisbane Markets Act'. That is really what this is all about. It is important to raise the issues that I have already put before the Treasurer. The issue of the contribution that the member spoke of—

**Mr Mackenroth:** But that's got nothing to do with this bill.

**Mr ROWELL:** It has got nothing to do with the bill?

**Mr Mackenroth:** No.

**Mr ROWELL:** We are talking about the Brisbane Markets Act, not about what happens on Mars.

**The TEMPORARY CHAIRMAN:** Order! I refer you to standing order 130. These are the standing orders that I have to operate under. What you are discussing has nothing to do with the title of the bill and, accordingly, I ask you to sit down.

**Mr ROWELL:** But the title of the bill deals with the Brisbane Markets Act and that is what I want to speak to. I want to speak to the Brisbane Markets Act. That is what I have been raising. I am not talking about some other act or the implications of some other act.

**The TEMPORARY CHAIRMAN:** The Chair has been quite patient with you.

**Mr ROWELL:** You have barely heard me. I think it is quite unreasonable that I try to raise an issue—

**The TEMPORARY CHAIRMAN:** If you are reflecting on the Chair I will take action. Let me tell you what the standing orders are that I have to operate under. Clause 1 refers only to the title of the bill. You have had a second reading debate during which you could have discussed these issues. Alternatively, there may be another clause. I will sit you down for lack of relevance.

Clause 1, as read, agreed to.

Clause 2, as read, agreed to.

Clause 3—

**Mr HORAN** (4.32 p.m.): This clause is about building work carried out without approval. We are talking about building work that may have been undertaken by a government owned

corporation, trust or authority—whatever it was at the time. Does this mean that every government owned corporation has the responsibility for getting building approvals or town planning permits; that they would all be in the same position as the markets? There is concern about this, and I know it is only concern. The concern probably arises because it is being sold. But what we are saying is that what they did in the past was wrong, which means that all of the other government owned corporations are in exactly the same boat; they are sitting in buildings or properties that did not receive town planning consent or building approvals when they should have. What consequences does this have for the government?

**Mr MACKENROTH:** The situation that applies now under the Integrated Planning Act is such that all GOCs will be required to get building approvals. That is what applies now and that is done in various ways. We will not go into that. The situation here is that there is uncertainty in relation to the acts, because from the time the markets started through to the period we are dealing with a number of different acts and processes have applied. Through this legislation we are endeavouring to give 100 per cent certainty to a buyer that approvals are in place.

At the time some of this building work was done, people believed that if they got the approval of the minister it was sufficient or that they had the right of the Crown not to get building approval. That is what we are remedying. In relation to other government owned corporations, it would depend on the way they were established and the acts they are operating under.

Not having a valid building approval means that, in effect, the local government could direct that a building be pulled down. It does not say that that building work is allowed to be substandard or unsafe. If any of those things are an issue, the local government and workplace health and safety laws could require them to be rectified. There are no concerns about that. However, if there were no proper building approval, there is a risk that the council could say, 'You don't have a valid building approval for this. We require you to demolish it.' That is what we are rectifying. I cannot give the member a 100 per cent guarantee that every building ever built by a government instrumentality has 100 per cent building approval. However, if we find a problem along the way we would have to rectify it. The problem we have to deal with today is that we cannot get building approval for the past so we have to deal with this in the way we are.

Clause 3, as read, agreed to.

Clause 4—

**Mr HORAN** (4.37 p.m.): This is much the same as the previous clause, only this time it refers to occupation as compared to building permits or town planning approval. What the minister said previously was that if there were no building approval a council might ask that it be pulled down or rectified. This might not have been done in the past because it was a government owned corporation or instrumentality. Perhaps it is more likely that they would do so because it is to be a private enterprise. Realistically, the buyers probably just want to be sure that there is no chance of that whatsoever.

In terms of this clause, which is about the occupation of premises without approval, I wish to ask the same style of question: does this cast some doubt on the occupation of other GOCs? They could be government owned corporations that have come about through a simple process of excision from a government department. Some could have become a public trading enterprise and been amalgamated with another. The markets have gone through a number of title and status changes. This clause is about use and occupation. Again, is it councils that could potentially challenge the use and occupation of the premises?

**Mr MACKENROTH:** It would be the council that would challenge the occupation. I do not believe that we have other problems. I cannot give the Leader of the Opposition a 100 per cent guarantee, but I do not believe that we have. But, yes, it would be the council that would raise it. The reason that this has been raised now is that people in private enterprise are considering buying it and they want to have that certainty. They want to see a piece of paper that says they have the approval. When we go to the council we get a stamped plan which says 'approved'. Those are the sorts of things they would have asked for and which would have raised the questions addressed here. The issue is not so much as to whether they were or were not approved. We are ensuring that that certainty is there. It is the same with the occupancy as it would have been for the building work. It is exactly the same situation.

**Mr HORAN:** Does this clause mean that whoever purchases this property will have the right to use it as a market; to use it as a shopping centre? Does it have a current usage? What will be the actual usage that we are transferring formally?

**Mr MACKENROTH:** The usage of the site is contained within the Brisbane City Council town plan. I cannot tell the Leader of the Opposition what that—we do not call it 'zoning' any more—permitted use is. I imagine that the permitted use is for a market or something within that range. They would have a schedule within their act which says what that is. That really does not have anything to do with this. The Brisbane Markets, over the past 40 years, would have obtained building approvals from the Brisbane City Council. Irrespective of what the buildings are, they are governed as to the use of the land by the designation within the town plan.

**Mr Horan:** So we're really transferring the use of the town plan—the zoning usage.

**Mr MACKENROTH:** Yes, that has a zoning, and it is there. There are some government sites which, under the old planning system, did not have zoning on them. The Leader of the Opposition would be aware that when government sold them we actually had to zone them. But in this instance that is not the case. This is already zoned by the Brisbane City Council, to use that word; it is actually 'the permitted use' under the Integrated Planning Act.

**Mr ROWELL:** I want to raise the purpose of the buildings. Over a period they have been developed in a way that suited the requirements of the day. Because the site was to be used to sell fruit and vegetables and because it was under a trust, there was a determination to develop something that would be suitable exclusively for the sale of fruit and vegetables in the state of Queensland, even to the point where the government of the day had some exclusivity to sell produce for the Brisbane city area on that site. So there were some very specific reasons why that market was developed. That was done in coordination with the agents who would participate in the market and those who would supply them.

The point that I was trying to get across previously, which I was not able to, is: had that situation not occurred, what we are talking about today would not have happened. The government would not have had an asset to sell. The government is now looking at disposing of that asset because it believes that it is no longer useful to the government and it wants to bow out. The site has shortcomings in terms of the future direction of fruit and vegetable selling. I mentioned those in my speech. The minister is trying to correct certain things that should have been done in accordance with building principles. That is what this legislation is really all about.

**Mr Lawlor:** Finally caught on.

**Mr ROWELL:** The member is not so bright himself. I am concerned that, in the transition phase, the Treasurer is selling off an asset that was contributed to by the agents who paid the rent. The intention of the act at the time it was drawn up as a trust was to facilitate the use of this area exclusively as a market. Because the government now sees some monetary advantage in getting rid of it, it has to take steps to correct anything that may have been done in the past in terms of the construction of those buildings. There are not just market buildings on the site; there are also supermarket facilities. There is a range of developments there that are beneficial to activities other than the sale of fruit and vegetables. In the event that this site does not continue to be used as a market, what arrangements will the government make for the billion-dollar transaction of fruit and vegetables in the state of Queensland?

**Mr MACKENROTH:** I have checked one of the issues that was raised in relation to the use of these buildings. The permitted use under the Brisbane City town plan is 'special purposes—market uses'. That is it. It does not allow anything outside of that. So that is the actual zoning, so to speak, even though we do not use the term 'zoning' any more. So it is 'special purposes—market uses'. So the person buying the site knows that that is the permitted use, and I think that answers the question. I do not intend to answer the questions which do not relate to the bill.

**Mr Horan:** So they'd have to seek town planning approval if they wanted a change under special purposes.

**Mr MACKENROTH:** If they wanted to change any use that was not allowed on this site, they would need to apply for a material change of use, yes.

Clause 4, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

### Third Reading

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

**REVENUE AND OTHER LEGISLATION AMENDMENT BILL**  
**Second Reading**

Resumed from 11 April (see p. 882).

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (4.47 p.m.): This bill deals with a number of issues. It is what is generally termed a SLUMP bill. Normally there is some consultation on SLUMP bills. There was not any consultation in this case. Normally a SLUMP bill covers matters that are generally regarded as non-controversial. But there is one item in here that is controversial as far as we are concerned, that is, the removal of some of the concessions for payments of payroll tax or the widening of the net for the payment of payroll tax. That is one issue that I want to concentrate on today.

I might say at the outset that we agree with almost all of the provisions of this bill. For that reason, we will be supporting the bill. But I want to make it clear that we have very serious concerns about the widening of the net for the collection of payroll tax. I will be having a little bit to say about that in the course of this debate.

It is timely to be debating such matters of revenue and finance as we approach the budget. We are quite seriously concerned about the forthcoming state budget, with predictions of a second operating deficit. Last financial year there was a deficit of \$820 million. This financial year a surplus of \$24 million was predicted. At the half-year point that prediction was changed to one of an operating deficit of \$148 million or \$149 million. That comes at a time when we know that investments are not good. That has a negative effect—

**Mr Mackenroth:** You're not going to hold me responsible for that, are you?

**Mr HORAN:** I hold the Treasurer responsible for making the prediction at the start of the year. As Treasurer he should be accurately assessing what is happening.

**Mr Mackenroth:** I said to the Under Treasurer this morning, 'Why didn't you know what was going to happen in America on 11 September? I want you to be more far-sighted when you put together your budget.'

**Mr HORAN:** The Treasurer is like everybody else: he wants to blame 11 September for everything. The Treasurer knew the trend in investments well before that time. It was not a change that happened at that time. The government predicted that we would make a certain amount of money when all of the signs for those who were investing, whether privately or publicly, were that the returns would be very low, if not close to negative or zero, for the financial year. Those predictions were being made some 18 months ago. I would expect the Treasurer to get that sort of advice and put that into the budget.

It is up to the Treasurer to say, 'Our predictions'—that is what a budget is; it is estimates and predictions—are that returns on investments will be down.' Then the government can cut its cloth to meet that if it wants a balanced budget or a surplus, or have the courage to say at the outset, 'We are going to run into deficit'—not deliberately go into a financial year knowing that there is every chance that, with the current economic state of play, the investment side will be way down and not reflect that in the budget figures.

At the same time there have been increases in stamp duties of about \$300 million from the increased activity in the property market. Extra money has come to the government from the increase in returns from poker machines. There has been a windfall in relation to the stamp duty on public liability insurance. All of those things are positives, but the overall result will be a budget in deficit again, for the second year in a row. All deficits have to be repaid eventually or we just get into more and more debt.

The payroll tax amendment in this bill raises some concerns. In this bill the government is reducing the payroll tax rate, in accordance with the promise made when the budget was delivered around 11 months ago, from 4.8 per cent to 4.75 per cent. It is a drop of 0.05 per cent, or one-twentieth of one per cent. It is not a big reduction but a reduction nonetheless. Along with that reduction comes the removal of the concession for termination payments and, particularly, a change in the taxable value of fringe benefits. It is that change in the taxable value of fringe benefits in particular which will widen the net to catch those amounts of money subject to payroll tax.

I refer to termination payments. Currently, payroll tax applies only to a termination payment made by a company to an employee if the payment represents a reward for service to which the employee has an enforceable right. This will change under the proposed amendments. The amendments propose that payments made over and above what the employee is contractually

entitled to will now be subject to payroll tax. In other words, golden handshakes will now be taxed by the payroll tax system. People who are rewarded for long and faithful service—an employer may believe that someone is entitled to something extra for what they have given to the business over a long period of time—will now be penalised by the imposition of payroll tax on that one-off payment. It seems pretty lousy to do that to a business that is trying to provide a genuine reward for genuine good effort.

Whether or not termination payments are liable to Queensland payroll tax is currently determined by the state's Pay-roll Tax Act. The Queensland government is proposing to amend section 3(1) of the Queensland Pay-roll Tax Act to include in the definition of wages the Commonwealth definition of a taxable eligible termination payment. The excuse of the state government is that it wants to use the same definition the Commonwealth uses for taxable eligible termination payment. So as well as the Commonwealth grabbing its bit, the state will grab something as well. The federal definition is included in the Income Tax Assessment Act 1936. What is unclear is how much wider the proposed new Commonwealth definition of a taxable ETP is than the current Queensland definition of wages. The minister's department has assured me that the only difference will be the inclusion of payments over and above what former employees are contractually entitled to. When the minister replies to the second reading debate we need the assurance that that is the only part that will be involved in that.

In its 2000-01 budget the Queensland government announced that it would decrease the state's payroll tax rate from 4.8 per cent to 4.75 per cent from 1 July 2002. The estimated actual receipts of payroll tax for the state government were \$1.465 billion in 2000-01. In 2001-02 the government budgeted to receive \$1.555 billion in payroll tax receipts. However, this has since been downgraded by \$50 million to \$1.505 billion. If we incorporate the proposed cut in the payroll tax rate into this year's budgeted receipts of \$1.505 billion, then the government would face a decrease in revenue in the future year of around \$16 million. That will be offset, of course, by the fact that the government is widening the net for those moneys subject to payroll tax. That \$16 million will be offset by the extra moneys it collects by levying payroll tax on the grossed up value of fringe benefits tax in particular and also on eligible termination payments.

