TUESDAY, 25 FEBRUARY 2003

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

OPPOSITION APPOINTMENTS

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (9.31 a.m.): I wish to advise the parliament that I have been elected leader of the Queensland parliamentary National Party and Leader of the Opposition. As well, I am the shadow minister for environment and heritage, shadow attorney-general, shadow minister for justice, and shadow minister for innovation, information technology and rural technology. Jeff Seeney MP, the member for Callide, has been elected deputy leader of the parliamentary National Party, Deputy Leader of the Opposition, shadow treasurer, shadow minister for natural resources and mines, shadow minister for energy, and shadow minister for fair trading. The member for Cunningham, Stuart Copeland, has been appointed shadow minister for education, shadow minister for youth, shadow minister for multicultural policy, and National Party parliamentary secretary. The member for Maroochydore, Miss Fiona Simpson, has been made the shadow minister for health, shadow minister for tourism, and shadow minister for women's policy. The member for Toowoomba South, Mike Horan, is the shadow minister for state development and small business and shadow minister for racing. Mr Vaughan Johnson, the member for Gregory, is the shadow minister for police and corrective services, shadow minister for transport and main roads, and shadow minister for Aboriginal and Torres Strait Islander policy. Howard Hobbs, the member for Warrego, is the shadow minister for local government and planning, shadow minister for regional and rural communities and shadow minister for trade. Marc Rowell, the member for Hinchinbrook, is the shadow minister for primary industries and forestry and shadow minister for northern development. Mr Ted Malone, the member for Mirani, is the shadow minister for emergency services and shadow minister for employment and training. The Honourable Kev Lingard MP is the leader of opposition business in the House, shadow minister for sport, shadow minister for the arts, shadow minister for families and shadow minister for disability services. Mr Vince Lester, the member for Keppel, is the shadow minister for industrial relations, shadow minister for seniors and is the Opposition Whip. Mr Ray Hopper is the shadow minister for public works and housing and the Deputy Opposition Whip.

ASSENT TO BILLS

Appropriation Parliament Bill (No. 2)
Appropriation Bill (No. 2)

Mr SPEAKER: Honourable members, I have to report that on Friday, 13 December 2002 I presented to His Excellency the Governor the Appropriation Bill (No. 2) and the Appropriation (Parliament) Bill (No. 2) for the royal assent and that His Excellency was pleased, in my presence, to subscribe his assent thereto in the name and on behalf of Her Majesty.

ASSENT TO BILLS

16 December 2002

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

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 13 December 2002:

"A Bill for an Act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial year starting 1 July 2001"

"A Bill for an Act authorising the Treasurer to pay an amount from the consolidated fund for the Legislative Assembly and parliamentary service for the financial year starting 1 July 2001"

"A Bill for an Act to amend legislation administered by the Minister for Transport and the Minister for Main Roads"

"A Bill for an Act to amend the Property Agents and Motor Dealers Act 2000"

"A Bill for an Act to refer certain matters relating to terrorist acts to the Parliament of the Commonwealth for the purposes of section 51 (xxxvii) of the Constitution of the Commonwealth"

"A Bill for an Act to amend the Agricultural Chemicals Distribution Control Act 1966 and the Chemical Usage (Agricultural and Veterinary) Control Act 1988"

"A Bill for an Act to amend the Central Queensland University Act 1998, Education (Accreditation of Non-State Schools) Act 2001, Education (General Provisions) Act 1989, Education (Overseas Students) Act 1996, Education (Teacher Registration) Act 1988, Griffith University Act 1998, James Cook University Act 1997, Queensland University of Technology Act 1998, University of Queensland Act 1998, University of Southern Queensland Act 1998 and University of the Sunshine Coast Act 1998"

"A Bill for an Act to amend the Anti-Discrimination Act 1991, and for other purposes"

"A Bill for an Act to amend the Industrial Relations Act 1999, and for other purposes"

"A Bill for an Act to amend Acts administered by the Minister for Environment"

"A Bill for an Act about plumbing and drainage, the licensing of plumbers and drainers, on-site sewerage facilities, and for other purposes".

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

Yours sincerely

(sgd)

Governor

CHAMBER AUDIO SYSTEM UPGRADE

Mr SPEAKER: I draw all honourable members' attention to the new audio system which has been installed in the chamber. May I thank those members who attended the information sessions on Friday and yesterday and I ask all members to acquaint themselves with the explanation sheet which has been placed on their desks. As members have been previously advised, there are a couple of aspects of the system which will be finalised in coming weeks. I therefore ask that members cooperate with my deputies who will be using the interim operational system.

As is always the case with the introduction of any new system, there will be stutters and stumbles. I ask all members to employ the patience and tolerance of which we are all capable.

Finally, may I reiterate the importance of members pressing their request button just before they rise and as a courtesy when they finish speaking to turn their microphone off.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE; SCRUTINY OF LEGISLATION COMMITTEE

Resignation of Members

Mr SPEAKER: I advise that I have received the resignations of the member for Southern Downs, Mr Lawrence Springborg MP, from the Members' Ethics and Parliamentary Privileges Committee and of the member for Callide, Mr Jeff Seeney MP, from the Scrutiny of Legislation Committee.

THE CLERK OF THE PARLIAMENT

Mr SPEAKER: Honourable members, I advise the House that on 21 February 2003, Robert Doyle retired as the Clerk of the Parliament. I wish to place on record my appreciation to Mr Doyle for his service during his more than 12 years as the Clerk of the Parliament and I wish him and his wife, Pat, a long and happy retirement.

Honourable members: Hear, hear!

Mr SPEAKER: Honourable members, I have to report that following the vacancy occurring through the retirement of Mr Doyle as the Clerk of the Parliament, the office has been filled by the appointment of Mr Neil John Laurie, lately Deputy Clerk and Clerk of Committees. The Clerk will now produce his commission and take the necessary oath of allegiance and oath of office.

Whereupon Mr Laurie, having produced his Commission, took the oath of allegiance and the oath of office.

PETITIONS

Tugun Bypass

Ms Rose from 1052 petitioners requesting the House to review the proposed staging of the Tugun Bypass and work to bring the entire Tugun Bypass project to its much needed completion as soon as possible.

Methadone Dispensary, Eagle Junction

Mr Quinn from 86 petitioners opposing the opening of the methadone dispensary on Junction Road, Eagle Junction as an inappropriate site for the dispensary because of the close proximity to local residents and the large number of school children and families who use the Eagle Junction shops and train station.

Ningi Township Bypass

Mrs Carryn Sullivan from 1272 petitioners informing that the people of Ningi and Bribie Island unanimously reject the proposal to upgrade Bribie Island Road to four lanes through Ningi Township and that urgent consideration be given to determining a suitable bypass route and funding be provided for acquiring the rights for a corridor and developing this as a bypass of Ningi Township.

Fish Farms, Moreton Bay Marine Park

Mr Briskey from 250 petitioners requesting the House to stop the development of the proposed sea cage fish farms in Moreton Bay Marine Park proceeding; establish a new policy that does not allow sea cage aquaculture in Moreton Bay Marine Park; and continue to promote councils, industries and individuals that improve the health of our bay and waterways.

Children, Attendance at School

Mr Foley from 64 petitioners requesting the House to take into account the asymmetrical provisions of the Education Act whereby parents and guardians are obliged to cause their children to attend school and there are legal consequences for not causing one's child to attend but no reciprocal obligations are placed on schools or the Education Department to provide adequate and appropriate opportunities and facilities to young Queenslanders and their families and that the House take these matters into account when considering any proposed changes to the school leaving age and take steps to address this inequality in the law.

PAPERS

PAPERS TABLED DURING THE RECESS

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

6 December 2002—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a petition presented by Ms Struthers from 1186 petitioners regarding changes to Queensland's dental legislation—

Mr N Laurie
The Clerk of the Parliament (Acting)
Parliament House
Alice and George Sts
BRISBANE Q 4000

Dear Mr Laurie

Thank you for your letter dated 8 November 2002, regarding a petition concerning changes to Queensland's dental legislation.

I have noted the matters addressed by the petition, including the request that restrictions on the practice of dental and oral health therapists be removed to enable these practitioners to treat adults as well as young people under 18 years.

The petition, as well as feedback provided by other stakeholders, will be taken into account when finalising the National Competition Policy (NCP) Review of the Restrictions on the Practice of Dentistry. The purpose of this review is to make recommendations to the Government on the need for, and the extent to which, statutory restrictions should be imposed on the practice of dentistry in Queensland.

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

Yours sincerely

SIGNED

Wendy Edmond MP

Minister for Health and Minister Assisting the Premier on Women's Policy

Queensland's Category 2 Water Authorities—Summary of Annual Reports and Financial Statements 2001-02

Queensland River Improvement Trusts—Summarised Annual Report 2001-02

10 December 2002—

Anti-Discrimination Commission—Annual Report 2001-02

Children's Services Tribunal—Annual Report 2001-02

12 December 2002—

Consolidated Financial Report of the Queensland Government—Year ended 30 June 2002

Queensland Government Priorities in Progress 2001-02 report—A report to all Queenslanders on outcomes under the Charter of Social and Fiscal Responsibility

Queensland Government Annual Economic Report 2001-02

Legal, Constitutional and Administrative Review Committee Issues Paper entitled Hands on Parliament—A Parliamentary Committee Inquiry into Aboriginal and Torres Strait Islander Peoples' Participation in Queensland's Democratic Process and an information brochure relating to this inquiry

Legal, Constitutional and Administrative Review Committee Report No. 37—Meeting with the Queensland Ombudsman—26 November 2002

18 December 2002—

Auditor-General of Queensland Report No. 5 2002-03—Performance Management Systems Audit of the Regulatory Aspects of the Ensuring a Clean Environment Output of the Environmental Protection Agency

19 December 2002—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a petition presented by Mr Quinn from 258 petitioners regarding the methadone dispensary at Eagle Junction—

Mr N Laurie
The Clerk of the Parliament (Acting)
Legislative Assembly Offices
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Laurie

Thank you for your letter dated 13 November 2002, providing a copy of the petition concerning the methadone dispensary at Eagle Junction.

The concerns of the petitioners about the location of this service reflect the views of many local community members. Similar views were also voiced at a community meeting attended by Ms L Clark MP, held at Clayfield College on 15 August 2002.

Firstly, I believe that it is important to clarify that the service established at Eagle Junction, is a privately-run pharmacy, specialising in the provision of methadone and buprenorphine to patients who are receiving treatment for their drug dependency under the Queensland Opioid Treatment Program. The actual service provided by the pharmacy is the supervised administration of either methadone syrup or buprenorphine tablets, which are usually consumed on the premises either once per day or once every second day.

Throughout the public debate on this issue, I have noted that there has been a general view expressed that the community is not opposed to the methadone/buprenorphine program, nor is it unsympathetic to those who are receiving treatment under the program. The point of contention, as raised by the local Member was the lack of consultation on the suitability of the site.

Even though the pharmacist has a legal right to establish such a service, in response to the concerns voiced by many local community members about the location of the service, the Government offered to take over the lease (at an annual cost of over $16,000) and compensate the pharmacist for his reasonable set-up costs. The pharmacist has rejected the offer and decided to continue in his attempt to establish a viable business at Eagle Junction.

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

Yours sincerely

SIGNED

Wendy Edmond MP

Minister for Health and Minister Assisting the Premier on Women's Policy

Director of Mental Health—Annual Report 2001-02

ANZ Executors & Trustee Company Limited and its Controlled Entity—Financial Report for the year ended 30 September 2002

Perpetual Trustees Australia Limited—Annual Report 2002

Magistrates Courts Queensland—Annual Report 2001-02

Logan Motorway Franchise Agreement between Logan Motorway Company Limited and the Minister for Transport and Minister for Main Roads of the State of Queensland

Port of Brisbane Motorway Franchise Agreement between Port Motorway Limited and the Minister for Transport and Minister for Main Roads of the State of Queensland

The Gateway Bridge Franchise Agreement between the Gateway Bridge Company Limited and the Minister for Transport and Minister for Main Roads of the State of Queensland

Erratum to the National Roads Transport Commission Annual Report 2001-02 tabled in the Legislative Assembly on 14 November 2002

20 December 2002—

Response from the Minister for State Development (Mr Barton) to an e-petition presented by Mr Briskey from 1108 petitioners regarding the proposed sea cage aquaculture facility in Moreton Bay—

17 December 2002

The Clerk of the Parliament
Parliament House
Alice and George Streets
BRISBANE QLD 4002

Dear Mr Laurie

Thank you for your letter and copy of an e-petition dated 8 November 2002 regarding the proposed sea cage aquaculture facility in Moreton Bay.

The Queensland Government has a firm commitment to the principles of ecologically sustainable development and seeks to integrate both short and long-term economic, social and environmental effects into the decision making process. Queensland's regulatory environment embraces measures to ensure developments are environmentally sound and to protect the rights of the public.

The Coordinator-General has declared this a "significant project" under the provisions of the State Development and Public Works Organisation Act 1971. The Commonwealth Minister for the Environment decided under Part 8 of the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) that assessment is to be by an accredited State Environmental Impact Statement (EIS) process.

The State Development and Public Works Organisation Act 1971 provides the Coordinator General with the head of power to coordinate government departments and agencies to ensure proper account is taken of environmental effects associated with proposed developments. The Coordinator-General may declare a project "significant" and call for information on the environmental, social and economic effects of the proposed development through provision of a comprehensive EIS.

The proponent is currently preparing the EIS which will include a detailed description of the proposal, a description of the existing environment, assessment of impacts of the project on the environment including social and economic impacts, health and safety issues and proposed safeguards, mitigation measures, environmental management and monitoring. This will allow the Government to make an informed and balanced assessment of the proposed development.

On completion, the EIS will be made publicly available for a period of at least 28 days and submissions will be invited.

The Coordinator-General will evaluate the EIS, considering all properly made submissions and prepare a report on the proposed action in accordance with s.35 of the State Development and Public Works Organisation Act 1971.

A copy of the Coordinator-General's report will be provided to the proponent and to the Commonwealth Minister for the Environment, and will also be made publicly available. The Commonwealth Environment Minister is required to make a decision following the completion of the State EIS assessment process.

All relevant state government agencies are involved in the assessment process as required by the Integrated Planning Act 1997. The Coordinator-General will manage the public review process and coordinate agency submissions to provide a streamlined assessment process.

The Department of State Development does not issue any licenses or permits for proposed developments. On completion of the EIS, all applications for licenses and permits will be assessed and issued under their respective Acts. This development requires, among other permits, approval under the Marine Parks Act 1982 for use and operation of the facility in a marine park, Environmental Protection Act 1994 for operating an aquaculture facility and an aquaculture license under the Fisheries Act 1994.

I trust this information addresses your concerns.

Yours sincerely

(signed)

TOM BARTON MP

Minister for State Development

Report on Queensland Education Mission to China led by the Minister for Education (Ms Bligh) from 12 to 21 November 2002

Explanation by the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) for the granting of an extension of time for the tabling of the 2001-02 annual report of the Bundaberg Health Services Foundation

Response from the Minister for Environment (Mr Wells) to a petition presented by Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) from 19 petitioners regarding the survival of koalas in the Gold Coast region—

Mr R Doyle
The Clerk of the Parliament
Legislative Assembly of Queensland
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Doyle

Thank you for your letter of 28 November 2002 forwarding a copy of a petition tabled in the Parliament on 27 November 2002 regarding the survival of koalas in the Gold Coast region.

The South East Queensland Regional Nature Conservation Strategy complements a range of natural resource planning and management initiatives that are undertaken by the community, industry and government in south-east Queensland.

Such initiatives include the Regional Forest Agreement, plans for freehold lands and the State Coastal Management Plan. The strategy is designed to assist local government and industry by identifying areas of regional, sub-regional and local nature conservation significance. The strategy can be used as a decision-making tool that will inform the process of addressing nature conservation and management issues. The Nature Conservation Strategy covers about 2.25 million hectares, encompassing 18 local government areas extending from Noosa in the north to Toowoomba in the west and as far south as Beaudesert and the Gold Coast.

The responsibility for vegetation management, under the Vegetation Management Act 1999, lies with my colleague the Honourable Stephen Robertson, Minister for Natural Resources and Minister for Mines. The Department of Natural Resources and Mines (DNRM) is the agency responsible for the issuing of permits to undertake land clearing in Queensland.

Coordinated conservation areas are in place to protect the natural values of land. The Koala Bushland Coordinated Conservation Area contains land around south-east Queensland including Daisy Hill State Forest. The Koala Bushland Coordinated Conservation Area covers 1170ha of remnant bushland in Redland Shire and Logan City. It protects habitat for native animals, especially koalas, and is somewhere one can enjoy nature close to the city. It is Queensland's first coordinated conservation area.

The coordinated conservation area is protected under the Nature Conservation Act 1992, which specifies principles for management. Regulations also apply which control activities within this area. The primary purpose of the conservation area is to protect koalas and their habitat, stream fauna and flora communities, and bushland catchments. The conservation area supports several hundred koalas, which are an important part of a regional koala population totalling several thousand. Because of its large size, this regional population is one of the most significant in Australia. To survive, these koalas need large areas of suitable habitat. The conservation area's open forests and woodlands support tree species that provide koala food.

Many outdoor activities are possible in the conservation area's natural bushland settings. However, recreational activities that are likely to cause stress or danger to koalas, or damage their habitat, or degrade water courses are restricted.

To further wildlife and land protection the Queensland Parks and Wildlife Service (QPWS) encourage Nature Refuge Agreements with landholders. A nature refuge is created through a voluntary conservation agreement between a landholder and the State Government. These agreements now protect more than 35,000 hectares throughout Queensland. Each agreement is tailored to suit the management needs of the particular area and the needs of the landholder.

The Gold Coast City Council has acquired significant areas of bushland as part of their Biodiversity Conservation Program. This acquisition program is ongoing and funded by the council through their Open Space Preservation Levy. Koalas and other wildlife in the Gold Coast area would benefit from the greater habitat security that the retention of these areas of bushland provides.

The QPWS has a koala research group located at the Moggill office in the Brisbane area as well as Daisy Hill office in Logan City. These centres are fully funded by the government to the tune of approximately $600,000 annually. Over the last four years the government, through the QPWS, has allocated approximately $2.5 million to koala conservation. In part this funding supports koala rescue and associated support services throughout South-East Queensland.

The expertise of the research group has been provided to local councils and other government agencies over the years. They are presently finalising the study of the Koala Coast, which covers Redlands Shire, part of Logan City and part of Brisbane City. At the same time this research group is commencing a cooperative koala study to the north of Brisbane with the Pine Rivers Shire Council.

I trust this information is of assistance.

Yours sincerely

(signed)

DEAN WELLS

Minister for Environment

Response from the Minister for Environment (Mr Wells) to a petition presented by Mr Johnson from 764 petitioners regarding container deposit legislation—

Mr R Doyle
The Clerk of the Parliament
Legislative Assembly of Queensland
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Doyle

Thank you for your letter of 6 December 2002 forwarding a copy of a petition tabled in the Parliament on 4 December 2002 regarding container deposit legislation.

I released a report 'The State of Waste & Recycling in Queensland 2000/2001' on 16 July 2002. The news is good. It is encouraging looking at the details of this report to see how Queenslanders and local authorities are positively responding to waste reduction and recycling strategies.

The Environmental Protection Agency (EPA) has provided around $400,000 annually over the past three years to assist local governments improve recycling collection efficiencies. This year the government has allocated over $500,000 towards this cause. This funding is earmarked for recycling projects under the National Packaging Covenant arrangements – a program involving all state and territory governments, and industry that is designed to lighten the load on local governments by sharing the costs and improving management of consumer waste. While some programs are best delivered regionally or across the State, all programs are designed and delivered to assist local governments with their recycling efforts.

The WasteWise initiative was launched in November of this year. The program is being rolled out by the EPA with its local government partners. WasteWise is a free voluntary program open to all businesses around the State. Through WasteWise participation business can achieve significant savings in material input costs and significant savings in waste disposal costs. The WasteWise initiative puts government and industry in a partnership role, working together to reduce resource consumption, cut waste, increase recycling and save business plenty of dollars at the same time.

Funding provided by the government under the National Packaging Covenant arrangements is matched dollar-for-dollar by industry. Approximately $180,000 has been provided to local councils around the state for implementing Best Practice recycling, community education on recycling to ensure government funding meets its full potential in increasing recycling levels in provincial areas.

Community groups provide an ongoing and invaluable service to local governments by assisting with household recycling programs. In Bundaberg for example a non-profit organisation, Independent Recyclers, provides employment, skills and training in recycling for local people with disabilities. In the Beaudesert Shire, Noah's Ark provides a similar service at the Jimboomba landfill site, and the Kingfisher Centre and Reverse Garbage provide similar community services within the Brisbane metropolitan area.

In Queensland the EPA is currently developing a new Waste Management Strategy that will set the direction for waste management in the State for the next fifteen years. The process includes a stakeholder consultation phase. Assessment of economic drivers to maximize resource recovery, including Extended Producer Responsibility options such as Container Deposit Legislation (CDL), should take place within this process to ensure a strategic and integrated approach to waste management in Queensland. The New South Wales report into CDL recommends that agreement at a national level for the adoption of Extended Producer Responsibility legislation be sought to address constitutional and cross – border issues. The introduction of CDL is to be discussed at a national level between the States and the Commonwealth Government at future meetings of the Environment Protection Heritage Council.

The Queensland Government is, through the EPA, constantly developing Smart State initiatives that will contribute to a reduction in waste disposal and consequently a reduction in costs for all Queenslanders.

I trust this information is of assistance.

Yours sincerely

(signed)

DEAN WELLS

Minister for Environment

2 January 2003—

Report on a Trade Mission by the Minister for State Development (Mr Barton) to Papua New Guinea from 13 to 15 November 2002

6 January 2003—

Response from the Minister for Primary Industries and Rural Communities (Mr Palaszczuk) to a petition presented by Mr McNamara from 6239 petitioners regarding a request that the waters of Hervey Bay and the Great Sandy Strait currently open to commercial fishing remain open—

6 January 2003

Mr Neil Laurie
The Clerk of Parliament (Acting)
Parliament House
Alice and George Streets
BRISBANE QLD 4000

Dear Mr Laurie

I refer to your letter of 8 November 2002 attaching a copy of a petition to the Queensland Legislative Assembly requesting that the waters of Hervey Bay and the Great Sandy Strait currently open to commercial fishing remain open.

I have responded directly to the principal petitioner, Mr John Olsen, President of the Queensland Seafood Industry Association and attach a copy of the letter for your information.

Yours sincerely

Signed Henry Palaszczuk

Henry Palaszczuk MP

———

Minister for Primary Industries and Rural Communities

6 January 2003

Mr John Olsen
President
Queensland Seafood Industry Association Inc.
PO Box 392
CLAYFIELD QLD 4011

Dear Mr Olsen

I refer to your petition to the Queensland Legislative Assembly requesting that the waters of Hervey Bay and the Great Sandy Strait currently open to commercial fishing remain open.

I am firmly of the view that Queensland fisheries resources, including those of the Hervey Bay and Great Sandy Region, must be managed on a sustainable basis for the benefit of the whole community. To this end, and because of the migratory nature of many fish species, the fisheries resources in Queensland tend to be managed on a species or fishery basis and not on a regional basis.

As you are aware commercial fishing in Hervey Bay and the Great Sandy Strait is already subject to a range of management measures contained within the Fisheries Regulation 1995 and the Fisheries (East Coast Trawl) Management Plan 1999.

It is proposed that some of these measures will be reviewed during the development of a fisheries management plan for inshore finfish species. Whilst additional closures to commercial fishing may be considered during the development of this management plan, I am advised that the Queensland Fisheries Service (QFS) is not currently proposing to close areas of Hervey Bay and the Great Sandy Strait to commercial fishing.

If you require any further information regarding this matter, please do not hesitate to contact my office.

Yours sincerely

Signed Henry Palaszczuk

Henry Palaszczuk MP

Minister for Primary Industries and Rural Communities

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a Petition presented by Mr Wilson from 1055 Petitioners regarding the Keperra Respite and Dialysis Hospital at Corrigan Street, Keperra—

Ms S Zalewski
Principal Petitioner
173 Pickering Street
ENOGGERA Q 4051

Dear Ms Zalewski

Thank you for your letter dated 8 November 2002, regarding the Keperra Respite and Dialysis Hospital at Corrigan Street, Keperra.

In response to the petition, I can advise that while there are no plans to close the Keperra Hospital, the hospital's primary role is under review.

Queensland Health is currently involved in a strategic planning exercise regarding the nature of services, which will be provided by the Hospital into the future. This planning exercise includes community and staff consultation with regard to ensuring the long-term viability of services at the Hospital.

A public meeting was held at Arana Hills on Tuesday 15 October 2002, to present and discuss proposals for the future of the Hospital.

The proposals, which involve changes to services at the Hospital, were presented to staff and members of the community at this meeting, and feedback from interested parties was invited to be submitted by 4 December 2002. A community feedback meeting was consequently held, at 7.00pm on Wednesday 11 December 2002, at the Keperra Sanctuary Retirement Village, Keperra. At this meeting Mr Dan Bergin, Central Zone Manager, Queensland Health, and other senior Queensland Health representatives delivered responses to the concerns raised by interested parties throughout the consultation period and to questions raised throughout the meeting.

The information gathered at this meeting is to be collated and forwarded to me on completion of the consultation process, which was extended until 20 December 2002.

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

Yours sincerely

SIGNED

Wendy Edmond MP

Minister for Health and Minister Assisting the Premier on Women's Policy

Letter, dated 23 December 2002, from the Premier and Minister for Trade (Mr Beattie) to the Acting Clerk of the Parliament referring to correspondence received by the Premier from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding proposed international treaty actions tabled in both Houses of the Commonwealth Parliament on 3 December 2002 including a National Interest Analysis for each of the proposed treaty actions listed in the letter and a Regulatory Impact Statement for the Joint Convention on the Safety of Spent Fuel Management and on the Safety of International Waste Management

9 January 2003—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a petition presented by Mr Wells from 1716 petitioners and an e-petition from Mr Wellington from 429 petitioners regarding irradiation of food and the proposal to construct a gamma irradiation plant at Narangba as well as an electron beam facility proposed for North Queensland—

Mr N Laurie
A/The Clerk of the Parliament
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Laurie

Thank you for your letter dated 13 November 2002 and 6 December 2002, enclosing a petition which was received by the Queensland Legislative Assembly, regarding irradiation of food and the proposal to construct a gamma irradiation plant at Narangba as well as an electron beam facility proposed for North Queensland. I apologise for the delay in responding.

At the outset it should be noted that the consensus among scientists worldwide, after more than 40 years of research into the safety of irradiated foods, is that irradiation when it is carried out in accordance with specified standards, produces food that is safe to eat. This research has included multigenerational animal studies and studies using volunteers who ate only irradiated food.

Three international agencies: the World Health Organization, the Food and Agricultural Organization of the United Nations and the International Atomic Energy Agency accept that food irradiation is a safe and a useful processing tool.

It is also important to note that cobalt 60 is not a waste product from nuclear reactors and is not related to the nuclear weapons industry in any way.

During irradiation, cobalt 60 sources do not make contact with the goods being sterilized. The gamma radiation passes through the goods being irradiated and the energy from the cobalt 60 sources will not make the goods being irradiated, radioactive.

All food preservation methods change the composition of the food in some way. Some change the taste, appearance, texture, composition and nutritional value of the food more than others do.

Research has shown that the irradiation process in general, produces very little chemical change in food. None of the changes known to occur have been found to be harmful or dangerous and many of the resulting compounds are the same as those formed when food is cooked or preserved in more traditional ways.

Standard 1.5.3 of the Food Standards Code requires irradiated foods, including such foods when used as ingredients or components in other foods, to indicate in a statement that such foods have been treated with ionising radiation in accordance with the following requirements:

(a) in the label on a package of food intended for retail sale, catering purposes or commercial purposes; and

(b) in connection with the display of food (eg unpackaged food) where such foods are exempt under the Food Standards Code from certain labelling requirements.