This system of giving with one hand and taking with the other follows on from last year. In the 2000-01 budget the Treasurer explained that payroll tax would be reduced from five per cent to 4.9 per cent from 1 July 2000 and would be reduced further to 4.8 per cent from 1 July 2001. However, then the government included compulsory superannuation payments. The then shadow Treasurer, Dr David Watson, said that those paying payroll tax were paying more on 1 July 2000 than on 1 July 1999—with the same number of employees, the same pay rates and the same superannuation. We had this pea and thimble trick whereby there was a reduction made in the payroll tax rate and then a widening of the net to include compulsory superannuation payments. This time we are seeing the net widened to include the grossed up value of fringe benefits tax and some of the termination payments.

At the time of that reduction the then coalition moved an amendment to reduce the rate to 4.6 per cent to actually compensate for the inclusion of superannuation. The government opposed it because that would have meant it would have been a genuine reduction in payroll tax. It would not have been offset by the widening of the net to cover its costs and would have made it a true cut to payroll tax.

There is currently a lot of debate in Victoria and New South Wales about issues such as payroll tax. These states have a higher rate of payroll tax than Queensland. This state has a lower rate generally because of the wise husbandry of National Party governments. Coming into the 1990s, this state was in a very strong and sound financial position with minimum debt which meant that we could provide lower tax rates. However, at the moment there is a lot of debate between Victoria and New South Wales. Victoria has introduced business concessions and business incentives which have allowed that state to turn itself around from being the rust bucket state of Australia under the various Labor governments, which just about destroyed and ruined that state. The Kennett government came to power and turned things around. As a result, the current Labor government has inherited a strong and sound position and is able to continue with those improvements.

In relation to the competitiveness of our state compared to other states, much of that is based on perception and some of it is based on reality. Andrew Craig from the Queensland Chamber of Commerce and Industry commented on Victoria's recent business tax cuts. In the *Financial Review* of 23 April this year he was quoted as saying—

Victoria's package could make Victoria superficially more attractive to business than Queensland because Queensland hasn't quite got the lead it used to.

If there had been a reduction in payroll tax rates without the associated widening and broadening of the net, then we might have been able to retain our competitive advantage. But that has been destroyed by this blatant act of not only a small reduction in the payroll tax rate but also offsetting it by widening and broadening the net.

What is happening with the grossing up of fringe benefits tax? State payroll tax payable on fringe benefits is currently charged on the net or after-tax value of the fringe benefit in the hands of an employee while Commonwealth fringe benefits tax applies to the gross or before-tax value of the fringe benefit. If this bill is passed it will mean that the state duty will now be calculated on the gross rather than the net amount. In other words, this is a measure designed to make up some of the shortfall state government coffers will experience as a result of the drop of the payroll tax rate from 4.8 per cent to 4.75 per cent.

Let us take the fringe benefit of a motor vehicle as an example. Let us say that the actual value of the vehicle, the fuel card and so forth is estimated at some 10 per cent and is grossed up to \$10,000. It will be grossed up to what you would have to earn to get a net amount of \$10,000 after tax. So that \$10,000 net value could be grossed up to something like \$19,000, because that is what you would have to earn at those rates of tax to get a net benefit of about \$10,000. Therefore, payroll tax would be charged on the \$19,000 rather than the \$10,000. If we look at all the various fringe benefits that are provided around a big, decentralised and expansive state such as Queensland—if we look at the number of company cars and vehicles provided to reps, managers and people who need to do company business in a vehicle and if we look at where housing is provided because people have to be sent to another part of the state to do business for their company—this could be quite a considerable impost on businesses in this state and quite a considerable rake-off for the government.

The Premier has promised no new taxes in the upcoming budget, except for some rises associated with inflation. I would like to see the Treasurer and the Premier come out publicly and state whether the proposed payroll tax cuts are at the very least revenue neutral or whether in fact they will increase the state's revenue. What we are saying is why try to fool Queenslanders with an underhanded tactic such as this where the government says on the one hand, 'We're reducing payroll tax because that was the promise we made at the start of the financial year,' while on the other hand it is going around the back and widening the net in order to bring in more money so the net effect of that payroll tax deduction will not be felt by the government. Business and industry will be penalised more because, in many cases, they will be paying the same or more payroll tax because they will get caught in the fringe benefits net.

Queensland has the worst unemployment figures in mainland Australia. With the unemployment figures released today, we are still way behind the rest of Australia. The Australian average is 6.3 per cent while Queensland's unemployment rate is 7.8 per cent. For the 20th month in a row, we have come last in Australia. That is an indication that the economic system and the economic policies at the moment are not creating jobs and employment in this state at the same rate as they are being created in the other states. Our financial system and jobs policy is not keeping up to standard. It is not even making us average. It is not making us above average. Rather, it is making us last when it comes to jobs and employment in this state.

We heard that there would be no new taxes, but the pub tax was introduced to help fund Lang Park. One can be a bit pedantic, as the Treasurer has tried to be, in saying, 'Oh, no, it's not a new tax. There's always been this tax on poker machines.' There was a tax on poker machines at a certain rate and the government brought in this new category but called it the same tax. However, it is a new category of taxation applying to certain hotels with certain levels of turnover. There has been a massive increase in the poker machine tax in order to pay for Lang Park. I am quite sure that what the Treasurer is endeavouring to do with the marketing of poker machines—and it will be interesting to note—is to gradually move poker machines to those hotels with the bigger turnovers which are therefore in the higher rate of gaming machine tax. As a result, the government can collect more and more tax by shifting poker machines from an area where there is a lower gaming machine tax paid into an area where there is a higher tax paid. I can see the Treasurer smiling. He thinks it is a good idea.

**Mr Mackenroth:** I bet that doesn't happen.

**Mr HORAN:** We will wait and see, but I bet it will.

The other aspects of this bill relate to the changes to the fuel subsidy. The proposed changes to the Fuel Subsidy Act will extend its application and alter the operation of the scheme. In July of last year I called on the government to reduce red tape and improve the operational efficiencies of the scheme so that more Queenslanders could benefit from it. I am pleased to see the government has listened to the opposition and also those participants in the scheme. In a media release in July of last year I made the point that the fuel subsidy scheme fails 50 per cent of bulk end users and only half of Queensland's 12,000 licensed bulk end users have been able to benefit from the Labor government's new fuel subsidy scheme. At that time I said that some 6,000 bulk end users were still being targeted with a mass of red tape and paperwork in order to claim the 8.4c per litre state fuel subsidy that the rest of the motoring public collected when they purchased fuel at the bowser.

After backing down on a plan to scrap the fuel subsidy last year, the Beattie government introduced a new fuel tax regime requiring bulk end users to buy fuel and reclaim the subsidy on a quarterly basis. In a reply to a question on notice in state parliament, the Treasurer conceded that only 6,103 bulk end users had benefited from new arrangements that were being claimed to improve that scheme by allowing bulk end users to receive the subsidy in advance to a maximum of \$500.

In relation to the extension of the eligible use of diesel in terms of incidental usage that is being debated here tonight, under the current scheme a subsidy is only payable for diesel if it is used to propel a diesel engine road vehicle on a public road. However, diesel is sometimes needed as an incidental and is a necessary part of using diesel engine road vehicles—for example, running a refrigerated truck. Similarly, a diesel vehicle may need to access a public road via a private road. The subsidy will be extended to those types of scenarios as well. In relation to the provisional payment of the subsidy, licensed retailers are paid a provisional subsidy monthly in advance of their expected sales for the preceding month. This payment is made at least five days before the beginning of the month that the payment relates to. Licensed retailers are required to lodge an annual return for each financial year. This return is used to calculate the anticipated value of the subsidy for the following year. The annual return is to be lodged by 1 August. The provisional subsidy for August is paid in July. This causes some difficulty in calculating the amount of subsidy to be paid in July. As a result, the amendments in this bill will allow the amount of subsidy to be calculated from June.

Another aspect of this bill is the commissioner's ability to decide and anticipate an annual subsidy for retailers. As already stated, the anticipated amount of an annual subsidy for a year is calculated using information from the previous year. However, in some circumstances the commissioner may decide that the amount payable should be decided under another formula. The commissioner can be requested to do so by a licensed retailer. The rationale for this arrangement is that it allows the monthly subsidy to be adjusted in accordance with the change in the retailer's circumstance. The amendments will remove any doubt as to the commissioner's ability to decide the anticipated annual subsidy and the ability of licensed retailers to request the commissioner to do so more than once in a financial year.

In terms of the clarification of the commissioner's powers, the commissioner may, in limited circumstances, decide a different date for the payment of the monthly subsidy to a retailer. The commissioner may also require a retailer to lodge a form by a different date. This usually occurs in the context of the commissioner's belief that a retailer is not satisfied of their entitlement to the subsidy or that the retailer has not fulfilled conditions attaching to the retailer's licence. The existing provisions for deferring payment of the subsidy allow for the subsidy to be paid in arrears, in certain cases, to protect the integrity of the scheme.

The amendments are designed to put beyond doubt the ability of the commissioner to defer or remove a retailer's entitlement to a provisional subsidy for a month. In effect, entitlements are claimed in arrears. There are also some other matters to do with the non-lodgment of returns by dormant licensed bulk end users. Under these new amendments, a licensed bulk end user will no longer have to lodge a financial return if no claim has been lodged throughout the financial year. This seems to us to be a logical amendment.

In terms of the advance payments for certain licensed bulk end users, the act will be amended to allow the payment of the bulk end user subsidy in advance for the financial year. The bulk end user will have to satisfy certain criteria. One of the conditions is that the bulk end user's entitlement for a previous year must not exceed an amount to be prescribed by a regulation. In the past, this amount has been \$500. Under a new regulation, not due to be introduced until next financial year, the amount will be increased to \$1,000.

This increase in the amount intends to assist more bulk end users with smaller subsidy entitlements to receive their entitlement in advance for the upcoming financial year. In his reply to the second reading debate I would like the minister to address this issue and say why it should be limited to an amount of \$1,000. Of the 12,000 bulk end users, only about 6,000 are now provided with this sort of support. If, under the scheme, that amount increased to \$1,000, how many more people could access it? How many people would that leave out? I would like to know what is the scale of usage of those remaining bulk end users. Can we expect to see this scheme extended to take into account all of those people? We seem to be gradually creeping it up from \$500 to \$1,000 a year. For some operators, that is not a lot of diesel. Large operators will use far more than that. That is only about 1,200 litres.

**Mr Mackenroth:** The subsidy helps them.

**Mr HORAN:** Okay, it is the subsidy—not the total usage.

**Mr Mackenroth:** That's 8.3c into the \$1,000.

**Mr HORAN:** Why limit it to that? About how many of those bulk end users are not able to take advantage of that prepayment of the subsidy? What is the reason for not increasing it? If we can get the subsidy up to that amount of \$1,000, we should be able to increase it to include all bulk end users so that some of those people, particularly those involved in earth moving and those types of operations—contractors and so forth—can take advantage of the scheme and not be in a negative cash flow situation because the subsidy to them would be more than \$1,000 and therefore they are not able to be involved in the scheme.

The claim period variation is usually three months; however, the commissioner may decide on another claim period for a bulk end user. In the past, the commissioner could reduce the claim period only if satisfied that the cost of diesel is a significant proportion of the total cost to the licensed bulk end user enterprise. This is desirable because, if it were a significant cost, not being able to claim within a shorter time frame would have a significant effect on a business's cash flow. This requirement will now be removed. The commissioner may also reduce the claim period if satisfied that the amount of bulk end user fuel likely to be used in the next 12 months is at least 300,000 litres. The amendments propose to allow certain classes of bulk end user to apply to the commissioner to claim more frequently than every three months. Even where this usage requirement is not satisfied, the classes will be prescribed by regulation.

This bill also deals with the cessation of operation of a storage site by a BEU, that is, that licensed BEUs who receive their subsidy in advance are required to reconcile their subsidy received with their entitlement for that financial year. If a BEU ceases operation of a storage site during the year, there may need to be an adjustment to the subsidy entitlement. Similarly, if a BEU ceases operation, the commissioner must be able to require a BEU to reimburse the commissioner within a reasonable time of the BEU's ceasing that operation.

In terms of the payment of an estimated amount, the exact calculation of a BEU subsidy or liability can be cumbersome. The amendments propose to overcome this problem by allowing estimated amounts to be paid as long as the commissioner and the BEU agree in writing to the amount. The agreement will cease if the commissioner reasonably believes that the information or records supplied to the commissioner are false or misleading.

The efforts to reduce the red tape are commendable and are another reason why we support this bill. I would like to hear from the Treasurer whether there are plans to increase that above that threshold of \$1,000 of subsidy, because it would be good to see this whole matter tidied up and everybody able to be included in it so that we do not have this system where there are two classes of bulk end users—those who get the subsidy up front and those who have a cash flow problem because they have to wait to collect their subsidy.

The other changes in the bill involve the Gaming Machine Act. There are two transitional arrangements to deal with those applications which are able to be assessed despite the state wide cap on the number of gaming machines in category 1 hotels. The first transitional arrangement is to extend the time from 30 June 2002 to December 2002, the time in which the Gaming Commission can deal with unresolved applications. The group of applicants encompassed in this amendment includes those applicants who applied for a liquor licence or gaming machine licence but who had not yet received their licence by 8 May. That is one transitional arrangement. The other transitional arrangement deals with a limited number of applicants arising out of an anomaly in the Liquor Act 1992. In a briefing with the Treasury Department on this bill we were told that there were two sites that required processing under section 238A of the Liquor Act. That section provides the head of power that deals with the

relocation of a liquor licence from one site to another. Under the provision, those persons were unable to be prevented from applying for a gaming machine licence due to requirements in the legislation.

The amendment will recognise the rights of persons under section 238A and allow them to apply for a gaming licence up until 1 October 2002. The Gaming Commission must deal with those applications by 31 January 2003. However, they are able to defer their consideration to no later than 30 June 2003. Could the Treasurer provide more explanation in this respect? Apparently there is that one special case where two sites had this problem under section 238A of the Liquor Act, but generally this is about the cap being introduced in May last year and hotels being given until 29 June to apply for a gaming licence and after that it was too late.

**Mr Mackenroth:** They have already applied. Their application has not been dealt with, but through no fault of their own. That is the issue. The issue is that it is through no fault of their own, and I do not believe that I should make them pay the penalty if it is not their fault that it cannot be dealt with. That is why we are doing this procedure.

**Mr HORAN:** This extension is basically from that period of time, 29 June—

**Mr Mackenroth:** Yes. They would have had to apply before then, and it is just to make sure that their applications are dealt with properly.

**Mr HORAN:** So through no fault of their own, we would actually be referring to firms or companies that put in applications and had not received a liquor licence, for example, that did not have a building—

**Mr Mackenroth:** In the main, it will be where they haven't got their town planning approval. That's the main reason.

**Mr HORAN:** For changes or renovations.

**Mr Mackenroth:** Yes. That would be because an opposition person objected to it. Some of your opposition are going to take you to court. The Gaming Commission cannot give them a licence.

**Mr HORAN:** Whilst that is in process.

**Mr Mackenroth:** They cannot even deal with it. These people have to go through the due process of the law. When that is completed, they can then be considered. That is why we have done that.

**Mr HORAN:** But I think the important thing is that they all had to have their applications in before 29 June.

**Mr Mackenroth:** That is right.

**Mr HORAN:** The amendment to the Government Owned Corporations Act addresses the timing of dividend recommendations given by government owned corporations in the lead-up to the end of the financial year. GOCs will now be required to give a dividend recommendation within three weeks of the end of the financial year and the shareholding minister will be required to give approval to the dividend forecast within three weeks of the announcements. The amendments will also confirm that the financial statements submitted by the GOC to the Auditor-General must contain the final dividend information. The financial statements cannot be finalised until this information is provided.

The rationale for these amendments is to allow the government to be able to account for the full amount of the dividend as revenue in the financial year for which the dividend relates. It is consistent with the accrual system of accounting that has been used in the budget for the past two or three years. The dividend forecast will have to be provided to the shareholding minister between 1 May and 16 May each financial year. The shareholding minister will be required to give approval to the dividend forecast by 30 June each financial year.

Of course, that will be the expected or anticipated amount of the dividend. The actual percentage that they are required to pay as a dividend is told to them by the government through the Treasurer as the shareholding minister. So they will not be able to say, 'That 95 per cent dividend that you have imposed upon us is pretty tough.' All they will be able to say is, 'That 95 per cent dividend will equate to "x" million dollars,' so that the Treasurer has that figure to use in the budget. The imposition of that 95 per cent dividend has been a severe blow on a number of government owned corporations, particularly when it comes to—

**Mr Mackenroth** interjected.

**Mr HORAN:** The Treasurer is already getting tax equivalents from them. He is getting the dividend, but they have to be able to use a certain amount of money to maintain an asset, or put up light poles, or, in the case of an energy generating unit, maintain that unit. They are the important things. They need to have some flexibility. To have 95 per cent of their surplus creamed off them—

**Mr Mackenroth** interjected.

**Mr HORAN:** No, as soon as the members opposite got into government, they increased that dividend. They increased that dividend from what we had.

**Mr Mackenroth:** But maintaining their operations is about maintaining their facilities. They pay for that before we get to the dividend.

**Mr HORAN:** The Treasurer wants to take 95 per cent of any surplus they have, so that they have nothing of substance to put back into the business to maintain it or develop it.

Other amendments of this particular bill relate to the Local Government (Aboriginal Lands) Act. Those amendments refer particularly to the Aurukun shire, which is a local government under the act. Part 6 of the act establishes the Aurukun Alcohol Law Council as a group with membership from traditional Aboriginal groups with statutory powers to make declarations prohibiting or controlling the possession and consumption of alcohol in areas within the shire. The legislation provides that a review is to be undertaken in order to establish whether or not the current monitoring process is effective. Originally, the report was required to be tabled in the House by 30 June 2002. The amendments will postpone the completion date by six months to 31 December 2002.

The government has also commissioned the Cape York Justice Study to report on a wider investigation of alcohol and substance abuse in Cape York within indigenous communities. The rationale for delaying the parliamentary report is to ensure that the community at Aurukun has sufficient time to become aware of the implications of the Cape York study. In recent times, the Cape York study has come under some fire from the opposition. The shadow minister, Vaughan Johnson, has criticised the lack of consultation with key stakeholder groups in the preparation of interim reports. We hope that the government will use this extension of time to better inform and more thoroughly consult with members of the Aurukun community on issues regarding the viability and sustainability of these communities.

Debits tax is imposed on certain debits to accounts that have a cheque-drawing facility kept within a financial institution in Queensland. The amendments contained in this bill to the Debits Tax Act are aimed at preventing those people who might wish to promote a tax evasion scheme by using a New South Wales cheque account, for example, as a way of avoiding the debits tax, which is still applied in Queensland. As I understand from the briefing, this amendment is not aimed at those people who live at Coolangatta and have a cheque account with a bank that is located over the border at Tweed Heads; it is aimed at those people who actively promote such a scheme in an endeavour to get more business and, at the same time, it reduces somewhat the debits tax that is paid to the state.

In this bill there is also an amendment to the Duties Act that provides for an additional exemption from duty for de facto couples. The property Law Act 1974 enables de facto couples to enter into cohabitation and separation agreements to deal with their property on the breakdown of their relationship. The Duties Act 2001 will be extended to provide an exemption from duties on instruments entered into that deal with the property of the de facto relationship.

This bill also contains amendments that provide exemptions from duties for the QTC and statutory bodies. The Duties Act 2001 will be amended to provide exemptions from certain transactions and instruments that give effect to or form part of a financial arrangement entered into by the Queensland Treasury Corporation. Statutory bodies may also be exempt from duty on certain transactions by way of regulation. These exemptions have existed in the past; these amendments are designed to bring the Duties Act into conformity with other legislation.

Another amendment is the application of the Duties Act 2001 to mortgages. This amendment will confirm that it applies to mortgages executed prior to 1 March 2002 where there is a dutiable further advance secured by the original mortgage. This amendment will operate retrospectively.

Also, there will be an amendment to the First Home Owners Grant 2001. Under the First Home Owners Grant Scheme, an applicant for the grant is ineligible if their spouse has received an earlier grant or holds, or has held, an interest in residential property. A 'spouse' is defined as a

person who is married or a de facto spouse. A 'de facto spouse' is defined as one of two persons who are living or have lived together as a couple for at least two years. The amendments are designed to protect the eligibility of a de facto spouse to receive the grant in the event of a breakdown in the relationship. Married spouses are able to receive the grant if the commissioner is satisfied that the relationship has dissolved and there is no intention of the couple living together again in the future. The amendments will provide the same level of protection for de facto spouses. The availability of the First Home Owners Grant in Queensland will also be extended in line with the Commonwealth's extension of the scheme. Certainly, that first Home Owners Grant Scheme has been much appreciated by young couples in particular and it has done much to improve the building and construction industry in Queensland.

I will conclude by saying that the opposition will support the bill. However, I want to put on record the opposition's strong reservation about the issue of the widening of the net to catch more employers' funds for the payment of payroll tax. We seriously object to that part of the bill, but because we agree with the other parts of the bill, we will debate the issue of the broadening of the net during the committee stage. At that time I intend to move an amendment to overcome that widening of the net.

**Mr PURCELL** (Bulimba—ALP) (5.29 p.m.): It gives me pleasure to rise this evening to talk on the Revenue and Other Legislation Amendment Bill 2002. The main aim of this bill is to amend the Debits Tax Act 1990, which will strengthen an anti-avoidance provision following abolition of the tax in New South Wales from 1 January 2002. Following abolition of this debits tax, there is an incentive for accounts to be opened in that state to avoid debits tax. This tax would normally be payable under the Debits Tax Act 1990, so if sham arrangements are made by banks or other operators to have accounts moved to New South Wales, penalties will apply to them under this act.

The following acts are affected by these changes. This bill amends the Duties Act 2001 to extend exemptions from transfer duty to recognise cohabitation agreements, to recognise separation agreements and instruments executed under these agreements entered into by de facto couples, and to remove unintended consequences related to those definitions. It tidies up the legislation so that those people are not confused about their duties under the act.

The bill amends the First Home Owner Grant Act 2000. At the outset, I would like to say that the first home owners grant has been a boon to the building industry. It is one of the more innovative things done by the Howard government—probably the only innovative thing done by the Howard government—to stimulate the economy. This part of the bill ensures that an applicant permanently separated from their de facto spouse is treated consistently with a married claimant who is permanently separated from their spouse. It ensures that people who cohabit, whether married or not, are treated the same. It gives effect to the announced Commonwealth changes to the additional grant scheme for new homes. It is a shame that Howard is starting to wind back that scheme. We should be helping as many people as possible into new homes or existing homes, and we can continue to do that while people are taking up that grant. It is a good way of housing people and having them committed to buying their own home, which will probably be the biggest asset they will ever own.

The bill also amends the Fuel Subsidy Act 1997. It extends entitlement to the bulk end user subsidy to incidental use of diesel in relation to the on-road travel of a diesel engine road vehicle. It provides that the provisional subsidy for licensed retailers for August in any given year will be the provisional subsidy in the previous June. It clarifies that more than one adjustment may be made to retailer provisional subsidies. It clarifies the operation of provisions which enable the commissioner to defer payment of provisional subsidies. It waives the requirement for bulk end users to lodge annual returns if no subsidy has been claimed during the year. There is no need to put in a return if they are not claiming a subsidy.

The bill allows for payment in advance of an annual provisional subsidy to licensed bulk end users in certain circumstances. It relaxes the conditions for a licensed bulk end user to apply to the commissioner to claim a subsidy more frequently than every three months. It allows bulk end users within a class to be prescribed by regulation to claim the subsidy more frequently than every three months. It will also require bulk end users to notify the commissioner of cessation of operations or use of a storage site and to make provision for advancing the date of lodgement of annual returns in the former case. This is designed to try to stop people who are rorting the system. As we know, Queensland taxpayers are heavily subsidising this scheme since the Howard government has taken it upon itself to take the diesel operations away from the Queensland government. The bill enables the commissioner to enter into a written agreement with a subsidy

recipient as to the amount of a subsidy or the amount to be paid by the person to the commissioner.

The bill also amends the Gaming Machine Act 1991 to include two transitional amendments to deal with those applications which are able to be assessed, notwithstanding the state-wide cap on the number of gaming machines in hotels. As the Treasurer said, this will assist people who have applied for gaming machines and who, through no fault of their own, are held up past that date. They will be given an extension to 30 June 2003 if the commission believes it is not their own fault that they have not been granted their licence.

The bill also amends the Government Owned Corporations Act 1993. It will alter the process of determining dividends for government owned corporations to ensure that final dividends as approved by shareholding ministers are reflected in the audited financial statements of GOCs in the financial year to which the dividends relate. To streamline it—without going into all the ins and outs dealt with by the previous speaker—it will ensure that dividends earned in this year are recognised in this year so that they can be taken into account in regard to the budget.

To confuse the dividends that are paid to the government and, therefore, to the taxpayers from those government owned corporations with operational costs and so forth and say they have not got enough money to operate is wrong and is trailing the coat on something that this is not meant to do and does not do. It is only when a profit is made that a dividend can be paid. The operational costs which are put aside to run any responsible corporation should take care of all the maintenance and ongoing costs, including the cost of the replacement of machinery if and when needed. So, if corporations are not doing that, they are not running the corporation the way it should be run.

In my opinion, a review of the wages paid to people who run those corporations is necessary. I think they are way out of whack in regard to what they should be. Just to cite one example, the break up of the electricity industry by the Borbidge government into small corporations so that they made them uneconomical to operate has forced us to bring them back together. As we know, some of the moneys paid by those corporations to the government were exorbitant. We should be winding that back also.

The bill also amends the Local Government (Aboriginal Lands) Act 1978 to alter the date for finalising a report on a review of part 6 of that act. The government has commissioned the Cape York Justice Study to report on a wider investigation of alcohol and substance abuse in Cape York indigenous communities and associated social disruption and violence. Deferring the timetable for tabling a report on the act review to 31 December 2002 will ensure that the community at Aurukun is given the fullest opportunity to become aware of the implications of the Cape York Justice Study before being asked to consider their response to a draft report on the act review.

The bill also amends the Pay-roll Tax Act 1971 to implement measures that the government announced in the budget, which is to reduce the rate of payroll tax from 4.8 per cent to 4.75 per cent, and to impose payroll tax on the gross value of fringe benefits. It includes certain termination payments within the definition of 'wages'. The opposition has flagged an amendment to that. Moneys are paid to employees in the form of wages or other remuneration. If some companies are avoiding their responsibilities by making arrangements with their employees to pay them moneys in other ways to avoid paying payroll tax, they should be anteed up and made to pay their fair share. I support the bill.

**Dr WATSON** (Moggill—Lib) (5.38 p.m.): I rise to speak briefly on the Revenue and Other Legislation Amendment Bill 2002. In doing so, I wish to address two aspects: firstly, the amendments to the Debits Tax Act; and, secondly, the amendments to the Pay-roll Tax Act.

During the debate on the Duties Bill last year, I said that I thought we would be coming back and changing it from time to time for a couple of reasons. One was that I thought there would be some unanticipated consequences or, if the consequences had been anticipated, there would be an effective broadening of the stamp duties base and that this would also cause some problems. It came about simply because of the way the bill was conceived, namely, by including a very broad definition of transactions and using other sections of the bill to constrain the application of that very broad definition to individual circumstances. Since that time I have had discussions with a number of people in business and primary industry about the way they have been structuring some of their affairs. I must admit that I have advised them to speak with their tax accountant or lawyer before the end of this financial year, because some of the things they have done in the

past at the end of the financial year, it seems to me, are likely under the new act, which took effect on 1 March this year, to be caught by that act.