This standard was introduced into all Australian States and Territories on 2 September 1999 by amendment to the Food Standards Code. The Queensland Food Act 1981 prescribes substantial penalties where provisions of the Food Standards Code have been contravened.

In Australia and New Zealand, the Food Standards Code prohibits the irradiation of food and food ingredients unless specifically approved by the Australia New Zealand Food Regulation Ministerial Council (ANZFRMC), on a case-by-case basis, in response to applications to irradiate individual foods.

At this point in time, approval has only been given for the irradiation of herbs, spices and herbal infusions. This decision followed a stringent safety assessment by the Australia New Zealand Food Authority, now Food Standards Australia New Zealand (FSANZ) over a ten-month period, which was subject to scientific peer review by local and international experts.

In all instances, an application to irradiate foods can only be considered by ANZFRMC members after FSANZ has undertaken detailed analysis of the technological need to irradiate a particular food or has

established the necessity to irradiate for a purpose associated with food safety. In addition, there is detailed analysis carried out on the public risk associated with the consumption of the food once it is irradiated.

Before making a recommendation, FSANZ must undertake two rounds of public consultation, which allows members of the public to provide information they believe is relevant to a particular application. Following this consultation, the FSANZ Board approves the standard, if appropriate, before forwarding it to ANZRMC for consideration.

Queensland cannot ban the import of irradiated food into the country, as this is a matter for the Commonwealth.

It might be noted that Steritech Pty Ltd, the proponents of the Narangba irradiation facility, have been granted approval by Caboolture Shire Council for a Material Change of Use (Consent) of property at Narangba (under the Integrated Planning Act 1997). Furthermore, there has been approval by the Commonwealth Government, through Environment Australia, for the development to proceed (under the Environment Protection and Biodiversity Conservation Act 1999).

Steritech Pty Ltd is also required to obtain a licence to possess radioactive substances from Queensland Health under the Radiation Safety Act 1999. On 16 October 2002, Steritech Pty Ltd lodged an application under this Act. Attached to the application were:

a radiation safety and protection plan for the proposed radiation practice;

supporting information to the application for a licence to possess radioactive substances; and

detailed engineering drawings of the design of the plant.

Under the Radiation Safety Act 1999, any person seeking to possess prescribed quantities of radioactive substances for irradiation purpose must hold an appropriate licence.

A thorough radiation safety assessment of the engineered safeguards and administrative procedures is undertaken as part of the assessment of the licence application to ensure that the health and safety of persons and the environment are adequately protected from radiation related harm. In particular, Steritech Pty Ltd's proposed radiation safety and protection plan will be assessed to ensure that the plan:

identifies all radiation hazards specific to the storage and use of the radioactive substances, including protective measures to adequately deal with the identified hazards;

identifies security measures for the radioactive substances including mechanisms for implementing the measures; and

illustrates how the facility can maintain its radiation safety integrity during probable incidents or abnormal activities.

The plan is required to be approved by Queensland Health.

With regard to the monitoring of the irradiation plant, Queensland Health has implemented a risk based radiation safety audit program, which is undertaken by persons appointed as inspectors under the Act. The role of these persons is to enforce the requirements of the Act to ensure the health and safety of the public, persons involved in undertaking radiation practices and the environment.

The inspectorial powers provided by the Act for use during emergencies or unsafe conditions are significant, and most dangerous situations should be able to be dealt with using powers provided by the Act to ensure the health and safety of persons and the environment.

Ongoing discussions in relation to the design of the plant are continuing between Queensland Health and Steritech Pty Ltd. Provided all relevant technical and safety requirements of the Radiation Safety Act 1999 are met by the Steritech Pty Ltd application, there are no grounds to refuse it.

I can assure you that the concerns of the community have been clearly communicated to the Department, and that these concerns will be carefully considered before any licences are granted.

Should you require more detailed information on food irradiation, this can be obtained from publications available on the FSANZ web site at www.foodstandards.gov.au or from the Information Officer, FSANZ, PO Box 7186, Canberra MC ACT 2610, telephone (02) 6271 2222, fax (02) 6271 2278.

I have also attached for your information, a copy of three Public Health fact sheets, namely “The facts about food irradiation”, “The facts about Cobalt 60” and “Possession of Radioactive Substances in Queensland” which appear on the Queensland Health website at www.health.qld.gov.au.

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

Yours sincerely

SIGNED

Wendy Edmond MP

Minister for Health and Minister Assisting the Premier on Women's Policy

Report by the Minister for Innovation and Information Economy (Mr Lucas) on a Queensland Government Biotechnology Mission to New Zealand from 12 to 19 November 2002

22 January 2003—

Aboriginal Co-ordinating Council—Annual Report 2001-02

Late tabling statement by the Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors regarding the Aboriginal Co-ordinating Council Annual Report 2001-02

23 January 2003—

Report by the Electoral Commission of Queensland on the Conduct of Preselection Ballots by the Australian Labor Party (State of Queensland)

30 January 2003—

Office of the Adult Guardian—Annual Report 2001-02

National Australia Trustees Limited—Annual Financial Report for the year ended 30 September 2002

Tower Trust Limited—Financial Report for the year ended 30 September 2002

13 February 2003—

Response from the Minister for Environment (Mr Wells) to a petition presented by Mr Mulherin from 1830 petitioners regarding the Mackay Harbour and dredging material—

Mr R Doyle
The Clerk of the Parliament
Legislative Assembly of Queensland
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Doyle

Thank you for your letter of 28 November 2002 forwarding a copy of a petition tabled in the Parliament on 27 November 2002 regarding the Mackay Harbour and dredging material.

The Mackay Port Authority (MPA) has identified part of the wetlands area as suitable for industrial development in the Draft 1999 Seaport Land Use Plan. This plan does not propose filling of the floodway which drains the wetlands and surrounding areas. Approval of this plan rests with the Minister for Transport.

The Environmental Protection Agency (EPA) recognises that much of the seaport land to the west of Slade Point Road has biodiversity conservation values. The EPA is continuing to provide advice to the MPA on the conservation values of the port lands and possible amendments to the Plan in order to maximise the protection of conservation areas while allowing for further development of the port.

The EPA has no current application for capital dredging of the Mackay Harbour. Dredge spoil from maintenance dredging by the MPA is currently disposed of at sea.

I trust this information is of assistance.

Yours sincerely

DEAN WELLS

Minister for Environment

18 February 2003—

Childrens Court of Queensland—Annual Report 2001-02

Perpetual Trustees Queensland Limited—Annual Report 2001-02

Cane Protection and Productivity Boards—Addendum Annual Reports 2001-02

Late tabling statement by the Minister for Primary Industries and Rural Communities (Mr Palaszczuk) regarding the Cane Protection and Productivity Boards Addendum Annual Reports 2001-02

Statement Giving Reasons (Infrastructure Facilities of Significance) Notice (No. 1) 2002 under the provisions of the State Development and Public Works Organisation Act 1971

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Acting Clerk—

Government Owned Corporations Act 1993—

Government Owned Corporations (Brisbane Market Corporation Limited) Regulation 2002, No. 317

Superannuation Legislation Amendment Act 1999—

Proclamation commencing remaining provisions, No. 318

Superannuation Legislation Amendment Act 2002—

Proclamation commencing remaining provisions, No. 319

Keno Act 1996—

Keno Amendment Regulation (No. 1) 2002, No. 320

Training and Employment Act 2000—

Training and Employment Amendment Regulation (No. 2) 2002, No. 321

Radiation Safety Act 1999—

Radiation Safety Amendment Regulation (No. 1) 2002, No. 322

Environmental Protection and Other Legislation Amendment Act 2002—

Proclamation commencing remaining provisions, No. 323

Environmental Protection Act 1994—

Environmental Protection Amendment Regulation (No. 3) 2002, No. 324

Tribunals Provisions Amendment Act 2002—
Proclamation commencing remaining provisions, No. 325
Liquor Act 1992, Queensland Building Tribunal Act 2000—
Liquor (Tribunal) Regulation 2002, No. 326
Property Agents and Motor Dealers Act 2000, Queensland Building Tribunal Act 2000—
Property Agents and Motor Dealers (Tribunal) Regulation 2002, No. 327
Queensland Building Tribunal Act 2000—
Queensland Building Tribunal Amendment Regulation (No. 1) 2002, No. 328
Queensland Building Tribunal Act 2000, Racing and Betting Act 1980—
Racing and Betting (Racing Appeals Authority) Regulation 2002, No. 329
Queensland Building Tribunal Act 2000, Retirement Villages Act 1999—
Retirement Villages (Tribunal) Regulation 2002, No. 330
Aboriginal Land Act 1991, Torres Strait Islander Land Act 1991—
Aboriginal and Torres Strait Islander Land Amendment Regulation (No. 1) 2002, No. 331
Integrated Planning Act 1997—
Integrated Planning Amendment Regulation (No. 3) 2002, No. 332
Emergency Services Legislation Amendment Act 2002—
Proclamation commencing remaining provisions, No. 333
Stock Act 1915—
Stock (Cattle Tick) Amendment Notice (No. 1) 2002, No. 334
Superannuation (State Public Sector) Act 1990—
Superannuation (State Public Sector) Amendment Notice (No. 1) 2002, No. 335
Treasury Legislation Amendment Act (No. 2) 2002—
Proclamation commencing certain provisions, No. 336
Fisheries Act 1994—
Fisheries Amendment Regulation (No. 3) 2002, No. 337
Fisheries Act 1994—
Fisheries Management Plans Amendment Management Plan (No. 1) 2002, No. 338
Fisheries Act 1994—
Fisheries Amendment Regulation (No. 4) 2002, No. 339 and Explanatory Notes and Regulatory Impact Statement for No. 339
Fisheries Act 1994—
Fisheries Management Plans Amendment Management Plan (No. 2) 2002, No. 340 and Explanatory Notes and Regulatory Impact Statement for No. 340
Fisheries Act 1994—
Fisheries (Freshwater) Amendment Management Plan (No. 1) 2002 No. 341 and Explanatory Notes and Regulatory Impact Statement for No. 341
Education (Queensland Studies Authority) Act 2002—
Proclamation commencing remaining provisions, No. 342
Education (Queensland Studies Authority) Act 2002—
Education (Queensland Studies Authority) Amendment Regulation (No. 1) 2002, No. 343 and Explanatory Notes and Regulatory Impact Statement for No. 343
Education (General Provisions) Act 1989—
Education (General Provisions) Amendment Regulation (No. 2) 2002, No. 344
Pest Management Act 2001—
Pest Management (Postponement) Regulation 2002, No. 345
State Penalties Enforcement Act 1999—
State Penalties Enforcement Amendment Regulation (No. 10) 2002, No. 346
State Penalties Enforcement Act 1999—
State Penalties Enforcement Amendment Regulation (No. 11) 2002, No. 347
Architects Act 2002—
Architects Regulation 2002, No. 348
Professional Engineers Act 2002—
Professional Engineers Regulation 2002, No. 349
Juvenile Justice Amendment Act 2002—
Proclamation commencing remaining provisions, No. 350
Agricultural Chemicals Distribution Control Act 1966, Agricultural Standards Act 1994, Brands Act 1915, Chemical Usage (Agricultural and Veterinary) Control Act 1988, Stock Act 1915—
Primary Industries Legislation Amendment Regulation (No. 2) 2002, No. 351

Food Production (Safety) Act 2000—

Proclamation commencing remaining provisions, No. 352

Food Production (Safety) Act 2000—

Food Production (Safety) Regulation 2002, No. 353 and Explanatory Notes and Regulatory Impact Statement for No. 353

Fair Trading and Another Act Amendment Act 2002—

Proclamation commencing certain provisions, No. 354

Introduction Agents Act 2001—

Introduction Agents Regulation 2002, No. 355 and Explanatory Notes and Regulatory Impact Statement for No. 355

Liquor Act 1992—

Liquor Amendment Regulation (No. 2) 2002, No. 356

Aboriginal Land Act 1991—

Aboriginal Land Amendment Regulation (No. 3) 2002, No. 357

Mineral Resources Act 1989—

Mineral Resources Amendment Regulation (No. 3) 2002, No. 358

Coastal Protection and Management and Other Legislation Amendment Act 2001—

Coastal Protection and Management (Postponement) Regulation 2002, No. 359

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 2002, No. 360

Health Act 1937—

Health (Drugs and Poisons) Amendment Regulation (No. 2) 2002, No. 361

State Development and Public Works Organisation Act 1971—

State Development and Public Works Organisation Amendment Regulation (No. 1) 2002, No. 362

State Penalties Enforcement Act 1999, Transport Infrastructure Act 1994—

Transport Infrastructure (Busway) Regulation 2002, No. 363

Transport Infrastructure Act 1994—

Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2002, No. 364

Transport Operations (Marine Safety) Act 1994—

Transport Operations (Marine Safety) Amendment Regulation (No. 2) 2002, No. 365

Transport Operations (Road Use Management) Act 1995—

Transport Operations (Road Use Management—Vehicle Registration) Amendment Regulation (No. 2) 2002, No. 366

Criminal Proceeds Confiscation Act 2002—

Criminal Proceeds Confiscation Regulation 2002, No. 367

Drugs Misuse Act 1986—

Drugs Misuse Amendment Regulation (No. 2) 2002, No. 368

Drug Rehabilitation (Court Diversion) Act 2000—

Drug Rehabilitation (Court Diversion) Amendment Regulation (No. 2) 2002, No. 369

Personal Injuries Proceedings Act 2002—

Personal Injuries Proceedings Amendment Regulation (No. 1) 2002, No. 370

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 12) 2002, No. 371

Forestry Act 1959, Marine Parks Act 1982, Nature Conservation Act 1992—

Forestry and Other Legislation Amendment and Repeal Regulation (No. 1) 2002, No. 372

Nature Conservation Act 1992—

Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 2002, No. 373

Child Care Act 1991—

Child Care (Child Care Centres) Amendment Regulation (No. 2) 2002, No. 374

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 3) 2002, No. 375

Fisheries Act 1994—

Fisheries Amendment Regulation (No. 5) 2002, No. 376

State Development and Public Works Organisation Act 1971—

State Development and Public Works Organisation (Gladstone State Development Area) Amendment Regulation (No. 1) 2002, No. 377