The sorts of things I expressed concern about during the debate on that bill will come to the fore and we will see more issues arising after 30 June this year. In this case, though, I recognise that the changes to the Duties Bill are basically because of changes to federal legislation and these are consequent and necessary changes in the state legislation, as are some of the definitional changes. However, I suspect we will find more issues like this associated with the Duties Bill stemming from its application to business circumstances once we see the end of this financial year.

The second issue that I wish to touch on is an issue the Leader of the Opposition expressed concern about and is a concern that I have expressed previously in this parliament, namely, the expansion of the tax base for payroll tax purposes. Since the 1998 election, under Beattie Labor governments we have had three significant expansions in the payroll tax base. The first was the inclusion of superannuation in the base and now two others are included in this bill. Termination payments will be expanded to include gratuitous payments, and also included is the grossing up of fringe benefits.

Those are significant expansions. The most significant is probably the inclusion of superannuation, which added some seven per cent originally to the base but has subsequently gone to eight per cent and, from 1 July this year, will go to nine per cent. Consequently, even when this bill becomes an act and the rate of payroll tax falls to 4.75 per cent, the effective payroll tax take will be higher on 1 July 2002 than it was on 1 July 1999. If we apply the new tax rates to the expanded payroll tax base, which includes superannuation, and we take that tax as a percentage of the payroll base as it would have been in 1999, we will see that the effective tax rate today is over five per cent, at roughly 5.18 per cent.

Even though there has been a reduction in the nominal rate of payroll tax, the mere fact that we have included superannuation in the payroll tax base at the new percentage as of 1 July this year of nine per cent means that the effective payroll tax rate has gone up by about 3.5 per cent over that period. That is what has happened. That increase is before we even include any increase through the inclusion of termination payments in the base and any increase as a result of the grossing up of fringe benefits tax.

What we have seen from this government and the previous Labor government has been an effective increase in the taxation being applied to businesses in this state. We are worried about issues such as employment and 'jobs, jobs, jobs'—and I note that is no longer a mantra of the Premier—yet one of the sure ways to discourage businesses from investing and employing people is to increase their effective rate of taxation. That is what this government is doing.

In a couple of weeks time the budget will be brought down. I am sure the Treasurer or the Minister for Employment, Training and Youth and Minister for the Arts will speak about the great job creation programs that this government will put in place in the next financial year, about the jobs created by the government's Capital Works Program and about the jobs created in all sorts of areas because of the government's employment incentives. However, at the same time, the government is inhibiting job creation by taxing the major job creator in the state, that is, business.

The government cannot have it both ways. Government members cannot be congratulating themselves on the expenditure of taxpayer funds on job creation programs but at the same time taking from business extra taxes, particularly payroll tax, which is a tax on jobs. The fact of the matter is that at the margin that increase in taxation will cost jobs in some businesses. It will stop some businesses putting on extra people and, in that way, will produce an effective rise in the unemployment rate and an effective lowering of the number of jobs created in the economy.

I support what the Leader of the Opposition will say during the committee stage. The fact of the matter is that, in spite of the rhetoric and the nominal reduction to 4.75 per cent from 4.8 per cent in the payroll tax rate, the effective taxation rate on businesses will go up. This bill, together with the increase in the superannuation payments that is necessary from 1 July, will mean that businesses, with the same number of employees, exactly the same payroll and distribution of payroll between wages, superannuation and fringe benefits, will be paying more from 1 July 2002 than they were in July 1999. That is the real test. We will not be able to go to any firm in Queensland in that situation and find that it is paying less tax. It is as simple as that.

This is an attack on jobs and a disincentive for employing people and investing in Queensland. If the government is serious, it ought to address this and ensure its taxation policy is consistent with its jobs mantra and its spending of taxpayers' money on job creation programs. It

would not have to spend as much were it not destroying jobs through the taxation of businesses. It is as simple as that. I am sure the Leader of the Opposition will be pursuing that issue during the committee stage, and the Liberal Party will be supporting action with respect to that matter.

**Mr LEE** (Indooroopilly—ALP) (5.49 p.m.): I rise to support the Revenue and Other Legislation Amendment Bill 2002. When we start talking about economics in this House, we really start to understand exactly where the differences lie—and they are very significant differences—between the Labor Party and the parties that find themselves in opposition. Before dealing with some of those issues, I want to speak about a number of aspects of the bill.

I firstly note that the bill seeks to amend the Debits Tax Act 1990 to strengthen an anti-avoidance provision, which is necessary following the abolition of the tax in New South Wales from 1 January 2002. The bill also aims to amend the First Home Owner Grant Act 2000 to give effect to announced Commonwealth changes to the additional grant scheme for new homes and also to ensure that an applicant who is permanently separated from their de facto spouse is treated consistently with a similar applicant who is a married claimant who has permanently separated from their spouse. The amendments to the First Home Owner Grant Act 2000 are required to ensure that there is a consistent treatment of applicants regardless of whether the applicant and the ex-spouse were previously in a de facto relationship or married, and also to give effect to Commonwealth government changes.

The bill will also amend the Fuel Subsidy Act 1997 to, among other things, extend the entitlement to the bulk end user subsidy to include incidental use of diesel in relation to the on-road travel of a diesel engine road vehicle; to provide that the provisional subsidy for licensed retailers for August in any given year will be the provisional subsidy in the previous June; and also to clarify that more than one adjustment may be made to retailer provisional subsidies. This legislation also amends the Gaming Machine Act 1991 and will include two transitional amendments to deal with those applications which are able to be assessed notwithstanding the state wide cap on the number of gaming machines in hotels. There are also a number of amendments to the Payroll Tax 1971 which will implement measures that were announced in the state budget of 2001-02 and which will have effect from 1 July 2002.

I wish to speak briefly about the first home owner grant. I think this is an absolutely wonderful idea. It is very rare that one sees wonderful ideas being taken up by the Howard government. As members would be aware, I am not someone who ever comes into the House and commends the Howard government. But this is one occasion on which I will do that. I will actually say that John Howard, that old socialist dog, has embraced classic Keynesian economic policy. He has accepted that if you want to stimulate the economy, the best way to do it is for the government to spend a couple of dollars. In this case, it is providing a grant for people to buy homes. It encourages people who may otherwise not purchase a home to purchase a new home. This allows the economy—and, in this case, the building industry—to get a real kick-start.

I guess it is a sad irony for the Howard government that while on the one hand it is supporting the first home owner grant—a wonderful Keynesian economic policy—on the other hand it is also supporting that abominable, regressive, antibusiness, antifamily and economically repressive GST. I cannot for the life of me work out why on the one hand the government would be keen to encourage the economy to grow and on the other hand be absolutely determined to foist a regressive GST upon the community.

I want to make one point about the GST. My point is that the GST is inherently antifamily. I cannot work out why the Howard government would believe that a family with five children should have to pay five times as much tax as a family with one child. The GST quite simply has no regard for the role that families play within our society, and it has absolutely no regard for people's capacity to pay taxation.

**Dr Watson** interjected.

**Mr LEE:** I heard the Leader of the Opposition miss an absolutely wonderful opportunity earlier in the evening to say why it was that he felt the GST 'weren't' such a good idea. I am continually amazed that the minute anyone mentions the word 'GST', the opposition benches come alive. They look like they are half asleep in here, but within two seconds—

**Mr Lawlor:** They are.

**Mr LEE:** I take that interjection from the member for Southport. They look like they are half asleep, but within two seconds of mentioning the word 'GST' they are absolutely buzzing. At no stage in my time involved in politics have I ever seen people more enthusiastic for such an atrociously stupid tax.

I want to also make a couple of comments about the pokies. Quite frankly, I was disappointed that the Leader of the Opposition did not take the opportunity to explain why it was that the pokies do so much damage within our society. I know I do not speak for everyone in the House when I say this, but in my book the pokies are on a par with the GST. We should never have had them. Even though we now have them, I think we should take the first opportunity we have to get rid of them. I feel disappointed when I see people spending as much money on the pokies as some people do.

On a brighter note, I want to briefly mention a club within my electorate that has been steadfast in its opposition to the pokies. Contrary to popular view, it is not a club that is in financial trouble. It is the St Lucia Bowls Club in Carr Street, St Lucia. As with most bowls clubs, it is always looking for new members. I note that it has never had the pokies and never intends to have them. I also know that next Monday the club is having a visit from the West Caloundra Bowls Club.

**Mr Cummins:** Hear, hear! A fine bowls club!

**Mr LEE:** I take that interjection from the member for Kawana. The West Caloundra Bowls Club is a fine one, but it is not in the same league as the St Lucia Bowls Club. I commend the executive of St Lucia Bowls Club—Ralph Sheehy, the president; Ross Humphreys and Bill Fraser, the vice-presidents; Russ Davidson, the secretary; Sam Harrison, the treasurer; my good friend Jack Rowell, who is their publicity officer—Jack, you have done a good job today; their games director, Jack Horsey; their patron, Tony Grano—

**Mr Pitt:** Who is the greenkeeper?

**Mr LEE:** I take that interjection from the member for Mulgrave. The greens director is one Mr Doug Phipps. Doug Phipps is well known to me because he was the returning officer for the state electorate of Indooroopilly at the last state election.

**Mr Lawlor:** He did a very good job.

**Mr LEE:** As the member for Southport says, he did a very good job. I also briefly mention that on 18 May, St Lucia will host the first leg of the Westbowl competition.

I want to mention also the debits tax and speak about the expanded antiavoidance provisions which will apply when this bill comes into effect. Most members know that the banks would never do anything that is morally or ethically dicey. Nevertheless, we should take the opportunity to make sure that we have legislated so that the banks do not have any opportunity to promote the use of an account outside of Queensland for the purposes of avoiding Queensland's debits tax.

People have very strong views about the banks, but there is potentially a little bit of good news coming up for the residents of Sherwood. I spoke in the House on a previous occasion about Westpac's efforts to remove a deposit facility from its Sherwood ATM. I understand that following almost 400 residents signing my petition and following a lot of hard work by people like Santha Anderson, Marlene Bannah and the Sherwood post office—and I know that many other Sherwood businesses were involved; Nardo's Butchery was also involved in providing the petitions—Westpac may have reconsidered its ill-thought-out decision.

I am always delighted to support sensible and well-drafted legislation, as we have come to expect from the Treasurer. I am very pleased to support this bill.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (5.59 p.m.): In rising to speak to the Revenue and Other Legislation Amendment Bill I wish to put on the record and bring before the Treasurer a number of issues that have been raised with me in my electorate. The first issue relates to payroll tax. Whilst there is a threshold below which payroll tax is not levied, the aggregation of businesses under the Pay-roll Tax Act has caused in my electorate, particularly for one business, quite a deal of angst. I did write to the Treasurer and the matter did not get resolved. I want to put on the record the company's final comments to me in relation to this issue.

On reading the decision from the Department of State Revenue one can see that this is not a simple business arrangement. I understand that, and that in part led to the difficulty. There are three major businesses involved. One is Gladstone Motorworld, the second is Port Curtis Motors and the third is McCosker Contracting. Rob McCosker has financial interests in all three of those. The greatest angst was with the fact that Gladstone Motorworld was not allowed to be exempted from the application of payroll tax in this instance. It was deemed by State Revenue that all three should be aggregated and no exclusion would be given.

Gladstone Motorworld, which is run by Mr Butler, does have Robert McCosker as a 50 per cent shareholder. However, the Department of State Revenue deemed that, as chairman of the board, he also had a casting vote in the event there was a tied vote. What the department did not seem to take into account was that that chairmanship of the board rotated and that at times Mr McCosker was the chair and at other times Mr Butler was the chair.

The complaint to me was not as much about Port Curtis Motors and its inclusion under the payroll tax system; it was in regard to the denial of an exclusion for Gladstone Motorworld. It is operated quite independent of McCosker's. It is run quite independent of Port Curtis Motors. On the basis of the application of this legislation, Gladstone Motorworld as an independent entity would fall below the threshold for the payment of payroll tax. When it is aggregated under this legislation it will have to pay a significant amount in payroll tax. The company found that requirement difficult, in a financial sense as well as in the sense of understanding the application of the legislation. In finalising its contact with me the company's accountant wrote—

We still maintain the unfairness of this decision and our solicitor is objecting on our behalf, although our chances of success are low.

Julie Greasley said—

It is difficult to comprehend how two businesses can be grouped together because one person has a 50% interest in both entities. These businesses are unrelated, they operate in different industries with no common personnel or equipment. Robert McCosker is merely an investor in Gladstone Motorworld and has provided financial backing for the business. Assets of McCosker Contracting and Robert McCosker are held as joint security for both businesses. This is nothing more than a financial arrangement for Mr McCosker. He does not participate in the day-to-day running of the Gladstone Motorworld business nor has control at a board level. (Chairperson duties are rotated).

We understand the legislation is to ensure businesses are not segmented to avoid paying payroll tax. This is not the case here and we strongly believe the legislation has been unjustly applied.

I would ask the Treasurer to look at the flexibilities within that legislation. I am sure that in the business climate people face today there are a lot of businesses that have quite a high level of success; however, they do require cashing up and they get people, whether it is friends, family members or acquaintances, to invest in the company. If those investors happen to be—in most cases they are—successful businesspeople themselves, under that process the smaller business will be aggregated with the larger business and will be liable to pay payroll tax when, as a separate entity, it should not be required to.

The other issue in this legislation that I raise again—I have done this in this chamber before—relates to the diesel subsidy scheme that is being clarified and amended by this legislation. In October last year I raised in this chamber—unsuccessfully again—the difficulties many small businesses were placed in when over 12 months after the change in the payment of the diesel fuel rebate scheme—the diesel component was handed to the federal government—the Office of State Revenue contacted the principals of the various smaller businesses around the state and advised them that they may be liable to pay back the diesel rebate subsidy to the government.

In July 2000 bulletin 13 was not distributed widely. It certainly was not sent to all of the small businesspeople. Bulletin 20 outlined further the rebate liability to small business. That was not distributed widely, either. It appears there was no attempt made to ensure that all of the small businesses knew. Yet in October 2001, when the Office of State Revenue was (a) ensuring that all of the businesses knew that they may be ineligible for the rebate and (b) sending them information and, I guess, notification of an obligation to pay back money, the Office of State Revenue sent it to each small business operator. My argument remains that if it can be done once it can be done at those critical periods of time when small business operators need to know of changes to their tax liability—whether it is federal tax, in which case the federal government should do it, or a state tax, in which case the state government should do it. State Revenue could find these people in October 2001 but chose not to be as exhaustive when bulletin 13 was distributed.

I will read into *Hansard* a letter from an operator. This person is not in my electorate, but I will read it simply because it indicates how broadly the retrospective application requirement by State Revenue for these payments to be made applied to small businesses across the state and in some instances put those businesses out of business. A letter from McCaffertys states—

We have been identified by the Office of State Revenue as having to pay to the Queensland Government 8.354 cents for every litre of diesel we have put into our bobcat since 1 July 2000. In our busy times, it would be nothing to put between 1500-2000 litre per month into our bobcat alone.

We operate a small Bobcat & Truck Hire business. Since the introduction of GST, in addition to the decline of the building industry and that of the uncertainty of whether we would we receive payment from builders/developers or

not, we have seen our business decline to the extent that we are both now employed by other businesses and are seeking to sell our business/equipment. We are both hard working Queenslanders and are willing to work to pay our way. In the early years of operating our business, it was nothing for Mick to work six days a week operating the bobcat and doing maintenance etc, on the machine on Sundays. We are registered for the GST and have always completed our BAS each quarter and paid whatever money was owed.

When I rang the Office of State Revenue on Thursday, obviously I was quite upset about the amount of money that we could be liable for. The person I spoke to ... was understanding, but agreed that yes we would have to pay the 8.354 cents per litre put into our bobcat since 1 July 2000. When I asked why we had never been informed of this prior to now, he stated that a media and radio campaign was done on the 10 July 2000. When I said I never heard or saw this campaign let alone even been made aware of it before receiving the letter, he said that I wasn't the only one, but they were now going through the White & Yellow Pages and targeting all those businesses that could possibly use diesel fuel, thus this mail out.

He said we could apply in writing to them and request to pay this amount off over a short term period, but as our business is already struggling to cope with its current debts, this is another bill that we just cannot afford. Judy's father who is on an aged pension has loaned us his life savings to stop us being in a situation where our bobcat would have been repossessed by the finance company. Had he not been in a position to help us we would have been facing bankruptcy.

If we would have been made aware of this debt upon its inception back in July 2000 we would have put aside the money each month and paid it along with our GST liability and would not be in this situation of uncertainty now. We have been in business for over 8 years and are not new to having to pay our dues and pride ourselves on always having done so. We are sure there are other people in our industry plus many other industries who would now be in the same difficult situation as us at paying this liability.

Our current situation is that with still having to pay business related expenses each month, the business is making a loss, plus still meet our current day to day expenses of paying off our house and raising two small children. As previously stated we are both employed but on a casual basis with both employers closing over the Christmas period, we face a festive season with no income yet still having expenses to meet. Having to pay back any liability under the Queensland Fuel Subsidy scheme would leave us in a very difficult financial situation, one that we can only see being made acceptable to us over a long term period.

The minister has already indicated to me that he is not prepared to give relief to these small business operators. They will be required to pay that money back, whether it places their businesses in jeopardy or not. When these changes to the Fuel Subsidy Act come in or if there are further changes to such legislation, I ask that those small businesspeople—many of whom do not get all of the paperwork and do not hear the radio and often do not get to see the TV—are advised of the changes. These people are sought after and identified by letters directly to them when the Office of State Revenue realises that it has missed out on revenue due to the non-payment of money. It is only fair and reasonable to expect the Office of State Revenue to do the same at the time the liability commences.

The other issue I want to raise relates to the gaming machine legislation. As previous speakers in this debate have said, maybe the state has benefited from it but families certainly have not benefited in any great measure. This amendment bill reinforces the changes to the Gaming Machine Amendment Act made by transitional arrangements. The issue I want to raise with the minister—and I would be interested in his feedback—is that up until a couple of years ago hotels faced quite a significant inability to compete with clubs because of the differing structures in relation to the number of gaming machines and the amount of gaming machine tax that had to be paid. That, in some measure, was addressed when the member for Moggill was the parliamentary secretary to the Treasurer. This cap on the number of gaming machines in hotels has the potential to again put hotels at a significant disadvantage compared to clubs in terms of their ability to compete.

I am not for one minute encouraging a plethora of gaming machines to be approved for any premises. There are already a huge number in Queensland in both hotels and clubs. Rather, I refer to the fact that hotels provide employment in the same way that clubs do. Some clubs with gaming machines are small suburban clubs and use that gaming machine revenue, which is relatively modest, to enhance services to their members. However, in many instances, the clubs are not small support groups for a sport. They have become a major industry in their own right. The government has capped the number of machines for hotels. It has also levied hotels—not hotels and clubs but hotels only—for that super stadium fund. Again, hotels seem to be being targeted for special treatment and negative special treatment in terms of their contribution to the community in comparison to clubs in this state.

Again, I reiterate that I am not encouraging or endorsing gaming machines as an income stream for anyone, whether it is the state government or the clubs themselves. However, it would be wrong to disadvantage the hotel industry compared to the club industry by placing hotels at a disadvantage which they have no ability to meet, because it is a legislated disadvantage, and

over the long term it potentially puts hotels at financial risk. I raise that concern with the minister and seek his comment on that matter.

**Mr CUMMINS** (Kawana—ALP) (6.14 p.m.): I rise in support of the Revenue and Other Legislation Amendment Bill 2002. It has been said earlier that many people on this side of the House support the first home owners grant. In fact, I can remember that when the federal government was considering introducing it an old football mate of mine, Kevin Walters, who was a carpenter by trade, was one of the first whom I can remember coming out with the suggestion that anyone buying a new home should get double the amount, which I thought was quite a good initiative. Unfortunately, the amount was reduced after the last election.

**Mr Horan:** It doubled from seven to 14.

**Mr CUMMINS:** Yes, but the federal government reduced it from \$14,000 to \$10,000. It doubled from seven. I agree, and that is what I said.

**Mr Springborg:** From seven to 14. It has only just gone back this year.

**Mr CUMMINS:** It has gone back to \$10,000. That is correct. That is what the member will read in *Hansard* as what I said. I thank the member for Southern Downs for agreeing.

The Revenue and Other Legislation Amendment Bill 2002 makes a number of amendments to the state's revenue, grant, subsidy and financial legislation, including those necessary to implement revenue initiatives announced in the state's 2001-02 budget. As we should realise, in Queensland payroll tax only applies to a payment made upon termination of an employee if the payment represents a reward for service to which the employee has an enforceable right. It does not apply to payments made to an employee on termination of employment where the payment is made gratuitously or does not otherwise represent reward for service. Accordingly, the 2001-02 state budget announced that the payroll tax concession involving termination payments would be removed from 1 July 2002. That is obviously something that we on this side of the House applaud, but who knows why conservatives would oppose it—probably because they oppose anything for opposition's sake.

The state Pay-roll Tax Act 1971 is therefore to be amended to include in the payroll tax base from 1 July 2002 assessable eligible termination payments under the Commonwealth Income Tax Assessment Act 1936, other than a payment upon death of an employee. The bill also proposes minor amendments to the Government Owned Corporations Act 1993 and the Local Government (Aboriginal Lands) Act 1978. The Government Owned Corporations Act 1993 is to be amended to alter the process of determining dividends for government owned corporations to ensure that final dividends as approved by shareholding ministers are reflected in the audited financial statements of the government owned corporations for the year in which the dividend is paid. This amendment will ensure consistency between the government owned corporation dividend consultation and financial statement audit processes.

The bill delivers payroll tax concessions in line with the Queensland government's commitment to providing a competitive low tax environment for Queensland business. The bill will also keep Queensland revenue, grant and subsidy legislation up to date and operating efficiently and effectively for the benefit of the Queensland community. In finishing, the West Caloundra Bowls Club was mentioned earlier. I point out that in past state elections we have had parties there and have quite enjoyed them. That, like many other great clubs on the Sunshine Coast, is one that is benefiting by a proactive Peter Beattie Labor government. I commend the bill to the House.

**Hon. T. M. MACKENROTH** (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (6.18 p.m.), in reply: I thank members for their contributions to the debate this afternoon. I particularly want to raise an issue which I know the Leader of the Opposition will raise when we get into debate on the clauses in relation to payroll tax. Last year when I brought down the budget we made no secret about what we were doing—that is, that we were in fact widening the base in the sense that we were picking up areas in the fringe benefits area where people were able to avoid paying what we believed was the right tax that they should be paying. In doing that, we also have decreased the tax rate to 4.75 per cent. I know the leader will move an amendment, but I would hope that the leader thinks very carefully about whether or not the opposition votes for that amendment, because one should consider all the businesses that do not pay fringe benefits that will get a real benefit out of this when their tax reduces. In fact, by moving the amendment—

**Mr Horan:** We will not be opposing the reduction in the payroll tax.

**Mr MACKENROTH:** The leader just wants to support the people who are paying fringe benefits rather than payroll tax.

**Mr Horan** interjected.

**Mr MACKENROTH:** No. The leader wants to support people who give fringe benefits rather than salary in not paying their full rate of tax.

**Mr Horan:** No.

**Mr MACKENROTH:** Fine. That is what the leader must be doing.

**Mr Horan:** They are paying payroll tax now.

**Mr MACKENROTH:** No. Therefore, they are avoiding it by giving a fringe benefit. If we want to talk about what we are doing, from 1 July 2002 our payroll tax rate will be 4.75 per cent. In New South Wales it is six per cent; Victoria, 4.5 per cent; Western Australia, six per cent; South Australia, 5.67 per cent; Tasmania, 6.24 per cent; Australian Capital Territory, 6.85 per cent; and in the Northern Territory, 6.50 per cent. That is what one needs to consider when looking at what we are doing. Victoria already includes fringe benefits. South Australia is including fringe benefits, and Western Australia does. Those states already have those provisions within their payroll tax when they levy these charges which, in some cases, are 1.5 per cent higher than the actual payroll tax rate we levy.

The member for Gladstone raised the issue of an individual in her electorate. I recall the case; I do not remember all the details. With anything in any system which ensures that people are not able to devise ways to get around it, there will always be cases on the margin of that; but to change those rules simply allows a lot of people to find ways around the system and not to pay payroll tax. I know that there were changes introduced to the act a number of years ago because people were splitting their businesses to get out of paying payroll tax. That is the very reason why those amendments were introduced a number of years ago.

The second issue raised by the leader relates to gaming machines in hotels and equating that with clubs. There is a big difference that needs to be considered when one talks about hotels and clubs. In hotels, the gaming machines are there for the private profit of the person who owns the hotel or the licensee of the hotel who runs the establishment. The profit from those gaming machines goes directly to that individual or to that company. In relation to clubs, irrespective of whether it is a little club or a large club which can have the maximum number of machines of 280, the profit goes to the betterment of the members or to the areas where the board of directors may direct their money, that is, to organisations. So there is a difference. Clubs and hotels have always been treated differently in terms of gaming machines, and that is why we have different numbers and why they pay different rates of tax—because of the way that the profits are treated. That will continue that way in the future. It is difficult to look at a hotel and to say, 'Well, that is being treated this way and a club in a different way,' because they are different and they need to be treated differently.

Motion agreed to.

### Committee

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) in charge of the bill.

Clause 1, as read, agreed to.

Clause 2—

**Mr HORAN** (6.25 p.m.): Clause 2 declares that the amendments made by the bill are taken to have commenced on a range of prior dates starting from 17 April 2002 to 1 March 2002. Will the Treasurer say what has occurred to require these retrospective commencement dates? Do they relate to drafting errors or do they relate to the particular sections and to making them retrospective? The Scrutiny of Legislation Committee also mentioned the issue of retrospectivity. There are a lot of clauses that apply retrospectively.

**Mr MACKENROTH:** I have not looked at the issues relating to each one. I can provide that. In relation to the first home owners grant, why is that being made retrospective? It is being made retrospective because the federal government changed the scheme and we wanted to continue to pay people, so we made an administrative decision to do that until such time as the act could be amended. I am not having a go at the federal government, but it made a policy decision which

it announced and which it expected the states to follow. We have an agreement with the federal government to do it. That simply is a matter of process.

In relation to the Scrutiny of Legislation Committee, is the member referring to clause 10 of the bill? Is that the issue? The committee did move an amendment that something should be deleted.

**Mr Horan:** That is another one.

**Mr MACKENROTH:** I do not have the report here. I got an answer for the committee, which I delivered this morning. I would have to get the information on those particular dates.

Clause 2, as read, agreed to.

Clause 3, as read, agreed to.

Clause 4—

**Mr HORAN** (6.28 p.m.): Clause 4 amends the Debits Act. The explanatory notes state that the abolition of debits tax in New South Wales from 1 January 2002 provides an incentive for accounts to be opened in that state to avoid debit tax which otherwise would be payable under the Queensland act. An existing antiavoidance provision in the act ensures that the account holder would be liable; however, the new clause extends the liability to the financial institution.