Water Act 2000—

Water Resource (Barron) Plan 2002, No. 378

Water Act 2000—
Water Resource (Pioneer Valley) Plan 2002, No. 379
Community Services Legislation Amendment Act 2002—
Proclamation commencing remaining provisions, No. 380
Building Act 1975—
Standard Building Amendment Regulation (No. 2) 2002, No. 381
Local Government Act 1993—
Local Government (Areas) Amendment Regulation (No. 2) 2002, No. 382
Plant Protection Act 1989—
Plant Protection (South African Citrus Thrips) Notice (No. 2) 2002, No. 383
Ambulance Service Act 1991—
Ambulance Service Amendment and Repeal Regulation (No. 1) 2003, No. 1
Motor Accident Insurance Act 1994—
Motor Accident Insurance Legislation Amendment Regulation (No. 1) 2003, No. 2
Queensland Competition Authority Act 1997—
Queensland Competition Authority Amendment Regulation (No. 1) 2003, No. 3
Health Services Act 1991—
Health Services Amendment Regulation (No. 1) 2003, No. 4
Private Health Facilities Act 1999—
Private Health Facilities Amendment Regulation (No. 1) 2003, No. 5
Police Powers and Responsibilities Act 2000—
Police Powers and Responsibilities Amendment Regulation (No. 1) 2003, No. 6
Industrial Relations Amendment Act 2002—
Proclamation commencing remaining provisions, No. 7
Industrial Relations Act 1999—
Industrial Relations Amendment Regulation (No. 1) 2003, No. 8
Water Act 2000—
Water (Mary River Water Supply Scheme—Emergency) Notice 2003, No. 9
Revenue Legislation Amendment Act 2002—
Proclamation commencing remaining provision, No. 10
Architects Act 2002—
Architects Regulation 2003, No. 11 and Explanatory Notes for No. 11
Professional Engineers Act 2002—
Professional Engineers Regulation 2003, No. 12 and Explanatory Notes for No. 12
Water Act 2000—
Water Amendment Regulation (No. 1) 2003, No. 13
Plumbing and Drainage Act 2002—
Proclamation commencing certain provisions, No. 14
Fair Trading Act 1989—
Fair Trading (Pull-Back Action Target Game) Order 2003, No. 15
Forestry Act 1959, Nature Conservation Act 1992—
Forestry (State Forests) and Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2003, No. 16
Domestic Violence Legislation Amendment Act 2002—
Proclamation commencing remaining provisions, No. 17
Water Act 2000—
Water (Mary River Water Supply Scheme—Emergency) Amendment Notice (No. 1) 2003, No. 18
Plumbing and Drainage Act 2002—
Proclamation commencing certain provisions, No. 19
Domestic and Family Violence Protection Act 1989—
Domestic and Family Violence Protection Regulation 2003, No. 20
Animal Care and Protection Act 2001—
Animal Care and Protection Amendment Regulation (No. 1) 2003, No. 21
Plant Protection Act 1989—
Plant Protection Amendment Regulation (No. 1) 2003, No. 22
Land Sales Act 1984—
Land Sales Amendment Regulation (No. 1) 2003, No. 23

Trade Measurement Act 1990—

Trade Measurement (Miscellaneous) Amendment Regulation (No. 1) 2003 and Explanatory Notes and Regulatory Impact Statement for No. 24

Water Act 2000—

Water Amendment Regulation (No. 2) 2003, No. 25

Stock Act 1915—

Stock (Cattle Tick) Amendment Notice (No. 1) 2003, No. 26

Workplace Health and Safety Act 1995—

Workplace Health and Safety (Industry Codes of Practice) Amendment Notice (No. 1) 2003, No. 27

MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

Minister for Industrial Relations (Mr Nuttall)

President of the Industrial Court of Queensland in respect of The Industrial Court of Queensland, The Queensland Industrial Relations Commission and The Industrial Registry—Annual Report 2001-02

PAPER

Leader of the Opposition (Mr Springborg) tabled the following report—

Report of Expenses for the Office of the Leader of the Opposition for the period 1 July to 31 December 2002

PARLIAMENT

The Clerk of the Parliament; Opposition Appointments

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.): I congratulate the Clerk on his appointment. We look forward to working with him. Mr Speaker, with your permission, I also congratulate the new Leader of the Opposition, his deputy and shadow ministers. I also want to wish the previous Leader of the Opposition, Mike Horan, all the best. I do that with no sense of mischief but with a sense of goodwill. I wish them all well in their new positions—and Vaughan as well.

MOTION OF CONDOLENCE

Death of Hon. C. A. Wharton

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.), by leave, without notice: I move—

That this House desires to place on record its appreciation of the services rendered to this state by the late Hon. Claude Alfred Wharton, a former member of the parliament of Queensland.

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

Mr Claude Alfred Wharton was born on 15 October 1914 in Gayndah. Mr Wharton was educated at the Ginoondan State and Junior Boys Grammar School, Maryborough. Prior to his election in 1960, Mr Wharton worked as a grocer's assistant, main roads worker, dairy, citrus and small crops farmer, grazier and breeder of stud cattle and pigs. Mr Wharton's devotion to the land was evidenced through his association with numerous organisations, including chairman of the Gayndah Cooperative Dairy Association Ltd, the Gayndah Cooperative Trading Society Ltd and Queensland Bacon Pty Ltd. He was also a director of the Queensland Cold Storage Cooperative Federation Ltd, the Cooperative Wholesale Society of Queensland Ltd and the Producers Cooperative Distributing Society Ltd and was vice-president of the Dairymen's Organisation.

Just as Mr Wharton was active in his representation of these industry groups, he made a significant contribution to the state with respect to the length of his service to his electorate as a member of parliament and to the state as a minister of the Crown and in undertaking additional responsibilities in the Legislative Assembly. Mr Wharton was elected to the seat of Burnett in the state election on 28 May 1960. During his term in parliament, Mr Wharton held the offices of Minister for Works and Housing from 1977 until his retirement in 1986, Minister for Aboriginal and Islanders Advancement and Fisheries from 1975 to 1977, and Minister for Aboriginal and Islanders Advancement in 1975. He also held the additional offices of Leader of the House, Temporary Chairman of Committees, and was a member of the Standing Orders Committee and the Parliamentary Buildings Committee. Mr Wharton was the leader of a parliamentary delegation to Fiji, Tonga and Samoa in 1984, a delegate to the General Conference of the Commonwealth

Parliamentary Association in London in 1973 and a member of a parliamentary delegation to New Zealand and the South Pacific in 1970.

Good representation of the people in our communities is a key role for all elected members, and Mr Wharton was a champion for primary industries and the importance of the regions. And it was no doubt clear to members at the time from Mr Wharton's maiden speech to the Legislative Assembly on 30 August 1961 that he had a personal knowledge and understanding of the issues confronting regional areas. In his maiden speech, Mr Wharton wasted no time in highlighting to the parliament important issues for the Burnett region, including the development of the local sugar industry, the advantages of irrigation and the importance of transport and power infrastructure in regional development— issues which remain significant for the regions and on which the government continues to work with communities.

In his speech, Mr Wharton also expressed his concern for the dry conditions experienced through a drought in the Burnett region. Now, some 40 years later, the region is again in drought with conditions affecting the primary producers. Like Mr Wharton then, we hope for good rainfalls to end the drought and hardship. I am delighted to say that in recent times we have actually received some rain. I hope it continues not just through the Burnett but the whole state—the more the merrier. Mr Wharton held the seat of Burnett until his retirement at the state election in November 1986 when he settled in the Gayndah district and became heavily involved in the running of the family's stud property with his son, Gary, and continued to be involved in community affairs.

In 1960 Mr Wharton said, 'I believe that the development of the state will come by individual enterprise.' His own words seem a fitting description for the way in which he lived. The weir on the Burnett River near Gayndah is named after Mr Wharton, as is the state government building in Bundaberg which houses offices of the Department of Families, Corrective Services, the Environmental Protection Agency and Disability Services Queensland. I note that my colleague and friend, the Hon. Terry Mackenroth, the Deputy Premier, then Acting Premier, attended the funeral of Mr Wharton on 7 February on behalf of the government. I thank the Deputy Premier for so doing. I take this opportunity to extend my sympathy and that of this House to his family—to his wife, Pearl, and to his children, Max, Sheryl and Gary and their families.

No matter how long a person's life lasts, there is no doubt that a person is missed by their family. He was well respected by this parliament and I express the condolences not just of the government but also of all Queenslanders. I know that the motion will be seconded by the Leader of the Opposition.

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (9.46 a.m.): I rise to second the condolence motion moved by the Premier and to acknowledge his very kind words and his very sincere condolence to the Wharton family. Claude Wharton was very highly respected in the Country Party and the National Party. He was very highly respected by many Queenslanders and was certainly well thought of in his electorate, for the job he did in this parliament and as a minister. As the Premier indicated, he was born on 15 October 1914 in Gayndah. He passed away on 3 January 2003 in the Gayndah Hospital and was laid to rest in the Gayndah Lawn Cemetery. He was the son of Bill and Daisy May Wharton. He was the third youngest and had four sisters, Gladys, Muriel, Doris and Beryl. He married Pearl Estelle Dent in St Matthews Church, Gayndah, at 11 a.m. on 11 November 1942. They had two sons, Max and Gary, and one daughter, Sheryl. He was educated at the Ginoondan State Primary School and the Maryborough Boys Grammar School.

Claude Wharton showed leadership and demonstrated he was a team player when appointed prefect of the school, and he keenly participated in football and athletics. His employment history, as the Premier enunciated, included being a grocer's assistant at Loche's Grocery Store, where he made deliveries on horseback initially and then graduated to a pushbike. He was a main roads worker, dairy and small crops farmer, grazier and orchardist, and breeder of stud cattle and pigs. After his retirement from politics, his real love of stud breeding re-emerged with the beginning of the Giunda Droughtmaster Stud. With the help of studmaster Gary Taylor, the stud has become very successful and well known throughout the land for quality Droughtmaster bulls.

His professional and community involvement included: vice-president of the Queensland Dairymen's Organisation; director, Producers Cooperative Distributing Society of Queensland; chairman of directors, Gayndah Cooperative Dairy Association; director of Queensland Cooperative Cold Storage Federation Ltd; Director of the Wholesale Society of Queensland Ltd; chairman of the Gayndah Cooperative Trading Society; and chairman of directors, Queensland

Bacon Pty Ltd. He was a Rotarian, a parish counsellor of St Matthews Anglican Church, Gayndah, a church warden and a synod representative. He was recognised in the 1985 New Year's Honours List and was awarded Companion of the Most Distinguished Order of St Michael and St George. Claude Wharton was nominated for outstanding services as a minister of the Crown. He had spent 25 years in parliament and almost 11 years as a minister of the Crown.

In terms of his political history, he was elected to parliament on 28 May 1960, representing at that stage the Country Party—later to become the National Party—in the seat of Burnett. He was the Minister for Aboriginal and Islander Advancement in 1975, Minister for Aboriginal and Islander Advancement and Fisheries from 1975 to 1977 and Minister for Works and Housing from 1977 to 1986. Claude Wharton as Minister for Works and Housing was responsible for the construction of the Queensland Cultural Centre, a most magnificent icon and something which is enjoyed by many Queenslanders today.

Claude Wharton successfully administered the department which was the construction authority for all government buildings, including schools, public housing, courthouses, police stations and hospitals. Claude Wharton's community involvement included a lifetime of active membership of the Masonic Lodge and Rotary International. Among the many personal recollections of Claude Wharton, most people would immediately recall his friendliness, happiness and understanding to all no matter what political persuasion. They were Claude's more distinctive qualities.

The current federal member for Hinkler, Paul Neville, best summed up Claude by saying that he was a man with boundless energy who never lost the common touch. He had an empathy with his constituents that the modern politician would envy. No request, no matter how small, escaped his attention. An extract of his maiden speech to the parliament highlights his empathy with his constituents and passion for improving the wellbeing and the lot of country businesses and country people. On 30 August 1960 Claude Wharton rose to state—

I am concerned about the drift of population from the country to the cities.

I think that is something we still talk about in the parliament today. He continued—

I believe that it has taken place partly because incomes from primary industries compare very unfavourably with those from other sources. It is disturbing to see a person who has built up an asset over the years in a country area sell out ... I believe that we should try to restore a proper relativity between incomes from primary industries and those from other sources. It is very disappointing to see that primary producers are at the end of the line, as it were, and they receive only what is left after others have taken out their costs.

We still use those words today. Claude Wharton was a strong advocate for improving the lot of country people. He strongly believed that the development of the state would come by individual enterprise and that the government's job was to do what the individual could not. He was proud to be part of a government that played its part in decentralising and developing the state and which created a solid foundation and sound economic footing, which we still enjoy today. I pass on the sincere condolences of the National Party to Claude's family and wish them all the very best during this most difficult time.

Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (9.50 a.m.): I rise to say a few words of condolence on the passing of Claude Wharton, the former member for Burnett. The area based on Gayndah that Claude Wharton represented as the member for Burnett is now incorporated within the electorate of Callide. I certainly knew Claude Wharton well by reputation as a stalwart of the Bjelke-Petersen government and as a successful and effective Minister for Works and Minister for Housing. However, in the time that I have represented the Callide electorate he has lived in Gayndah and I have also come to know him well on a personal level as a constituent.

When I was first elected to parliament I was very pleased to have the opportunity to talk to Claude on a regular basis when I visited Gayndah about the role of a local member and share some of his recollections of his days representing that part of the Burnett region. What was particularly striking to me was the fact that as a very highly respected former member of parliament he was often referred to by many local people as an example of what they expected from their local member. I very quickly realised that Claude Wharton, as the member for Burnett, had set a standard of representation and performance that was still the expectation of the people of the region even though he retired in 1986, some 10 years before I was elected.

Whilst he was undoubtedly a very successful minister in a number of portfolios, the local people who gathered in Gayndah in January to pay their respects at his funeral spoke most about his commitment as a grassroots politician. There were many anecdotes that illustrated just how approachable and courteous he was in his role and how thorough was his response to every issue once it had been recorded in the famous notebook he always carried wherever he went in

which he recorded constituent inquiries. The respect that he earned as a member of this parliament was only magnified by his return to live in Gayndah on his retirement and his continued efforts in the local community, notably in the Rotary Club, the Masonic Lodge and the Anglican Church. He was forever proud of the Gayndah district, which he had helped to build from nothing. He was one of a generation who are now mostly gone but who will forever be part of our folklore. He started with nothing, selected a block of land on Barambah Creek and carved a future for his family out of what was then the isolated wilderness of a new settlement.

Claude Wharton will be remembered by all who knew him as a man of great capacity, compassion and commonsense. He will be long remembered in the Burnett region for his achievements as a farmer and grazier and in industry and as a community leader. Most of all, he will be remembered as a member of this Queensland parliament who set a standard that we who follow him will always try to emulate.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (9.53 a.m.): I join in this condolence motion to the late Claude Wharton and, in doing so, I pass on my condolences to his wife, Pearl, and also to his children. I knew Claude Wharton reasonably well as a member of this parliament. Upon reflection, I think there are probably four members still here who actually served with Claude during his time in this House. I remember that one of my first speeches was as a person with a passion for housing. Claude was the shadow minister for housing. I hopped up in the parliament and I thought I gave it to him pretty well. At least I thought I did. It was in this chamber so it would have been in 1978. When I walked out the back into the lobby Claude came over and congratulated me on my speech. He said, 'That was a good speech, son. Come and I'll buy you a beer.' I have to tell members that he deflated me. We had many debates in the parliament, but they were always in the parliament and were left here and outside I was fairly good friends with Claude.

His daughter, Sheryl, contacted my office at the end of last year to arrange congratulatory letters for Claude and his wife, Pearl, on the occasion of their 60th wedding anniversary. They were able to celebrate that before his passing. As the Premier mentioned, I attended Claude's funeral in my capacity as a friend of Claude and also representing the government. One of the things that was mentioned—and while sitting there I actually reflected on this—was that Claude was the person who, as the Minister for Works, was responsible for seeing the Queensland Performing Arts Centre, the Parliamentary Annexe and a number of other new buildings—about nine in all—built in George Street. I thought, 'Here is a man from the country who obviously had the vision to see that we needed these sorts of facilities in our capital city.' That is something all members of parliament should reflect on and think about. We needed those facilities. Although he looked after his electorate, he also ensured that as Minister for Works capital works were constructed throughout the state.

Robert Schwarten reminded me that Claude Wharton used to be known as 'Holiday' Claude, because as Minister for Works he visited many schools and, in those days, if a minister went to a school, even for the opening of a lavatory door, all the kids at the school got a holiday. I remember that when I first got elected to parliament we could not get a minister to come to opposition members' electorates and the teachers would be angry at us because we could not get them a holiday.

Ms Bligh: They still ask for them, though.

Mr MACKENROTH: They still ask for them. Today, imagine if I as minister went into a school and said, 'You can have a holiday.' Can members imagine the reaction of the parents? They would lynch me. I guess those were different times. Claude was a great Queenslander, a person who loved being a member of parliament, and I think served the parliament very well and will be sadly missed.

Hon. V. P. LESTER (Keppel—NPA) (9.57 a.m.): I have no doubt that my life is much richer for having known Claude Wharton. I really mean that. That is not just something I am saying because the poor fellow has passed on. He was one of the greatest people I have ever met. He had a capacity no matter where he was, whether it was at a show, at the local hotel or down in the street, to start talking to people and gather people around him. I believe I learnt a lot from that. One of the reasons he was good with people was that he was interested in them. In addition, he had a pretty good apprenticeship through having started off with absolutely nothing but, at the same time, having done many jobs similar to labouring jobs in his early days. He really had an apprenticeship in dealing with people, which was rewarded at a later time through the public sending him to represent them in a higher place.

Claude played a huge role in 1974 in helping me to win the then seat of Belyando. He continued to come out to the electorate. He would give the schools little things including, as Terry Mackenroth said, holidays here and there. I think every school got a holiday before the election. That was helpful in those days, but it would not be very helpful today. After I won, he felt very proud; he seemed to feel it was his job to try to get this young baker from Clermont into parliament. He was successful in doing that and I think he saw that as a major achievement. He was very helpful to me as I was learning the ropes.

When I was a minister Claude was Leader of the House. That was a bit of a different story, because he was a pretty officious Leader of the House and God help anybody who wanted to change the program or bring on an extra speaker or anything. He set that House up and that was the way it ran and nobody could change him. That was interesting, as most ministers felt at the time. He also demonstrated how fair dinkum he was, because often I would go to his electorate after he had retired and he would always boast that, at whatever function I was addressing, he was first to put his name down and come along. I felt pretty happy about that as well because I was not too sure who wanted to come and hear me, but Claude always did. It was just wonderful. He was one of the greatest people I have known, one of the nicest people to ever pass through this parliament and one of the most fair dinkum Australians that I have ever met.

Mr QUINN (Robina—Lib) (10.00 a.m.): The late Claude Wharton retired from the parliament just over 16 years ago yet just a handful of current members served with him, such as the Deputy Premier, the member for Keppel and the member for Beaudesert. That reflects the uncertainties of political life in this place today. He served as the member for Burnett for 26 years from 1960 when the seat was created. I am sure Claude Wharton never thought one of his successors would be a Labor member, but that is just another sign of the uncertainty of political life as well. For 11 years from 1975 until his retirement in 1986 Claude Wharton served as a minister, initially as Minister for Aboriginal and Islander Advancement and then for the last nine years as Minister for Works and Housing. His ministerial service may not have been spectacular, but in turbulent political times it was without blemish.

Prior to entering parliament he was a leader in the state's agricultural sector and he represented an electorate once known for dairying but increasingly for citrus growing and cattle. He was a very strong advocate for the Gayndah citrus industry during his public career, an industry which remains one of the success stories of our state. I did not know Claude Wharton, but I am told by those who did that he did not carry grudges or indulge in personalities in this place. He was not a narrator but he was a dedicated minister who held the very important Works and Housing portfolio for almost a decade. I extend to Mr Wharton's family the sympathy of the parliamentary Liberal Party and acknowledge his contribution to this state, to the House and to his community.

Mr STRONG (Burnett—ALP) (10.02 a.m.): Unfortunately I never had the pleasure of meeting Claude Wharton personally due to his ill health and the situation that arose after the election, but I have had a couple of phone conversations with Claude. It did not take me long to realise the finely tuned and uncompromising wit of Claude Wharton. He also travelled extensively throughout the electorate. Many times I have visited smaller communities and I think to myself, 'No-one's been here before. This is unchartered territory,' but then when I talk to people they say, 'Claude sat here. He said this and he did this and he was here at the opening.' Considering the size of my electorate and the fact that Claude's electorate took in Callide and areas of the Fitzroy electorate in the early days, it was an achievement in itself to get around to the outer lying areas.

There are many anecdotes of Claude and his chauffeur travelling throughout the Burnett—Claude's uncanny ability to remember people's names and Claude making himself available for a chat whenever approached at a social function. These are the things that members of the electorate say to me about their fond memories of Claude. They remember that Claude Wharton embodied the soul of the Burnett. He was a larger than life figure who was passionate about his electorate. He was as much as a part of the Burnett as the Burnett was a part of him. I commend what the member for Callide said—that is, Claude Wharton had a relationship with the electorate that the following members for Burnett aspire to. Claude Wharton will be greatly missed and fondly remembered.

Hon. J. FOURAS (Ashgrove—ALP) (10.04 a.m.): Like Terry Mackenroth, I, too, had many a scotch with Claude Wharton. Claude was a real gentleman. At all times he had a smile on his face, even when you were getting a no from him, and that could not make you feel angry with him. I wanted the east wing of the West End Primary School built. I used to see Claude before every budget and he would put it on the list. Of course, for six budgets in a row it just happened

to fall off, although I used to buy him a scotch every time it appeared on the list. I always found Claude to be a person who was in the old style of the Country Party. He and Kenny Tomkins were a great team.

I remember Claude saying to Tommy Burns one day when he was asked a question, 'Look, Tom, you wouldn't expect me to know something like that, would you?', because the question was quite technical, yet nobody in any way took any notice of Claude in that regard. They did not say that he was a man who would not do his job. I think he was a great Works Minister at that time. I know that I forgive him for the West End school wing not being built, but in fact it was built about six years after it continually appeared on the list. I join with other members in giving my condolences to Claude Wharton's family. He was a thorough gentleman. He was a person who actually valued friendship. I know that he was a great local member for his electorate. Ultimately, we should all join with other speakers in this House in expressing our condolences to his family for his passing.

Motion agreed to, honourable members standing in silence.

MINISTERIAL STATEMENT

Administrative Arrangements

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (10.07 a.m.): I wish to inform the House that, in accordance with the Constitution of Queensland 2001, His Excellency the Governor, acting by and with the advice of the Executive Council, approved Administrative Arrangement Amendment Order (No. 3) 2002 and Administrative Arrangement Amendment Order (No. 4) 2002 on 19 December 2002 and Administrative Arrangements Order (No. 3) 2003 on 20 February 2003. I lay upon the table of the House copies of the relevant Queensland Government Gazettes of 20 December 2002 and 21 February 2003.

MINISTERIAL STATEMENT

Report of Ministerial Expenses

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (10.08 a.m.): I wish to table publicly the report of ministerial expenses for the period 1 July to 31 December 2002, which is this new accountability mechanism my government has introduced. This is the ninth such report to be tabled in this parliament since I became Premier in 1998. It is a practical reminder of my continuing commitment to accountability and transparency and the same commitment from my ministers and my government. The public report of expenditure for each ministerial office is designed to give the maximum details to the community regarding the expenses of ministers, parliamentary secretaries and their offices. This report shows how the government has continued to keep costs to a minimum.

The expenditure compared to last year shows that only moderate increases have been incurred. These have mostly been due to enterprise bargaining salary increases, the filling of staff vacancies, overseas travel, rent increases and costs associated with the upgrade of computer systems. In fact, the increase of just three per cent is equivalent to the increase in the consumer price index for the year. Considering that the government is progressing initiatives in virtually all portfolios to make sure Queensland is the Smart State of Australia and unprecedented efforts are being made to engage the community, I believe that this report clearly shows that expenditure is being maintained at a reasonable level. I table the report.

MINISTERIAL STATEMENT

Trade Mission to Papua New Guinea

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (10.10 a.m.): It is in Queensland's interests to maintain a strong, secure relationship with our nearest international neighbour, Papua New Guinea. In December last year I led a trade delegation to Papua New Guinea to explore opportunities for further partnerships and to renew existing ties. I table a copy of my report of that trip, and I seek leave to incorporate the remainder of my ministerial statement in *Hansard*.

Leave granted.

The visit included the renewal of a memorandum of understanding between Queensland and Papua New Guinea which identifies further opportunities for mutually beneficial trade.

Aquaculture, livestock production and tourism are just some of the areas where further partnerships could be developed.

Papua New Guinea has also expressed a desire to work more closely with Queensland to crack down on illegal fishing by Indonesians in our waters.

The trade mission is already creating new partnerships.

The Queensland Manager of PRONTO software has advised me the company secured a contract with PNG Post to provide it with business operating systems following his participation in the trade mission.

TAFE Queensland is beginning a vocational training program for hospitality workers and is exploring opportunities for further training partnerships.

Mr Speaker, I seek leave to table a copy of my report on my trade mission to Papua New Guinea.

MINISTERIAL STATEMENT

Trade Mission to India, the United Arab Emirates and Singapore

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (10.11 a.m.): Queensland stands to gain hundreds of new jobs as a result of the 10-day trade and investment mission to India, the United Arab Emirates and Singapore which I undertook earlier this year. I signed and witnessed nine agreements involving the Queensland government, companies and universities in all three destinations. They involved jobs in areas such as education, IT, biotechnology, aviation, training, commerce, trade, coatings and gold mining.

I table for the information of the House a detailed copy of my trip, along with associated material in the box on the table. I seek leave to incorporate the remainder of my ministerial statement in *Hansard*.

Leave granted.

This was the first time that a Queensland Premier had been to India where huge opportunities exist for Queensland companies—especially in Karnataka and Mumbai, which we are targeting.

We believe that the memorandum of understanding I signed with the Government of Karnataka—India's smart state, with a population of more than 50 million—is the first trade agreement between states in India and Australia.

In addition, I signed the first state-based education agreement with Karnataka, a memorandum of understanding on higher education which has already produced results between Bangalore University and Griffith University.

I had a lengthy talk to Tino Anand, who is spending an extra $40 million on a plant at Gladstone that will produce high-quality carbon for smelting aluminium.

And I saw the desert being covered by vast new cities in Dubai, Abu Dhabi and Dohar.

Queensland companies should be involved in these massive undertakings and I will form a special unit in the Department of State Development to identify opportunities.

In Singapore I had productive talks with Prime Minister Goh Chok Tong—the first meeting he has had with a State Premier since the finalisation of the Free Trade Agreement between the two countries.

I also talked with Deputy Prime Minister Lee Hsien Loong, who is the son of Lee Kuan Yew, Education and Second Minister for Defence Rear Admiral Teo Chee Hean, Health Minister Lim Hng Kiang and Minister of State (Defence) Cedric Foo Chee Keng. And I had equally positive meetings with senior government leaders in other destinations.

I managed to fit more than 40 meetings and functions into the 10 days despite the extensive travelling between destinations.

More than 30 business and university leaders took part in some or all of the mission and many of them have told me that they have already been involved in discussions about new business.

Trade and investment missions like this are important because one in five jobs in Queensland depends on trade. This figure rises to one in four in the regions.

I commend this report to anyone interested in doing business in India, the United Arab Emirates, Qatar or Singapore.

MINISTERIAL STATEMENT

Bali, Terrorist Attack

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (10.13 a.m.): On 12 October 2002 a terrible tragedy occurred with the bombing in Bali in Indonesia. Among the 202 victims, 88 were Australian, and amongst those five were Queenslanders. Many others in so many ways reached out to the families and friends of those who were killed or those who were injured.