I said that this was not really aimed at individuals who might live at Coolangatta and open an account at the Tweed branch of a bank they might normally be seen to frequent; it is more aimed at people who did it in a deliberate way or who promoted such a scheme. The new clause extends the liability to the financial institution if it promoted the establishment of an account outside Queensland for the sole purpose of avoiding the tax. Does the Treasurer have any evidence that financial institutions were engaging in or were about to engage in the promotion of tax avoidance accounts? If that is happening, does the Treasurer have an estimate of the amount of funds that are being placed in New South Wales financial institutions, or is this just a precautionary type of arrangement?

**Mr MACKENROTH:** No, we have no evidence that that is happening. It is simply a precautionary measure.

Clause 4, as read, agreed to.

Clauses 5 to 8, as read, agreed to.

Clause 9—

**Mr HORAN** (6.29 p.m.): Clauses 9 and 10 relate to amendments to the Duties Act. These amendments allow an exemption for certain transactions and instruments that give effect to a financial or other arrangement entered into by the Queensland Treasury Corporation and provide that a regulation may exempt transactions and instruments entered into by a statutory body in relation to a financial arrangement under the Statutory Bodies Financial Arrangements Act 1982. In other words, the Duties Act is being brought into line with the Statutory Bodies Financial Arrangements Act and the Queensland Treasury Corporation Act.

The Scrutiny of Legislation Committee raised concern about legislation by regulation and considers clause 10 in particular—I am speaking to clauses 9 and 10—to be a Henry VIII clause within the definition of that term adopted by the committee. The committee stated that it cannot identify any sufficient justification for the inclusion of this provision and requested that the clause be deleted. Could the Treasurer tell us why it is necessary to have this legislation by regulation? What sorts of transaction and instruments by statutory bodies are likely to obtain exemption under this clause? What amount of revenue is forgone by the government as a result of these exemptions?

**Mr MACKENROTH:** We cannot forgo any revenue if it is already our money. We do not pay ourselves, but it means that we do not get it, but we have also kept it. Does the member know what I mean? It means that if we pay ourselves, we get the money. But then again, it is something that had cost us.

We are actually debating clause 9, but as the member has really asked about clause 10, I will answer. I received the report by the Scrutiny of Legislation Committee only yesterday. As I knew that we would be debating this bill today, I thought that it was important that I respond to the issue where they recommend that we delete something. So I should write to the chairman of the Scrutiny of Legislation Committee. I can table this letter, but I will read a part of it. It states—

Clause 10 adds to s.508 of the Duties Act 2001 to allow for an exemption from duty to be made by regulation for a financial arrangement entered into by a statutory body as defined in the Statutory Bodies Financial Arrangements Act 1982 or another Act.

While the committee comments in relation to clause 10 are noted, the clause is not considered to be inappropriate or insufficiently limited as, for exemption to be made under the clause, the instrument or transaction must have been entered into by a statutory body as defined in the Statutory Bodies Financial Arrangements Act 1982 or another Act and the instrument or transaction must meet the description of a financial arrangement under the Statutory Bodies Financial Arrangements Act 1982. If an instrument or transaction does not meet that description it cannot be exempted by an exercise of the regulation making power under the clause. The adoption of the requirement that the instruments or transactions which may be exempted be within the meaning of the statutorily defined terms from other legislation as the criteria for the exercise of the power therefore provides sufficient Parliamentary oversight of the exercise of the power.

The clause, which reinstates a provision in the Statutory Bodies Financial Arrangements Act 1982 which was omitted by the Duties Act 2001, is necessary and justified to ensure that instruments and transactions may be exempted from the imposition of duty where that is inappropriate. In drafting the provision, sufficient regard has been had to fundamental legislative principles as the provision is significantly narrower than the provision it replaces.

I think that answers that question in that a Henry VIII clause is where legislation is actually amended. We are giving the power by regulation to exempt certain things, but they are clearly defined within that provision.

Clause 9, as read, agreed to.

Clauses 10 to 21, as read, agreed to.

Clause 22—

**Mr HORAN** (6.35 p.m.): Clause 22 is one of a number of clauses that relate to the subsidy payment. I am really taking this opportunity to ask the Treasurer about those bulk end users who are able to claim the subsidy up front. That has been extended to those who have a subsidy of the amount of \$1,000. How many bulk end users does that leave now who are outside of that scheme? Does the Treasurer have any intention to bring up that subsidy amount to capture all of those bulk end users?

**Mr MACKENROTH:** We do not have the numbers here. I know that at the time we agreed on the \$1,000 limit I had a look at the numbers then. I would be only guessing, but I know that it is right up near the top end. The vast majority of users would be picked up by increasing this. We have done this in consultation with Agforce. I think that they are now happy with the changes that we have made.

**Mr Horan:** Will you be able to get me those figures?

**Mr MACKENROTH:** Certainly, I can get those figures for the member and make them available to him. I have a percentage in my head, but I do not want to say it in this place in case it is wrong.

**Mr Horan:** I won't hold you to it.

**Mr MACKENROTH:** No, but it is on the record.

Clause 22, as read, agreed to.

Clauses 23 to 38, as read, agreed to.

Clause 39—

**Mr HORAN** (6.37 p.m.): This relates to the report of the Scrutiny of Legislation Committee. That committee noted that the new section 158 refers to criminal liability. The new section 38 contains no special provision in relation to offences against it. Accordingly, such offences are offences for breach of statutory duties and are not indictable offences. In the circumstances, the committee considers that the word 'criminal' was intended to apply to the liability to be prosecuted under the Justices Act for offences against section 38. The committee sought confirmation from the Treasurer in this regard. Has the Treasurer been able to respond to that?

**Mr MACKENROTH:** Previously, I did not read all the letter; I just read that part of it that relates to clause 10. That letter states further—

The Committee has queried if the reference to 'criminal liability' in the new s.158 inserted by cl.39 in the Fuel Subsidy Act 1997 is a reference to liability to be prosecuted under the Justices Act 1886 for breach of the statutory duties contained in new s.38 of the Fuel Subsidy Act 1997. I confirm that this is the case.

Clause 39, as read, agreed to.

Clauses 40 and 41, as read, agreed to.

Clauses 42 and 43—

**Mr HORAN** (6.39 p.m.): These clauses deal with the amendment of the Gaming Machine Act 1991. They include two transitional arrangements to deal with those applications which were unable to be assessed, despite the state-wide cap on the number of gaming machines and category 1 hotels. I will deal firstly with the two transitional arrangements. One of those deals with two particular cases. For reasons of confidentiality, the Treasurer may not want to state who they are, but perhaps he could describe the particular circumstances which cause them to be dealt with by this clause.

Also, the minister spoke of hotels which had lodged applications at the time the cap was announced which, through no fault of their own, had not progressed. For example, they might not have had a hotel, only a vacant block of ground; they might not have had a liquor licence; they might not have had town planning approval, and so on. Could the Treasurer explain those two particular cases to members? I am interested to know a little bit more about the other cases. How many cases are involved? How many hotels are there which, through no fault of their own, have not been able to receive a gaming licence?

**Mr MACKENROTH:** The member's question had two parts. In relation to the extension to 31 December 2002, there are only 14 applications left to be considered by the Gaming Commission. By the time we reach 30 June, some of those may already have been dealt with, so the extension will apply to 14 or fewer applications. There are not a lot of them. I am not familiar with any of the particular sites, so it is difficult for me to provide reasons for the extensions.

My question to the department was: when the cut-out date arrives, will there be people who, through no fault of their own, will not be able to have their application dealt with? Certain criteria need to be met before the Gaming Commission will consider their application and, through no fault of their own, they cannot meet that. In many cases it will deal with town planning. If that is the case, I believe that the date in the legislation should not be detrimental to them. If they have tried everything to have their application assessed—and during this time they would have expended a considerable amount of money—then they need the opportunity to at least have their application assessed and considered by the commission. That is now down to 14 cases, so there are not a lot of them.

In relation to the two cases, one case was brought to my attention in which a particular type of licence was transferred from one site to a different site. That type of action is not taken now under the Liquor Act. They would make a new application. However, these people had an application which was transferred. They were actually constructing a building at the time we brought in these new provisions. They had not made their application for gaming machines because their building was not completed. When we picked up the people who had submitted applications for liquor licences, they were not picked up because they actually had a liquor licence. Instead of having applied for one licence, they had one which had come from somewhere else under an old provision of the act which applied to these two licences which are being transferred from sites. That does not happen today.

I asked officers of my department to go back and look at all those things. I believed they had been dealt with unfairly by the changes in that they had an expectation that they could not make an application—and they could not—but if they had made a new licence application, which they would have done if they did not have the licence, they would have been picked up and they would have got it. I thought they had been dealt with unfairly, which is why this amendment picks up these two people. This legislation allows them to make an application; it does not give them gaming machines. They have to go through all the normal hoops that everyone else goes through.

**Mr HORAN:** Basically, were those two cases places that were transferring a licence from an old establishment or some other establishment to a new building they were constructing or an older building they were refurbishing?

**Mr MACKENROTH:** One is in the city and one is in Toowoomba. The one in Brisbane is from an older site in the city to a new building, but I am unaware of the actual circumstances in Toowoomba. The honourable member may know more about that than I do; he may not.

**Mr HORAN:** I may not. There are 14 left, so obviously quite a few have already been provided with gaming licences as they got their town planning approval, their liquor licence, or whatever else was required. Were any of these hotels granted a gaming licence without having achieved the required status? Is this clause providing any retrospective cover? For example, have any gaming machine licences been given to organisations or businesses which did not have town planning approval or did not have a liquor licence, or anything like that?

**Mr MACKENROTH:** No, not at all. For an application for gaming machines to be considered by the commission, certain criteria must be met. In other words, a whole series of other approvals must be in place. The Gaming Commission will not consider an application until that is done. The ones which have been considered and dealt with met that part of the criteria. Nobody has been dealt with by the commission who did not meet that level in the criteria. These applications have not yet reached that level and we are just extending the time for them to reach a level where the commission is able to consider them. They still have to go through every single hoop that everyone else goes through before the commission will actually consider their application. There is no retrospectivity in it at all.

Clauses 42 and 43, as read, agreed to.

Clauses 44 to 50, as read, agreed to.

**The TEMPORARY CHAIRMAN** (Mr Mickel): Order! Would the House please note that amendment No. 1 to be moved by the member for Toowoomba South proposes to omit clause 51. Thus Mr Horan's amendment will be to oppose the clause.

Clause 51—

**Mr HORAN** (6.49 p.m.): Because our amendment sought to delete the entire clause we will simply oppose the clause. This is one of the important clauses in the bill that I spoke about in my second reading speech. In his summing-up, the minister made some sharp remarks about the fact that we were going to oppose a clause that was imposing payroll tax on fringe benefits tax and that it was right and proper for the government to do so. But what has been happening is that the state government has been applying payroll tax on what is termed the net value of the fringe benefits. For example, if a company car is provided and that vehicle is deemed to have a net value of \$10,000—the cost of the lease payments on the vehicle, the cost of registration and the cost of fuel—that is what the payroll tax is charged on. In the past, the government has been quite satisfied to do that. But now, because there is to be a reduction in payroll tax from 4.8 per cent to 4.75 per cent under the following clause—and we will not oppose that, we will support it—the government has broadened the net so that it can charge payroll tax on what is called the grossed up value of the vehicle. If the person supplied with the company car is paying tax at the rate of, say, 47c in the dollar, the government is saying that because the net value of the car is \$10,000, the person would have to earn about \$19,000 or \$19,500 cash in order to get that net value of \$10,000 cash. That is how the grossed up arrangement works. In effect, in most cases, whether we are dealing with the fringe benefit on a house or a car—for example, a house for a miner or someone else in regional or central Queensland—in effect what the government will be doing is doubling the amount of money that will be charged in payroll tax.

**Mr Fouras:** That is exactly how the Commonwealth does it.

**Mr HORAN:** I know that is how the Commonwealth charges tax. But this government has been happy to charge payroll tax on the net value of the fringe benefit. Now, because it is giving a reduction in payroll tax of 0.05 per cent it has looked for ways to widen the net but has run out of ideas. In the previous year it included superannuation payments to extend the net. It has now found this way to gain extra income to offset this reduction.

The people who will suffer will be those employers who are providing fringe benefits to people, be it a vehicle or something else that is essential for the operation of a business. It might be a house for a person employed in a remote, rural or mining area, where it is important to provide families with a house. It might be impossible for people asked to move to a mining town to buy their own house, because they would lose an enormous amount of money in selling their existing house, buying in the rural area and then relocating back to, say, Brisbane or some other centre.

We will be supporting the clause that reduces the payroll tax rate from 4.8 per cent to 4.75 per cent. What we oppose is a cynical exercise of broadening the net so that the government can collect more payroll tax. It is not a matter of saying that we will not be supporting all of the employers who will benefit from the payroll tax deduction, because we are; we will be voting for that clause. We do not believe the government should be coming into the parliament and, on the one hand, saying it will reduce payroll tax but, on the other hand, is putting in place other systems to increase the tax take. That is not a genuine reduction. A lot of employers provide fringe benefits to their employees. They will be caught in this net and will have to pay additional payroll tax. I would like to hear the minister's response. In some cases, employers will be paying more payroll tax, even allowing for the reduction, than they were before.

**Mr MACKENROTH:** The government believes that the grossed up benefit is the real benefit, and that is what the payroll tax is paid on. If someone is getting a car as part of a salary package, the real benefit is what it is worth. We need to look at what it would have been worth in terms of salary or what the tax advantage would have been. That is the real benefit. We need to ensure that employers are not paying people fringe benefits, whether it be by paying school fees, providing cheap rents on houses, cars or any other fringe benefit, and using that to get away from their obligation to pay payroll tax. It is not a case of broadening the net, it is a case of making sure that people are paying what they rightfully should be paying.