A range of Queensland government agencies also answered the call for assistance, including Queensland Health, the Queensland Ambulance Service, the Queensland Police Service and the Department of Families. I am proud of the contribution they made under trying

circumstances, as all Queenslanders should be, and I want to thank them today. I also note that many members of those agencies joined with more than 10,000 fellow Queenslanders who have included their messages of sympathy in the condolence books which I table today. I table them for the information of the House.

This has been a disturbing occurrence in our region, and these condolence books contain messages of sympathy and support to all of those who were injured or lost a loved one or friend. I ask all members of the House to note that the people of the United States of America have also responded to our grief by sending condolence books containing messages of sympathy to the people of Queensland. In tabling these books, both those from the people of Queensland and those from the people of the United States—I am tabling those as well, so they are included—I would ask that members of this House take a moment to read some of the messages and reflect on their sentiments of support and sympathy.

I also want to extend a thank you to Ms Eileen Malloy, the United States Consul-General, for her support. One of the tablings today is of a condolence book from her and the consulate staff in Sydney. I naturally have written to her and thanked her for the gesture of support. As I said in my correspondence with her, her thoughts and those of the consulate staff when added to those of Queenslanders are poignant reminders of the Bali tragedy.

MINISTERIAL STATEMENT

Economy

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (10.16 a.m.): The Queensland economy continues to grow faster than the rest of Australia. While the Deputy Premier will update the official forecast when he releases the mid-year fiscal and economic review later this week, I would like to take this opportunity to set the scene.

The Australian and Queensland economies have been impacted by the harsh drought and the weak international economy. Certain sections of our economy, such as the rural sector, have been particularly affected. Most of the major world economies performed poorly in the last half of 2002 and the uncertainty over Iraq still remains.

The Queensland economy has been very resilient in the face of massive external setbacks. The economy is growing strongly and is expected to continue to do so. According to the latest Queensland state accounts, the Queensland economy grew by 4.5 per cent over the 12 months to September 2002. The rest of Australia grew by 3.4 per cent over the same period. Private investment increased by a massive 21.6 per cent in Queensland over the year to the September quarter 2002. Nationally, the comparable growth rate for private investment was about two-thirds of the Queensland growth rate. Our strength is broadly based, with investment in machinery and equipment, dwellings and other buildings and structures all enjoying very strong growth.

Queensland has now recorded stronger growth in business investment than the rest of Australia for the past seven quarters. Business does not enter into investment decisions lightly. Investment represents a commitment, ongoing economic activity and jobs. The fundamentals need to be right before business decides to invest.

Access Economics, in their recent business outlook, forecast an economic growth rate for Queensland of 4.8 per cent in 2002-03—around 1.6 percentage points stronger than their forecast of the national growth rate. Access supported the view that very strong growth in investment will help to drive growth in Queensland.

The February 2003 Yellow Pages business index survey showed that business confidence in Queensland rose over the three months to January 2003. The net balance of small and medium business proprietors in Queensland remain positive about their business prospects for the next 12 months. Support rose 4 per cent to 59 per cent. This is noticeably higher than the national figure and is four percentage points higher than the same period a year ago.

The strength of the economy is flowing through to more jobs. The rate of jobs growth in Queensland over the last 12 months has been the strongest of any state. The Australian Bureau of Statistics data shows that 64,700 extra jobs were created in Queensland in the 12 months to January 2003. This represents almost one-quarter of the jobs created nationally, significantly more than our population share.

Strong jobs growth delivered an unemployment rate of 6.9 per cent in January. This is the lowest unemployment rate in Queensland for 12 years. This was delivered despite a surge in the participation rate to 65.4 per cent—the highest participation rate in Queensland since June 1995.

It is in contrast to the peak unemployment level of 9.5 per cent delivered by the coalition in February 1997.

To reiterate, these improvements have been delivered against the backdrop of drought and weakness in the world economy. With a return to normal seasonal conditions and a pick-up in world economic activity, we can do even better. However, the outlook for the world economy and the timing of a recovery from the drought remains uncertain, and nothing can be taken for granted. In a very tough, competitive world, we all need to keep doing things better and smarter, and that is what the Smart State is all about.

MINISTERIAL STATEMENT

Irradiation Plant, Narangba

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (10.16 a.m.): I rise to inform the parliament about concerns which the government and the Queensland Police Service have about events occurring near the site of the Steritech irradiation facility at Narangba which we believe pose a danger to the community.

Many members will be aware that protesters have occupied a site adjacent to the Steritech site since construction commenced in June last year. I stress from the outset that the Queensland government recognises and respects the rights of the community to protest, which is a fundamental part of our democracy.

Since the protesters have occupied the site, the police have developed a regular liaison arrangement with protesters to ensure that as much as possible conflict is avoided. However, I feel it is my duty to inform the parliament that it is now becoming apparent that there are certain potential dangers posed by the protest activity on the site about which I and the Queensland Police Service have grave concerns. For example, protesters have dug a series of holes on the site up to 2.2 metres deep. It is believed that tunnels have also been dug out from these holes. These tunnels and holes pose a major danger to people on the site and to the protesters themselves.

The soil in the area is unstable, and there is a danger that these holes and tunnels could collapse. Recent rains can only have exacerbated this problem. In addition, protesters have created devices to 'lock-on' in order that they cannot be removed from the site. These include a device known as a sleeping dragon. What happens is that the protesters put a chain around their arm and lock it, but before doing that they attach this device to either a tree or a pole. I have here a photograph taken by the *Courier-Mail*. In the event of a collapse—and with the present wet weather such a collapse could be imminent—there is no way anybody could remove these people from the danger that they might find themselves in.

The same principle applies to a 44-gallon drum filled with cement. They put the arm tube inside the drum. So if the police or indeed anybody else tries to remove them, or in the event of a collapse in the tunnel, there is no way these people can be removed. Should a protester refuse to cooperate and remain fastened to a lock-on device, police could remove them only with machinery. Again, taking machinery on to the site in this kind of weather poses a distinct danger to those persons.

In addition, I am advised that council workers have been unable to install a fire hydrant nearby because of concerns that the vibrations of the machinery required to install the hydrant may cause the pits to collapse, with protesters inside. Obviously I do not need to outline the dangers posed by lack of access to a fire hydrant in this area in the event of a fire.

We have no issue with protesters voicing their viewpoint. In fact, the actions of the Beattie government and the Queensland Police Service to liaise and negotiate with protesters in the lead-up to CHOGM last year should stand as a testament to our respect for the right of the Queensland community to make protests. However, I must urge the protesters to take heed of police and indeed other warnings. We are acting in good faith, out of genuine concern for their safety. I also urge those in leadership positions within the protest movement to use their mantle of leadership in a responsible fashion and in a way which ensures the safety of those who look to them for guidance and indeed leadership.

MINISTERIAL STATEMENT

Racing Industry

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (10.21 a.m.): I have read with interest recent comments from thoroughbred racing industry participants claiming a supposedly poor TAB privatisation deal has left the industry on its knees. How easily some people forget. It is time the facts, not fiction, are put on the record. The most relevant fact is irrefutable. The deal brokered by the Beattie government was worth millions more to the industry than even the Borbidge government's empty promises. Another fact is that the industry signed up for 15 years—a legally binding contract.

One of the most vocal opponents of racing reform is Esk Jockey Club chair Tony Fitzgerald, who claims the reform has been forced on the industry because of the privatisation deal. This is baffling, as it was Tony Fitzgerald who served on the government side for the National Party during its negotiations with the industry in 1997.

Mr Hobbs interjected.

Mr SPEAKER: Order!

Ms ROSE: In this House on 19 May 1998, after months of sensitive negotiations with the industry's representation, then National Party Racing Minister Mr Cooper—I note he was in the public gallery earlier—trumpeted the industry's agreement on a post-privatisation financial and structural package as a golden opportunity giving the industry a greater level of autonomy and control—more than ever before.

Mr Hobbs interjected.

Mr SPEAKER: Order! The member for Warrego.

Ms ROSE: The bottom line of the Cooper deal Mr Fitzgerald helped negotiate was a net level of funding to the industry estimated at $103 million and a 25 per cent wagering tax rate. Let us look at the deal the thoroughbred industry, through then Queensland Principal Club chair and former Chinchilla Race Club chair Craig Black, finally signed off on with the Beattie government. The industry received net funding of over $107 million and a 20 per cent tax rate.

Mr Hobbs interjected.

Mr SPEAKER: Order! I warn the member for Warrego.

Ms ROSE: So we have millions of dollars more in funding and a lower tax rate. It is clear which was the better deal. Remember, this is the deal signed off by the racing industry itself. There was no twisting of arms. It was the golden opportunity for the industry to achieve autonomy and control. That is exactly what the Racing Act 2002, passed late last year by this House, hands the industry. It wants the future in its hands, but it cannot then expect somebody else to pay for it.

Reform in the racing industry has been discussed for many years. Everyone knows it is vital. Even the former opposition racing spokesman, Howard Hobbs, agreed during a radio interview with former colleague Graham Healy that there was too much racing and too many clubs. In 1997 QPC chair Craig Black told the *Australian* that rationalisation was likely to come. Unfortunately, Mr Black and the industry lacked the will to carry it out.

Some people, especially those opposite, would like to portray the Queensland thoroughbred racing industry as being in crisis to suit their own political ends. The only solution they offer is for the government to pump millions of dollars into racing prize money. The member for Toowoomba South has used the figure of $10 million as the magical amount needed to save the industry. That figure rose within 24 hours to some $20 million. The taxpayers of Queensland would be very interested to know where this money would come from and what return they would get from such an investment.

The industry's own figures cast doubt over the link between prize money and horse numbers. Since 1986-87 prize money in Australia has risen over 250 per cent, yet thoroughbred horse numbers have decreased by 22 per cent—prize money up, horse numbers down. Racing Victoria pays more prize money than either New South Wales or Queensland yet has fewer horses, fewer trainers and fewer flat-racing jockeys.

The opposition may be happy to pork-barrel the racing industry, but this government has to balance priorities. The Queensland racing industry signed a commercial deal less than four years ago which provides over $107 million a year for the industry. The government does not and never has funded prize money for racing. Taxpayers' funds are needed for health and education, to protect our children and to provide more police to protect communities across the state.

MINISTERIAL STATEMENT

Integrated Planning Act Schemes

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning 10.26 a.m.): I wish to inform the parliament that I have extended the deadline for the adoption of IPA compliant plans by local government in Queensland. The one-off 15-month extension makes 30 June 2004 the new statutory deadline for councils to complete their schemes.

This extension, gazetted on 20 December 2002, was necessary because it became clear that many councils would not be able to meet the original deadline, even though they had agreed to a five-year time frame to fulfil their obligations under the Integrated Planning Act. Six councils—Warwick, Brisbane, Maroochy, Maryborough, Atherton and Clifton—have operative IPA planning schemes. Four councils—Burke, Cloncurry, Gold Coast and Laidley—are near adoption. Three others—Bundaberg, Thuringowa and Toowoomba—are either on display or have completed the public display stage. Gatton shire is in preparation for public display. Twenty-seven draft IPA planning schemes have been lodged with my department for the first state interests review and a further 82 are at various stages of drafting. Fortunately, most councils are well advanced with their plans, but if any council is still unable to meet the new deadline it is proposed to use ministerial directions with respect to their plan making from 1 July 2004.

Forty-five staff from my department are still working full time assisting council officers and consultants with IPA compliant plans. I take this opportunity to thank and congratulate those councils who have completed and those councils who will complete their plans by the original deadline of 30 March 2003.

EXPENSES OF OFFICE, LEADER OF THE OPPOSITION

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (10.28 a.m.): I lay on the table a report of the expenses of the office of the Leader of the Opposition for the period from 1 July 2002 to 31 December 2002.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mr PITT (Mulgrave—ALP) (10.28 a.m.): I lay on the table of the House the Scrutiny of Legislation Committee's *Alert Digest No. 1 of 2003*.

NOTICE OF MOTION

Fair Trading Fees Amendment Regulation (No. 1) 2002

Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (10.28 a.m.): I move—

That the Fair Trading Fees Amendment Regulation (No. 1) 2002 (Subordinate Legislation No. 311 of 2002) tabled in the Parliament on 26 November 2002 be disallowed.

QUESTIONS WITHOUT NOTICE

Election Advertising

Mr SPRINGBORG (10.30 a.m.): I direct a question to the honourable the Premier. There will be many occasions over the next few weeks where we will be able to pursue his government on issues where we believe that it is deficient. But I believe that, as a part of our positive politics agenda, it is very important that we lay down a few parameters today for consideration in the future. Whilst the Premier was overseas recently, I was able to secure from my party an absolute commitment that we would not be running negative advertising at the next state election, that we would not be into personal attacks, and if we identified deficiencies in government administration we would also identify solutions. I ask: would the Premier also be able to provide an absolute affirmation to the parliament today that he will be able to secure the same commitment from his party?

Mr BEATTIE: I thank the honourable Leader of the Opposition for his question. As I said earlier, I congratulate him on his appointment. I can give an unequivocal guarantee that my government is committed to positive approaches, and that will be reflected in any advertising that we run in the lead-up to an election campaign. We are not involved in negative activity. I am

delighted to see that the opposition is now talking about positive things. The same goes for advertising. We are about being positive. We are about building a new Queensland, a Smart State Queensland, a positive Queensland for the future.

But having said that, words are very easy. What we need to do is make sure that they mean something. I was interested to read yesterday that the Leader of the Opposition and the Leader of the Liberal Party released a document saying that the Nationals and the Liberals have resolved their policy differences, which is the heading of the document. When we read it, we understand that there is a difference between words and substance. This is the sort of Clayton's agreement that you have when you have no agreement.

Let us look at daylight saving. What does this daylight saving mean? It means that there is no agreement. The first part of it says that both parties remain committed to the 1992 referendum result rejecting daylight saving across the state. In other words, that means no daylight saving. But then point 4 states that nothing should prevent either leader from advocating their own personal view or the view of their party on the issue of daylight saving. In other words, they have agreed to disagree. What does that mean? It is a Clayton's agreement! It means no agreement.