**Mr HORAN:** That did not seem to matter before. The government was quite happy to charge on the net rate before. The only reason it has looked for this extra avenue of funds is that it is making this reduction. That is why I am saying the government is not genuine and we will be opposing this. In many parts of regional, rural and remote Queensland it is important to provide people with a house. In mining communities and on properties and so forth it is only fair to the employee, because there could be a great disadvantage to their being shifted or transferred to an area and being expected to buy a house. In the process of moving from a large regional city or a capital city out to the country and back they could lose an enormous amount of money through changing houses. That is quite important. We will be voting against this.

**Question—**That clause 51, as read, stand part of the bill—put; and the Committee divided—

**AYES, 52—**Attwood, Barton, Bligh, Boyle, Briskey, Choi, E. Clark, L. Clark, Croft, Cummins, J. Cunningham, Edmond, English, Fenlon, Foley, Fouras, Hayward, Hollis, Jarratt, Keech, Lawlor, Lee, Lucas, Mackenroth, McGrady, McNamara, Molloy, Mulherin, Nelson-Carr, Nuttall, Pearce, Phillips, Pitt, Poole, Purcell, Reilly, Reynolds, N. Roberts, Robertson, Rodgers, Rose, Schwarten, D. Scott, Smith, Spence, Stone, Strong, Struthers, Welford, Wilson. Tellers: T. Sullivan, Reeves

**NOES, 18—**Bell, Copeland, E. Cunningham, Flynn, Hopper, Horan, Johnson, Lee Long, Lingard, Malone, Pratt, Quinn, E. Roberts, Simpson, Watson, Wellington. Tellers: Lester, Springborg

Resolved in the **affirmative**.

Clause 52, as read, agreed to.

Clause 53—

**Mr HORAN (7.03 p.m.):** I have spoken at some length about the broadening of the net, the eligible termination payments and the fringe benefits tax. This one is particularly about the fringe benefits tax. I have spoken about that previously. The eligible termination payments refer to those payments over and above that which is a statutory payment. They are both the same. They both refer to an extension of the net. All the points I made before stand. We have supported the 4.8 per cent to 4.75 per cent reduction, but we strongly oppose the extension of the net. We see it as simply a cynical exercise to recoup money that has been lost by reducing the payroll tax. There is no need for me to go over that a second time. We oppose that.

Clause 53, as read, agreed to.

Bill reported, without amendment.

### Third Reading

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

### ADJOURNMENT

**Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (7.06 p.m.):** I move—  
That the House do now adjourn.

### Gambling Strategy

**Dr WATSON (Moggill—Lib) (7.06 p.m.):** The evidence is slowly but surely mounting that the government's decision to abandon its commitment to its responsible gambling strategy, outlined in April 2000 by the then Treasurer, David Hamill, coincided with a negative impact on gaming machine taxes from the elimination of the \$100 note acceptors. I first raised this issue in December 2001 in questions to the Treasurer. While his explanation at the time had, prima facie, an element of truth, it is now obvious—as I was told and as I asserted at the time—that the real reason for the backflip on the number of \$20 notes that could be accepted by gaming machines was the fall in gaming machine taxes following the elimination of the \$100 note acceptors. That was the real reason for the backflip.

Richard Cooper from KPMG has undertaken a regression analysis of the impact of the \$20 note acceptor limit on gaming machine revenues for both hotels and clubs. This showed an estimated five to seven per cent fall for clubs in December 2001 and an approximately 11 per cent fall for hotels. The results of this analysis are reinforced by the answers to two questions I put on notice to the Treasurer in February and March this year concerning the recent monthly gaming machine tax collections and the monthly major facilities levy returns since July 2001 respectively. These showed tax collections falling by about five per cent for clubs and 9.5 per cent for hotels since 1 December 2001. In addition, the major facilities levy collections have fallen by about 21 per cent. That was the kind of information the Treasurer got informally which had a major influence on the decisions that he made.

These points were the subject of an article in the *Courier-Mail* on Thursday, 2 May. For accuracy in the historical record, it was perhaps unfortunate that the reporter concerned did not acknowledge the real antecedents for his article. He also perhaps should have taken up my offer to talk to him again after our initial discussions on Tuesday evening, 30 April. If he had done so, perhaps he would not have made the factual errors later in his contribution with respect to the marginal rates for the major facilities levy nor the error of attributing future growth in aggregate levy collections to more clubs becoming eligible for the levy. In the latter case, maybe he is just anticipating changes to be introduced in the forthcoming state budget. For that, we will have to wait and see.

### Anzac Day

**Mrs ATTWOOD** (Mount Ommaney—ALP) (7.09 p.m.): Each year local schools in the Mount Ommaney electorate take tremendous pride in the commemoration of Anzac Day. For many years now they have invited as very special guests returned service personnel from their local community. Sadly, these opportunities are dwindling as age catches up. I was also proud to be invited to attend ceremonies at the Middle Park, Sherwood and Corinda State Schools and the Corinda State High School. I had the honour of officially dedicating a new memorial at Corinda State School. The excellent school bands performed many of the old favourite tunes from World War I and World War II, and special guests and old friends of the school addressed students. Floral tributes were laid by the Returned and Services League, by the school, classes, families and individuals. The depth of emotion on those young faces was intense as *The Last Post* and reveille were played.

On completion of the ceremony guests shared a morning tea and a chat about old times with the students. For students in my local community Anzac Day is a time for reflection, reminiscence and bonding together to pay tribute to all fallen and returned service personnel and to give thanks for the opportunities available to us today as a result of our forebears' sacrifices. These tributes culminate in the Anzac Day ceremonies.

On Anzac Day morning I attended the 87th anniversary dawn service of the Kokoda memorial stone near the Sherwood RSL. There, hundreds of people joined in as marchers and as spectators. These included many children and young adults. The Sherwood cemetery was the site for the commemoration at 7 o'clock of those fallen during the Boer War. I noticed from one particular stone that the lives of four sons of the Berry family had been tragically cut short.

The inaugural Anzac Day service at the Centenary War Memorial Gardens was well attended by approximately 400 people, and about 100 participated in the march. Bill Krause, president of the Centenary RSL, made sure that local children were involved, and a student from the Centenary State High School addressed the gathering. At 10.30 the parade moved from the Oxley shops down Oxley Road to the war memorial at Oxley Place in Bannerman Street, where a war memorial service was held and wreaths were laid. Again, hundreds of people from the local community joined the ceremony. It was very pleasing to see the children from Oxley State School, the local guides and boy scouts participate in the service.

Everyone, including our children, is reminded of our country's courage in the battle of Gallipoli on 25 April 1915. Eighty-seven years on, the enthusiasm to commemorate this occasion is overwhelming. Schoolchildren recount the story of the Anzac troops as they stormed ashore on the Gallipoli Peninsula against fierce opposition from five Turkish divisions. After a day of chaotic, heroic and bloody fighting, the Anzacs had established a precarious foothold on what became known as Anzac Cove. During the months, weeks of stalemate were interspersed with days of bitter fighting and appalling casualties on both sides.

Time expired.

### Teacher Career Change Program

**Hon. K. R. LINGARD** (Beaudesert—NPA) (7.12 p.m.): I share the concern of many teachers about the implementation of the career change program within the Education Department. Unfortunately, during negotiations on how to relieve the problem of motivation for some teachers—to provide extra seminars, to provide upgrading for teachers, to provide programs to lessen the burden, especially the bureaucracy, and also to address the large number of first-year teachers who, even though they have done four years of training, are resigning in their first year—there was a very swift implementation of this particular career change program.

The program got off to a bad start when the minister was quoted—I say that she was quoted because I understand that she says she did not say this—as saying, 'There's no doubt there are some teachers who are not up to the standard you would like.' Of course, this allowed the media to run with the story that 200 dud teachers would be replaced. The first article that came out I think said that teachers who were not underperforming would be turned down and that the program would be funded by a Treasury loan. It was quite obvious, therefore, that supposedly this program was aimed at getting rid of 200 teachers who would be regarded as dud teachers.

In implementing a program such as this—it was done very quickly; applications now close on 20 May, with teachers to resign on 5 July—we run into a problem of how these teachers are selected. I know that the Education Department is virtually hiding behind the program of Accelerated Pathways from South Australia and supposedly no criteria will be given to that particular selection body. But we have to take into account the fact that in Queensland only 30 per cent of teachers are male and 70 per cent are female. There is also a very big shortage of maths and science teachers.

There is also a real problem with transfers. I am sure that most of the 200 will come from the larger areas such as Brisbane. If it is that these teachers are to be taken from the urban areas and replaced by first-year teachers, then quite obviously there will be transfer problems with teachers from mining centres, for example, who want to get back to Brisbane.

There is also a problem with the career change program application form. If anyone has taken it off the web site they will see that a teacher, who has to have this application in by the 20th of this month, has to fill out only 15 lines. Most teachers would be able to write a submission which would make it sound as though everyone should go if they really wanted to. The first page of the application form relates to the person's particulars and the second page asks for 15 lines about why the person wants to finish their career and why they want to take up a \$50,000 grant. But there is nothing to ensure that the person has a career path. There is nothing to determine what the person wants to do. I have no doubt that this program will cause a lot of controversy amongst teachers. Once the 200 are selected there will be a lot of problems.

Time expired.

### Anzac Day

**Mr REEVES** (Mansfield—ALP) (7.15 p.m.): Over the past few weeks I have been privileged to attend a number of great events in and around the electorate of Mansfield. Anzac Day activities on the days preceding the actual day highlighted to me that the tradition will continue and that it is truly a national day of enormous importance.

On Tuesday, 23 April I attended an Anzac Day service at the Broadwater Road Uniting Church for the Brisbane Adventist College. The service, organised by senior students, was a moving one, particularly the special verses of the national anthem and the special video display of the last post.

The aspect which highlighted to me the interest in and rising importance of Anzac Day was the initiative of a year 12 student, Donna Newton. Her school had previously never had an Anzac Day service, but this student, who came to the school last year, was appalled that this was the case and approached the school to organise one. I congratulate Donna for this great initiative. She should be proud of her efforts. No doubt she has started a tradition at the Brisbane Adventist College.

On the Wednesday I attended a service conducted by Metropolitan Funerals. This was a great event, with students from Mount Gravatt High, the Christian Outreach College and Clairvaux MacKillop College represented. Also in attendance were people from Wishart Village and Mount Gravatt Retirement Village. On the same day I attended services at the Mansfield State School and the Wishart State School. Once again, the young children gave a great interpretation of the

Anzac story. I came away from this day confident that the future of Anzac Day's standing in our community is well and truly assured. I congratulate the teachers for keeping the Anzac Day tradition alive.

On Tuesday last I visited Clairvaux MacKillop College for cultural activities related to their Japanese day. Students of Clairvaux MacKillop College and primary school students of St Peter's at Rochedale and St Bernard's at Upper Mount Gravatt attended and organised a number of activities around Japanese food, sumo wrestling, jelly bean races with chopsticks and artworks. I congratulate Janelle Jones, who organised this.

Today at lunchtime I attended the MacGregor State School cultural performance. This is a school with over 55 different cultures represented. Twenty of these were on display today. It was the most remarkable event I have attended at any school. There were 24 different displays of music and dance, ranging from Vietnamese to can-can girls to Indian to Polynesian to the best of Egypt. The Egypt one really stood out. Of the four lovely ladies who put on the performance, three were Somalian refugees who went to Egypt and who now live on the south side of Brisbane.

Time expired.

### **Grandparents as Child Carers**

**Mr WELLINGTON** (Nicklin—Ind) (7.18 p.m.): Recently I had the opportunity to speak with a delegation of grandparents who have taken up parenting for the second time around. These people have formed a support group known as the Grandparents and Grandchildren Society on the Sunshine Coast. Interest from other grandparents in similar situations appears to be growing quickly as they hear about this group.

These grandparents have one thing in common; that is, for one reason or another they have all taken on the responsibility of raising their grandchildren, nieces, nephews or foster children. Beyond the often extreme and always costly challenges this has placed on their lives, they have little in common. They range in age from 35 to 78, and the children being cared for cover all ages.

While these people are experiencing a wide range of challenges, one of the underlying problems they face is that most have been placed in financial difficulties. Grandparents who care for children the subject of state care orders are entitled to financial assistance from the state government and access to other support, including legal aid, counselling, psychiatric services and so on. Carers of children who are not placed with grandparents through state authorities receive very limited assistance, financially or emotionally. I am advised that this lack of assistance occurs only in Queensland, as all other states pay a non-parental guardian's allowance equivalent to the rate of the foster care allowance.

I have been advised by association members that numerous grandparents in this situation who are not financially equipped to meet the needs of these children are thinking of asking the relevant authorities to place their grandchildren on some type of care order so that they can access extra funding by having the guardianship of children in care. They would then be able to afford the demands of raising grandchildren. Some grandparents feel financially punished or burdened by Centrelink, especially if they are couples, and have talked about separation in order to access more financial security. It is appalling to think that these elderly people, many of whom exist on a pension, should have to think along these lines. They are saving the state government many thousands of dollars by raising these children.

Many of these children are so emotionally and physically traumatised that they require ongoing physical and psychological treatment over an extended period of time to try to reverse the damage that has been done to them to enable them to become adults with good self-esteem. Grandparents who find themselves parenting for a second time around face many challenges. These include loneliness through a loss of their peer group, a feeling of guilt or shame that they must have failed their own children, a whole lifestyle change from retirement plans to parenting, and grief for the loss of family due to their children's behaviour.