In terms of fixed four-year terms, it is an agreement to do nothing. That is what it means. In terms of gun laws, the agreement means that Mr Quinn, the Leader of the Liberal Party, has basically capitulated to the Nationals. That is exactly what he says. Point 2 states that practical amendments to ensure that the laws are fully workable will be considered. We know what that means. That means a watering down.

In terms of trading hours, they basically agree that someone else should make the decision. They did not like the fact that we did. In terms of a transport authority, they said that they are going to have one. We had one under the Goss government. Who abolished it? The National Party and the Liberal Party! So they are going to bring back what we had because they abolished it. Fair enough.

In terms of vegetation management, basically they agree to undermine the existing laws. The agreement states that measures used to reduce clearing levels should not be punitive. Here is a test for the Leader of the Opposition. This week, we will be bringing in some tough measures to crack down on illegal clearing. Is the opposition with us? There are 8,000 hectares of endangered—

Mr Mackenroth: They will be if they're not.

Mr BEATTIE: I take that interjection. They will be with us if they are not. This is a Clayton's agreement. Who is that bloke who runs around with the fraudulent tea advertising? Peter Foster! This is a Peter Foster agreement. The opposition has to do more than have stained tea-leaves if it is going to be the government of Queensland.

Four-Year Parliamentary Terms

Mr SPRINGBORG: I direct a question to the honourable the Premier. I note the Premier's commitment—or so he says—to the introduction of fixed four-year terms in Queensland and his refusal to negotiate on some of the fundamental accountability issues which he himself, if he is a man of his word, should be prepared to want to address. I concur that we need to do whatever we possibly can to ensure that we have an environment in Queensland that provides business opportunities and business stability and certainty in government—a view which is expressed in a letter which I have from the Premier of Queensland. My office this morning contacted the Queensland Electoral Commission with regard to the issue of the next state election. It appears to me that the government's term expires on 23 March next year. Given the local government election and Easter, the Premier does not need to have legislation to be a man of his word and to give a commitment. Will the Premier give a commitment today that we can agree on the next state election being on 28 February next year? It will remove the uncertainty and mock election campaign that will happen between now and then.

Mr BEATTIE: I do not know what is in the water over there, but I do not want any. I advise the Leader of the Opposition—and I am not quite sure what advice he was given today—that the reality is that the election can be held, as I understand it, and this was advice that I was given, as late as May next year. I have offered—

Mr Springborg interjected.

Mr BEATTIE: Just listen to this. I have offered to support a referendum for four-year fixed terms. I support fixed terms for four years. The Leader of the Opposition has refused, as did his

predecessors, to do so. What he has done is bring in a whole range of other things that he wants to negotiate that have nothing to do with four-year terms, including increasing the amount of taxpayers' money that is spent on the opposition, which is now in the vicinity of $1.867 million. So the Leader of the Opposition is really linking his own political self-interest—that is, more resources—to four-year fixed terms.

Mr Springborg interjected.

Mr BEATTIE: No. How much money the opposition gets paid is really, in terms of the accountability mechanisms, not necessarily related. It depends on how well they perform. With $1.86 million, we have been very generous in terms of our allocation to the formal opposition. The Leader of the Opposition either supports four-year fixed terms as a matter of principle or he does not. I will give this clear undertaking. If the Leader of the Opposition is prepared to come out today and indicate that he supports four-year fixed terms, then I will have a referendum on it.

Mr Springborg interjected.

Mr BEATTIE: No, let us not hedge about this. Let us not have any of these Peter Foster-type agreements. Let us not have any more stained tea-leaves. The Leader of the Opposition is either for four-year fixed terms or he is not. It is a matter of principle. If he supports four-year fixed terms, we will have a referendum on it.

The timing of the referendum is difficult. Let me explain why. Under the Constitution and under our standing orders, we cannot have a referendum for four-year terms in conjunction with the next election. It is constitutionally illegal. So there is no relationship with the next election date, because we cannot have a referendum on it at that time. I am advised that there are also some legal impediments in relation to having it at the next council election. I do not have the details of the brief with me, but I am advised that there are. They could be overcome by an amendment, but the reality is that until we get all the political leaders signed up to four-year fixed terms, we are wasting taxpayers' money.

It is very simple: the Leader of the Opposition either supports four-year fixed terms or he does not. If he supports four-year fixed terms, there will be a referendum before he is removed from that position. I will give him that guarantee. If he signs up for four-year fixed terms, there will be a referendum before he leaves that position. The Leader of the Opposition has got a deal: four-year fixed terms. If he signs up, we will have a referendum. It is all over red rover. It is that simple.

International Terrorism

Mr TERRY SULLIVAN: My question is directed to the Premier. With the American President seemingly intent on declaring war on Iraq, can the Premier assure the people of Queensland that the state government has done what it can to deal with the threat of international terrorism?

Mr BEATTIE: While Queenslanders were tragically affected by the terrorism events in Bali in October—and I tabled the condolence books this morning—our state has, so far as the government is aware, thankfully escaped direct threats of terrorism. There have been a few hoaxes and a few concerns that Tony McGrady and I have had to deal with in cabinet; but in terms of real threats, we are not aware of any to date. The Queensland Police Service and other agencies, including Emergency Services and Health, have already proven their expertise in managing major events such as CHOGM and the Queen's visit and in aiding the retrieval, medical and forensic efforts after Bali.

It does give me some confidence knowing that these dedicated professionals are protecting all Queenslanders, but in a rapidly changing world we have to continually review our preparedness. We can never do too much to protect Queenslanders. We must ensure counter-terrorism responses are well planned, resourced and highly effective. The pro-peace demonstrations have shown that Australians are passionately interested in the international situation and I believe that governments have a duty to give them access to information about what is happening on the domestic front. That is why last week the Minister for Police, Tony McGrady, and I released details of two counter-terrorism units that will strengthen Queensland's safety and security. The units are the Security, Planning and Coordination Unit within the Department of the Premier and Cabinet, and the Counter-Terrorism Coordination Unit within the Queensland Police Service. They have been created for an initial 18-month term with a combined budget of $4 million. That is in addition to the $24 million invested in recent years in improving

Queensland's counter-terrorism abilities, which includes money refunded by the Commonwealth for CHOGM preparations.

Protecting critical infrastructure is one of the key roles of the new units. Critical infrastructure means industries, institutions and distribution networks that are vital to the welfare of Queenslanders, the health of the economy and the stable operations of government. It includes information and communications systems, water and energy supplies, health services and transportation. I pray that we will never need to respond to a terrorist threat. If we do, these units will ensure that our responses run like clockwork. Unfortunately, government in this uncertain world cannot give absolute guarantees and I cannot give them. What we can do is to be prepared.

Other roles of the Security, Planning and Coordination Unit include whole-of-government central coordination of security and counter-terrorism related matters, independent risk assessment of critical infrastructure, working with the public and private sectors to improve security of critical infrastructure, and helping government agencies improve security measures. The Counter-Terrorism Coordination Unit's task force includes giving the government expert strategic advice on current and emerging trends in terrorism, developing counter-terrorism educational programs, supporting counter-terrorism training exercises in conjunction with Commonwealth and state agencies, coordinating advice to police and the owners and operators of critical infrastructure and essential services regarding risk management plans, and liaising with state and Commonwealth agencies. Both units will give cabinet periodic updates. Details about the units and whole-of-government counter-terrorism strategy are now available at www.premiers.qld.gov.au/security.

Economy

Mr SEENEY: I refer the Treasurer to the government's consecutive deficits of $858 million in 2000-01 and $894 million last year and to his efforts to explain these away by blaming negative returns for investments in global equity markets. I refer also to concerns about financial accountability and transparency of the government expressed by economic analysts Access Economics who rated Queensland as the fifth lowest state because the Treasurer insists on grouping investment returns with the general government sector, thus obscuring the state's real budgetary position. Given that tomorrow's long awaited mid-year budget review is expected to reveal yet another massive deficit, I ask: will the Treasurer be fully accountable to this parliament and provide separately in tomorrow's report not only the full extent of the losses on the government's investments but also a transparent view of the state's underlying financial position?

Mr MACKENROTH: Yes, I will. The underlying thing will show that we have quite a good surplus. When the Deputy Leader of the Opposition became the deputy leader, I listened to his comments in relation to the operating deficit. I related that to the former Leader of the Opposition and the mistakes that he made. I have actually written to the member and asked him whether he would like to have a briefing from Treasury. I am pleased that he has accepted it, and that will be held this afternoon. I hope that he learns from it.

On ABC Radio the member for Callide said—

> The state budget is no different to all our household budgets. It is just that there are a lot more zeros on the end. It's really a case that you can't spend money you haven't got and, if you do, you end up in deficit like the current government has.

I thought about that and I thought, 'Well, I suppose if you pay your car registration and your motor vehicle running expenses, that would be like running the Department of Transport; if you pay your children's education fees and send them to school, it would be a bit like running the Department of Education; and if you pay your Medicare levy and your doctor's bills, it would be a bit like running the Department of Health.' But it does not really explain the deficit. As the member said, we cannot spend what we do not have.

I thought about that for a while and I thought, 'What would be the best way to explain an operating deficit that we have which is based on bad returns in the equity market?' So I looked at the member's pecuniary interests and I found that under debentures and similar investments the member for Callide actually has money invested in a Colonial First State equity fund. Members might recall that our investment returns were minus five per cent, for which we are being criticised by the opposition, and the member for Callide has joined in making those critical comments. But the member does not tell us which particular fund he is in. There are three of them. One is running at minus six per cent, one at minus 7.3 per cent and one at minus 21.3 per cent. All I can say is that I am pleased he is not running our household budget.

HMAS *Brisbane*

Mr CUMMINS: Could the Premier please tell the House how the HMAS *Brisbane* has finally been secured to be sunk off the Sunshine Coast and why the Premier changed his mind in this respect?

Mr BEATTIE: Before I answer the question, I say to the Deputy Leader of the Opposition, 'Don't feel too bad.' I have Colonial First State investments as well and they are doing poorly! I wish they were doing as well as the Treasurer is—I would be better off, and so would the member.

After successful protracted investigations seeking better priced insurance, on 3 February I was delighted to confirm that Queensland will now accept HMAS *Brisbane* for placement off the Sunshine Coast. The government's acceptance is based on an agreement with the state government insurance fund. I thank the Minister for Environment and the Treasurer for their assistance. I could never—and nor could the government—have accepted HMAS *Brisbane* as a gift knowing that we would have to pay a premium of at least $250,000 a year. I continued to seek other options and am now pleased to announce that a far better outcome has been achieved. It is still expensive, but it is a better outcome. We have been able to access insurance on the site for many times less than the original offer. As we all know, these insurance amounts are still too high.

Environment Minister Dean Wells said that his department would take responsibility for the ship and ensure that HMAS *Brisbane* continues its heritage links with Queensland. I especially want to thank the member for Kawana, Chris Cummins, who asked the question, for his relentless pursuit of this project. Chris's dogged determination and persistence have been rewarded. I want to thank the federal Liberal member for Fisher, Peter Slipper, for his role in this. I also want to publicly thank him for his public comments supporting the state's effort in this long-running issue. Both Chris and Peter have fought hard for the Sunshine Coast, and having HMAS *Brisbane* located there is something of which they can both be proud.

However, I need to stress that the decision to sink the *Brisbane* off the Sunshine Coast was a Commonwealth decision and did not include my government. If anyone wants to complain about the location, they should talk to the federal government. For the other locations which sought the ship, might I suggest that they take up this matter with the federal government. The Commonwealth will meet all costs of the ship's deployment to the site. It has committed $3 million for the towage, preparation and sinking. It is hoped that by mid-year the *Brisbane* will be sunk 12 kilometres east of Mooloolaba.

The end result is a huge win for the Sunshine Coast, state heritage, and the state and nation's divers. Because of our aggression, there will be a cost-effective income for the people of Queensland. It also shows that party politics can be put aside for a pragmatic, result-based outcome and that maturity and hard work reap rewards. I should say to the member for Kawana—I do not know whether he would be aware of this but I suspect that he would not because he would not read this material—that he and I copped an absolute bake in the Sydney press because they were horrified that the HMAS *Brisbane* was coming home. They wanted to sink it off Sydney somewhere. I can understand that they might want to do a lot of those sinkings off Sydney. They were really very unhappy. We copped somewhat of a bake. I did not mind the member being baked but I thought that my being baked was a bit rude! Well done—you did a good job and I thank you for your support.

Tarong Energy

Mrs PRATT: I refer the minister for energy to the fact that Tarong Energy has lost four general managers and two chief executive officers in approximately 14 months, which is a large turnover of top level staff in a short time. They are CEO Alan Du Mee; CEO Andrew Dodman, Terra Gas Traders; General Manager Craig Hunter, Human Resources; Christopher O'Meara, Corporate Services and Company Secretary; Gary Campbell, Operations; and Ross Holden, Chief Financial Officer. I ask: did each of these men complete his contracted term of appointment and, if not, what was the total value of the contract payouts awarded to them? Can the minister enlighten the House as to why Tarong Energy has lost these top level staff?

Mr LUCAS: No. I do not have the calculations of termination payments of any public servants immediately to hand with me, but I am happy to undertake to see what I can do to get that information, consistent with the privacy rights of those people involved. The employment of all executives of government owned corporations is a matter for the boards. We appoint boards

expecting them to manage those corporations. I expect Tarong Corporation and its board to manage its operations effectively as well.

Class Sizes

Mr PURCELL: I ask the Minister for Education: in light of the recent public debate on class sizes, can she advise the House of the present class sizes in Queensland schools?

Ms BLIGH: I thank the honourable member for his question and for his very well-known support for public education in general and the public schools in his electorate. I believe that everybody in this parliament supports the public education system and I am sure they would agree with me that any debate about it should be one that is accurate and factual. Given recent concerns in the public arena about class sizes in Queensland, I directed Education Queensland to conduct a thorough survey of class sizes, and I now have some preliminary results from one of the most comprehensive surveys of our classes ever undertaken in Queensland.

I am very pleased to advise members that recent allegations of widespread overcrowding in Queensland's public classrooms are completely lacking in any factual basis. Data has now been collected from every single one of the 13,011 primary school classes in Queensland's 1,049 state primary schools. Of those, 93.5 per cent of classes are either under or on the target class sizes. The majority of those that are over the target are generally just one or two students over the target size. Generally, that is as a result of local school community decisions.