Grandparents and Grandchildren Society delegates have asked me to take this matter to parliament on their behalf. I accordingly urge all members—be they government members, Independent or opposition members—to get behind this support group and join me in lobbying the government to provide funding in this year's budget for the provision of a non-parental care

allowance. I seek leave to table a copy of the New South Wales non-parental care allowance policy and guidelines for the consideration of the minister and all members, and we've got the numbers!

Leave granted.

### Domestic Violence

**Mr MULHERIN** (Mackay—ALP) (7.21 p.m.): Domestic and family violence is a whole-of-community problem. The slogan of this year's Domestic and Family Violence Prevention Week from 5 to 11 May is 'Expect Respect, Abuse is Wrong'. The activities of this week are designed to create an awareness of the incidence and impact of domestic violence in our communities. It is time for the community to come together and assert that domestic and family violence will not be tolerated and, in fact, will be obliterated from our society. The Mackay Domestic Violence Resource Service received \$1,270 to help recognise Domestic and Family Violence Prevention Week in the area. This funding was part of \$35,000 distributed by the government to nearly 50 organisations in Queensland.

Events held by the service this week include the hosting of a stall at the City Heart markets with information bags and giveaways, displays at two libraries, a children's colouring competition and the display across a Mackay inner-city street of an eight-metre long banner with the message 'Stop Domestic Violence'. Wednesday saw the launch of the Fax-Back project which will be run by the service in conjunction with the Mackay police district. The project aims to make the response to domestic violence more consistent and coordinated, achieving increased safety for all concerned. The project has been refined for Mackay based on a version run in several Gold Coast communities with measurable success. Police training is an important aspect of the success of the project, and the Mackay district has thrown its full support behind this innovative approach. When officers are called to a domestic violence incident, the police will explain the Fax-Back project and ask the aggrieved to voluntarily complete a form which is later faxed to the Domestic Violence Resource Service. The service makes contact with the aggrieved at a time specified on the form and gives follow-up support.

Support offered by the service includes safety planning, crisis telephone counselling, face-to-face counselling for women and children, information about protection orders and the court process, and referral to the court assistance worker and other agencies. The records of the Domestic Violence Resource Service show that in the 12-month period between March 2001 and February 2002 some 1,797 women and children accessed the service for support, counselling, referral and information. This represents an overall increase of 23 per cent on the previous year. More than 540 Mackay women have applied for domestic violence protection orders in the last year. These numbers represent the devastation of real people affected by domestic and family violence. They are our friends, neighbours, colleagues and family members. But these figures are only an indication of those who have approached the service or police seeking help to change their circumstances. Many others continue to live with abuse in fear and isolation.

Another event held by the Domestic Violence Resource Service in Mackay was a candle lighting remembrance ceremony last night to remember those who have been victims of domestic homicide. It is horrendous to think that relationships can become so destructive that death occurs. We must take the opportunity that this week provides to address the problem and our attitudes towards domestic and family violence. Incidents occur in all socioeconomic groups and Mackay faces an enormous challenge to eradicate the problem from our community. The opportunity that Domestic and Family Violence Prevention Week offers all of us is the chance to educate ourselves about domestic violence and commit ourselves to stamping it out. It also gives us the chance to think about the theme of this week—'Expect Respect, Abuse is Wrong'—and how it applies to our own lives and relationships.

I place on record my admiration for the proactive and committed staff at the Mackay DVRS and, on behalf of the Mackay electorate, my appreciation for its efforts in organising the events of this week. I know that DVRS Mackay has welcomed today's announcement by the Beattie Labor government of the \$1.3 million Domestic and Family Violence Centre at the Mackay campus of the University of Central Queensland. This new centre will augment the innovative work already being undertaken by DVRS Mackay.

### Exceptional Circumstances Payments

**Mr HOPPER** (Darling Downs—NPA) (7.24 p.m.): Tonight I rise to speak once again about exceptional circumstances payments. As we all know, a lot of Queensland is seriously affected by drought, and it is now coming into winter. Even if it pours rain now, the grazing country will not come back until after winter. Of course we will get clover now, but our grasses will not recover until summer when the weather starts to warm up. When I first joined the National Party I met with the member for Warrego, Mr Howard Hobbs, and the Leader of the Opposition, Mike Horan, and undertook a drought tour of parts of the two electorates of Darling Downs and Warrego. We met with a number of concerned farmers and held a meeting at Chinchilla, which the Primary Industries Minister, Mr Henry Palaszczuk, attended. I felt it was quite a successful meeting.

However, after today's sitting of parliament, quite a hiccup seems to have developed. As was discussed this morning in question time, the state government met with the federal Agricultural Minister, Warren Truss, and discussion took place for a better, faster system to be implemented, including a new \$60,000 business support grant. This proposal was a really solid initiative and is exactly what our farmers need. At this very moment our beef prices are sinking every week, thus putting pressure on struggling farmers, not to mention the farmers who have to shift cattle due to drought—that is if they can find agistment for their stock. What about our broadacre farmers in these districts, especially those in Jandowae and Chinchilla?

This morning the Primary Industries Minister told parliament that he would advise the Treasurer to refuse to fund this scheme. He will not ensure these funds. Most of the states agreed to this, especially Western Australia and Victoria. They were very strong in support of this. It never ceases to amaze me how last year the Beattie Labor government blew \$70 million on government advertising and \$29 million on a footbridge that was supposed to cost \$13 million. This government charged the federal government \$1.3 million to administer exceptional circumstances payments yet only contributed \$1.1 million. This government actually made a profit of \$200,000 from the exceptional circumstances scheme! No wonder it did not want to contribute towards it, let alone contribute towards our drought-stricken farmers. Why would it when it is making a profit? What about our suffering dairy farmers? These people have to buy in hundreds—

**Mr Reeves** interjected.

**Mr HOPPER:** I would not say much if I were you, Mr Busman. These people have to buy in hundreds of tonnes of fodder even when not in drought. The Beattie government spends hundreds of millions of dollars on self-promotion and pet projects in this city. How about putting a bit towards exceptional circumstances payments instead of the lousy, lousy six per cent that it now gives?

### Springwood Electorate

**Ms STONE** (Springwood—ALP) (7.27 p.m.): Springwood is a dynamic suburb of residential and thriving commercial areas. It is the gateway to Brisbane and the Gold Coast and has certainly come a long way since its development in the 1970s. More and more businesses are making Springwood their home. I recently opened The Warehouse in Arndale Shopping Centre. This company is employing locals—in fact, 43 staff.

**Mr Reeves:** I went shopping there last week.

**Ms STONE:** Fantastic. Keep it up. The Warehouse is putting profits back into the community. It has already helped the Daisy Hill-Loganholme Lions Club by donating approximately \$400 worth of goods as a raffle, and the Lions Club has told me that many other organisations in the local community have approached them for assistance. I congratulate Andrew Keeble and his team on their philosophy of putting something back into the community that supports them, and I urge other Logan businesses to adopt the same values.

Dining out is not an easy choice in Springwood, as we have many fine dining restaurants, hotels, cafes and takeaways to chose from. However, I must acknowledge the hard work of Martin Fung and David Lee at the Hibiscus Restaurant at Shailer Park. The restaurant has the best Chinese and Malaysian cuisine with fantastic service. Martin and David also hold the philosophy of assisting the local community through employing locals and assisting with fundraising for local community groups. I applaud the quality food and service they are providing. The Coffee Club has also come to Springwood. In a short time this well-known franchise has become the focal

point of Springwood Road and is being well supported by locals. I congratulate Barry and Jenny Lane for choosing Springwood to establish their business and wish them every success.

Assisting businesses in Logan are two organisations which I would like to speak about. The first is the Logan Chamber of Commerce. The chamber continually promotes Logan businesses and advertises opportunities that new business can gain by establishing in Logan. Its Buy In Logan campaign is gaining support as many people discover the quality products and services available in Logan. The management committee is now working very hard on producing a chamber directory to assist chamber members in their bid for market share in their respective industries. I am sure this will bring about great benefits to their members. I congratulate President Terry Skene and the committee on continually promoting Logan and on working actively to support their members.

Attracting new businesses to the Logan area is what the Logan Economic Development Board is all about. One way the board does this is through tours. In February, a successful tour designed to showcase Logan's industrial estates, professional and services areas and new businesses was held. I congratulate the chairperson, Mr Paul Hampson, the CEO, David Vandenbrule, and the committee on their commitment to attracting business to Logan.

Another group that is trying to attract not only business to the electorate of Springwood but also residents is Springwood Ray White. Directors Jason Luckhardt and Andy Watts are always able to find the right property for any business or family. Like the other organisations I have mentioned, they, too, are actively advertising and promoting the positives of living and working in Logan. I congratulate all the businesses in the Springwood electorate for the service they give to our community.

### **Public Liability Insurance**

**Ms LEE LONG** (Tablelands—ONP) (7.30 p.m.): I rise to again speak on the issue of public liability insurance. I have received a letter, as I am sure have all members of this House, from the Queensland peak body representing pony clubs. This organisation was anxious for any help in coping with the public liability insurance emergency which it views as so serious that it may be unable to offer cover to its more than 400 member clubs across this state.

I am aware of the government's attempts to address this issue for not-for-profit community groups. It is to be hoped that these efforts will result in a significantly better situation for groups such as this one and for community events which have closed or face closure under the present situation. I emphasise that these efforts must result in a significant difference, because while this issue has blown up in the last 12 months it has been developing over a period of time. Many organisations now faced with massive jumps in premiums in the hundreds of percent are seeing that after years of experiencing five and 10 and 20 per cent increases anyway.

Clearly, the community needs to see significant savings from this effort to help counteract both the ridiculous increases of the past year and the accumulation of smaller but still substantial increases in recent years. While I wish the government every success in this endeavour, I feel it is abandoning another possibly even more vital sector of this state, that is, small business, and in fact any business. Efforts so far have been directed at helping community organisations, and there can be no argument about the need to assist that sector, but I see no similar effort being expended to find a resolution for businesses of all sizes across Queensland which are also facing ludicrous premium increases.

I know that members have spoken in this place about the problems which have surfaced particularly in some sectors of the adventure tourism sector, but I believe this premium burden is as challenging for the business sector as a whole as it is for the community sector. Those not struggling to meet sudden jumps in premium costs are wondering if there soon will be or if they will simply find it impossible to get any cover at all.

The recent crisis in the medical sector is one example of an industry crippled by the insurance issue. The collapse of one of this country's few remaining building insurers has left that industry, one of our largest, facing bleak times as regards builders insurance. It is clear that business and other commercial activities are also in need of intervention. I again say that this government should seriously examine re-entering the insurance industry with a government insurance office which I believe would provide an honest benchmark against which other insurers could be measured.

### Children in Detention Centres

**Hon. J. FOURAS** (Ashgrove—ALP) (7.33 p.m.): There are 500 children seeking asylum in detention centres under the control of Australian authorities. Some of these children are there without their parents, some have been in detention centres for more than two years and some have a father who has already been granted refugee status. These children are being exposed to an unacceptable environment, to people being traumatised, suiciding, attempting suicide and self-mutilation. The many traumatic events in their young lives, prior to seeking refuge on our shores, are now being compounded by the everyday horrors they are witnessing in our detention centres, leaving these children profoundly distressed. Yesterday, an alliance of medical authorities raised the alarming conclusion that these psychologically damaged children will suffer long-term damage. There are reports that children in detention are regularly hurting themselves and that some are attempting to take their own lives.

There is no doubt that if these children were in such an environment in the general community State Community Services would intervene and place them in their care. Philip Ruddock responds to the plight of these vulnerable children in an appalling manner. Amongst his inane responses are, 'It is the parents fault that they are in this situation ... responsible parents should not allow their children to witness such incidences ... incidences of children self harming are simply acts of attention seeking ... these children are not in a dangerous environment but may be facing some difficulties.' The heartless and shameless Philip Ruddock has the gall to continue to wear an amnesty badge. Imagine a proper youth suicide prevention policy if it ignored attempts at suicide by saying that they are attention seeking.

Queensland child protection policies are based on the Convention of the Rights of the Child ratified by Australia 12 years ago. The basic tenet of this convention is that the best interests of the child are paramount. Many human rights aspects in this convention are being contravened by Australia's policy of detaining children. Detention should be a measure of last resort and for the shortest period of time, and all children should have equal access to services such as health and education. Philip Ruddock refuses to accept that there are alternatives to mandatory detention for children, alternatives to these horrific places which are akin to concentration camps where children have a number and not a name.

Ruddock's recalcitrant position is a national disgrace. There are alternatives that stop short of imprisoning children which would meet Ruddock's stated concern of keeping track of asylum seekers. But this is not his major concern. Detention for Ruddock is based on his government's policy of deterrence. Ruddock should release all children and young adults to community service departments, to non-government organisations, to individual families or, ideally, to open detention in the presence of their parents.

Australia has a right to protect its own borders. However, Australia must also respect international law. We have an obligation to respect the human rights of both citizens and non-citizens, our children and other people's children. Australia should not choose which human rights will apply and to whom. Children seeking refuge are refugees because they need protection and not because of the way they entered Australia.

HREOC will soon present a damning report about children in detention at Woomera. This report will underline why the Howard Government has been increasingly reluctant to be scrutinised by UN bodies. Undoubtedly, Australia's proud history of contribution to international human rights has been tarnished by its treatment of refugees.

Australians pride themselves on favouring a fair go for all and, in particular, the protection of children from all forms of harm, exploitation or abuse. There is nothing fair in locking up 500 children without charge or review by a court because they arrive without a visa, the vast majority of whom are later found to be refugees. There is nothing fair about treating those who are fleeing terror as terrorists and in the process demonising them. There is nothing fair about treating children in a way that will cause them long-term harm. We all should be ashamed of Australia's treatment of children in our detention centres. I certainly am.

Motion agreed to.

The House adjourned at 7.37 p.m.