Mr Speaker, 79 per cent of all of our primary classes are under target; 48.9 per cent of classes are three or more students below the target size, that is, almost half of our students are today sitting in classes that are three or more students under the target. There are similar results, although they are early and indicative only, in our high schools. We have currently surveyed 35 of Queensland's state high schools in six education districts that are representative of all regions of the state. Of the 7,750 high school classes surveyed, 95.3 per cent are under the target class size. Almost 76.5 per cent of the classes surveyed are three or more below the target, that is, more than three-quarters of all class sizes are three or more under the target.

As secondary school students take a range of subjects, they would, of course, spend the vast majority of their time in classes that are under target. Targets in Queensland are comparable to or better than those in most states in Australia. Schools in Queensland's state system are staffed to meet those target class sizes, but some variations are inevitable and they happen for good reasons. They are local decisions to meet local needs. For example, a school may prefer to keep age levels together rather than form composite classes.

Queensland can be very proud of its state system. I can reassure parents that recent mischievous allegations of overcrowding are irresponsible, inaccurate and dishonest.

Ambulance Levy

Mr MALONE: I refer the Minister for Emergency Services to the government's $88 ambulance levy that will be placed on electricity accounts to replace the current subscription scheme, and I ask: what is the government's calculation of the number of people and businesses in Queensland that will pay more than one $88 levy through their electricity accounts?

Mr REYNOLDS: This afternoon, the acting Commissioner for Ambulance, Jim Higgins, and my senior policy adviser, Sue Yarrow, will hold a briefing session for the shadow minister. This collection will raise up to $110 million. Today I wish to stress that it is not a user pays system. It is a method of collection which gives us the broadest way of collecting that particular community ambulance cover. I would also like to take this opportunity to thank the member for Mirani for the previous support he has given in this House for a levy system to be introduced. In terms of community ambulance cover, the question that the member has asked today will be worked through with the implementation committee and also with Ergon and Energex. In terms of Ergon and Energex, we will be determining the number of people who may be getting more than one account. Ergon or Energex would not at this stage have the ability to answer the member's question. They are not the Gestapo or the thought police.

Let me respond to the member's question. What I am saying quite clearly and categorically is that the community ambulance cover is not user pays. This is the broadest possible method of collection. It replaces the ambulance subscription scheme. Members opposite have called this a tax. They can call it what they want, but it is a replacement for our subscription scheme that has been in place for over 50 years. The fact of the matter is that because we did not have a 30 per

cent rebate subscribers were going to the private health providers and running away from our scheme. That is the only area of our $255 million Queensland Ambulance budget—the only part—that has given us a deficit. We run the best Ambulance Service in Australia.

Our call centre has had a little over 1,000 calls in the first couple of days. Fifty-four per cent of those calls were of an inquiry nature, 26 per cent were negative and 20 per cent supported it. We never get calls of support—positive calls—like that. There is a great deal of support for making sure that our Ambulance Service is well funded. I can assure the House that, as minister, it will continue to be.

Drought

Mr LIVINGSTONE: I refer the Minister for Primary Industries and Rural Communities to the government's assistance for drought affected primary producers, and I ask: can he outline any new measures that the Queensland government will be introducing?

Mr PALASZCZUK: Yes, I can outline new measures that the government is introducing to assist our drought affected primary producers. We have in place a Drought Relief Assistance Scheme. It is well established and has been maintained by successive governments. However, DRAS has primarily aided the broadacre grazing sector and dairy farmers. Despite recent reforms, producers outside these sectors by and large have continued not to seek assistance or a declaration under the state declaration process. Therefore, the government entered into talks with industry to review DRAS.

To ensure that we provide equitable, accessible and meaningful assistance, we have also considered what the federal government was offering. In particular, we noted that a major plank in the new assistance being provided by the federal government is interest rate subsidies on new loans of up to $100,000 for two years. I can announce today a new state assistance scheme for drought-stricken Queensland primary producers in all industries except retail nurseries. Under this new scheme, the Drought Carry-On Finance Scheme, the government will offer subsidised loans of up to $100,000 through the Queensland Rural Adjustment Authority. To ensure the most equitable and broadest coverage for this scheme, the government has used a 1 in 20 year rainfall deficiency criteria. The DPI has accessed rainfall deficiencies for the past 12 months, 24 months and three years. All of Queensland, except for 14 shires, will be eligible.

I have asked the DPI to continue to monitor the rainfall situation in each of those shires that currently do not meet the criteria. This measure complements the interest rate subsidies offered by the federal government through the additional drought measures, interim or prima facie EC and full EC. I would remind members that the state government also financially contributes to the cost of interest rate subsidies provided under full EC. With an interest rate subsidy, the loans provided by the state government through QRAA could be at an interest rate of 2.88 per cent based on a one-year fixed term.

These producers will be sourcing funds almost one and a half per cent cheaper than the current official cash rate set by the Reserve Bank. This means Queensland farmers will be able to get finance cheaper than the banks themselves. No fees or charges will apply to these loans and QRAA will cover the cost of the stamp duty. Also, the interest only repayment option is offered by QRAA. DRAS will remain in place, but producers will have the choice of whether to continue to access DRAS or the new Drought Carry-On Finance Scheme. I can also announce today that the existing drought replanting and restocking loans available through QRAA have also been revamped. Under the revamped assistance to be called the Drought Recovery Scheme, producers will be able to seek further assistance when the drought breaks. This assistance will be available in the form of subsidised loans up to a maximum aggregate of $200,000 with a limit of $200,000 for purchasing breeding stock, $100,000 for other stock purchases and $60,000 for cropping.

Mr QUINN: Mr Speaker—

Mr PALASZCZUK: This is quite important. Could I ask to incorporate—

Mr SPEAKER: The minister cannot incorporate during question time, I am sorry.

Time expired.

Compulsory Third-Party Insurance Premiums

Mr QUINN: I refer the Treasurer and Minister for Sport to the breakdown of the compulsory third-party insurance premium provided to every Queenslander at the time of their motor vehicle

registration renewal and particularly to the hospital and emergency services levy component of that premium, and I ask: given that last week the government broke an election commitment and decided to introduce a new compulsory ambulance levy, when will the hospital and emergency services levy be abolished so that Queenslanders with motor vehicles are not slugged twice for the same service?

Mr MACKENROTH: There is no intention to abolish the levy on registration. That is a charge which goes to the hospitals and to the ambulances as part of their funding. The new community ambulance cover is designed to replace the subscription scheme that was in place which was not being paid by all Queenslanders. What was happening was that some people paid that, some people paid it into their health funds and some people paid or did not pay—

Mr Quinn: They're still being slugged twice.

Mr MACKENROTH: No, they are not paying twice. They are different charges and different fees. That fee was there before when people paid their subscriptions or paid it into their health fund or paid the bill when the bill was sent to them. Community ambulance cover is designed to replace that component—that is, the subscription, or paying by way of a health fund, or paying the full fee if one is not a member. We are replacing that, not replacing that component.

Mr SPEAKER: Order! Before calling the next question, I welcome to the public gallery students, parents and teachers from St Ita's in the electorate of South Brisbane. Welcome.

Vegetation Management

Mrs CHRISTINE SCOTT: I ask the Minister for Natural Resources and Minister for Mines: can he inform the House of the Beattie government's record of achievement in relation to vegetation management in this state?

Mr ROBERTSON: I thank the honourable member for the question. The state Labor government has always maintained a strong commitment to protecting our valuable natural resources and the biodiversity of our environment for future generations of Queenslanders. We have always recognised that these core goals can best be achieved through better vegetation management and by striving to achieve a balance between sustainable land use and economic development. That is why it took a Beattie Labor government to introduce Queensland's first comprehensive legislative framework for the management and protection of our native vegetation. That is why it took a Beattie Labor government to tighten permit requirements to protect salinity-prone land from inappropriate clearing. That is why a Beattie Labor government is legislating to enforce tough new deterrents against all forms of illegal tree clearing. That is why the Beattie government will continue to engage with the Commonwealth in dialogue to reach consensus on financial arrangements to achieve further reductions in land clearing.

The Beattie government is justifiably proud of its record of achievement to date in taking strong, decisive action to protect Queensland's native vegetation. The Vegetation Management Act that we introduced in 2000 provides a sound planning framework for the management of Queensland's native vegetation—a framework which ensures that the productive capacity of the land is maintained and negative impacts of land clearing are avoided. This legislation provides for the ecologically sustainable development of land while at the same time protecting our biodiversity and other environmental and social values. It provides greater planning certainty for land-holders, industry and the community. It also gives local communities greater ownership of vegetation management issues through the regional vegetation management planning process.

I noticed with some interest yesterday's release from the newly formed partnership between the National Party and the Liberal Party. One of the tenets of this new partnership, of course, is an announcement in relation to their policy with respect to tree clearing. Without going over old ground about the number of backflips that have occurred on the part of both the Liberal Party and the National Party in coming to this consensus position, I feel it is incumbent on me to highlight exactly what the Liberal and National Parties are now saying.

They say in this document that both parties agree that there is a pressing need to introduce a fully funded compensation scheme to assist in reducing the levels of land clearing across Queensland. The parties agree that such a scheme should be jointly funded between the state and Commonwealth governments and should compensate for, firstly, loss of viability and productivity and, secondly, loss of property value and that governments need to set a benchmark for clearing levels to ascertain whether or not policies are effectively working. I welcome in particular the Nationals' new enlightened approach to vegetation management in this state, but

can I just say one thing: that is not a policy, it is an endorsement. It is an endorsement of the exact approach taken by the Beattie Labor government to further advance tree-clearing controls in this state in partnership with the Commonwealth. Lawrence, I welcome your endorsement of our approach.

Queensland First

Mr HOBBS: I refer the Minister for Local Government and Planning to a letter sent by Queensland First, Labor's fundraising arm, to business and industry leaders guaranteeing them access to the Premier and Beattie ministers for $5,500, and I ask: if someone calls the minister's office today claiming to be a Queensland First donor seeking a meeting with her or her staff, what will she be advising her staff to tell them?

Mrs NITA CUNNINGHAM: I thank the shadow minister for the question. In fact, I am delighted to take a question from the shadow minister this year. If my records are correct, this is some sort of a record because I believe it has been 497 days since the shadow minister has stood up in this House and asked me a question. It is very disappointing for local government that the shadow minister cannot ask me a question about local government. Local government has a number of very serious issue facing it today. We have shires that are completely out of water and with financial help from this government we are now transporting water for those councils. We have every council in Queensland waiting anxiously for the federal minister, Wilson Tuckey, to agree to phase in its new financial assistance grants over five years. Councils have elections coming up. We have changes to private certification and swimming pool fencing. We have revenue raising legislation before the parliament. There are a number of issues, so it is disappointing that the shadow minister has not—

Mr HOBBS: I rise to a point of order. Members now know why I have not asked the minister a question.

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

Mrs NITA CUNNINGHAM: I will now turn to the question that the shadow minister asked. I meet with councils, developers, industry representatives and members of the community on a regular basis in my Brisbane ministerial office, in my Bundaberg electorate office and throughout the length and breadth of Queensland. I have had deputations and meetings with more than 73 of our councils, and many of these on a number of occasions. I have visited more than 50 cities, towns and shires, and councils know that I will always make time to talk to them.

I am proud to be part of a government that consults so widely with the community. Like all ministers, I will continue to meet with as many people as possible from all walks of life. The doors are still open and nothing will change.

Mr SPEAKER: Order! Before calling the member for Ferny Grove, I welcome to the public gallery students, parents and teachers from the Clairvaux Mackillop College in the electorate of Mount Gravatt.

Heavy Vehicle Operators

Mr WILSON: My question without notice is directed to the Minister for Transport and Minister for Main Roads. I refer the minister to the Beattie government's hard line on rogue operators within the heavy vehicle transport industry. Having two brothers who have spent over 25 years as interstate truck drivers, I have a particularly keen interest in this industry, and I ask: can the minister please advise the House of any recent developments?

Mr BREDHAUER: Before I answer the honourable member's question, I would like to thank the many hundreds of Queenslanders, friends, family, members of parliament, complete strangers and members of the media who have given me the benefit of their fulsome and gratuitous advice on bicycle riding over the last week. I can assure them that, as a result of that advice, I will be not only a better bike rider but also a better man.

Queensland continues to lead Australia in pursuing and convicting heavy vehicle transport operators guilty of illegal and unsafe practices. Rogue transport operators who break the law are risking not only their own lives but the lives of everyone on our roads. We will not tolerate overloading of heavy vehicles or drivers driving tired because of demands for goods to be transported within unreasonable time frames.

Queensland's chain of responsibility legislation has given us the ability to pursue all of those involved in transporting goods, not just drivers. Often drivers who are driving tired are doing so because it is demanded of them by their superiors. We know that drivers are sometimes told that failure to comply with dangerous requests will result in the loss of their job.

Since the chain of responsibility legislation came into effect in 1999, we have had 783 driver convictions and 658 transport vehicle owner convictions, including freight consigners, freight forwarders, drivers, transport companies and even customers, which demonstrates that everyone in the chain of responsibility can be held accountable.

Over the past 12 months Queensland Transport has conducted an investigation into a company by the name of Harker Transport Services Pty Ltd, following on from a fatal accident in late 2001 where two backpackers were killed in an accident between the bus in which they were travelling and a Harkers heavy transport vehicle. An extensive investigation of this company has ensued over that period of time.

I can advise the House today that that investigation is now complete. Yesterday, 91 charges were filed and served against Harker Transport Services for breaches of Queensland's chain of responsibility legislation. Complaints and summonses have also been served against the principal of Harker Transport Services, Stephen Charles Harker. Mr Harker has been charged with 91 chain of responsibility breaches. A further 91 complaints and summonses are in the process of being served today against eight drivers. These 273 charges are amongst the largest number of charges ever relating to heavy vehicle offences. The Harkers case is now a matter for the courts.

It is worth noting that the vast majority of operators are doing the right thing. However, the Beattie government remains committed to improving road safety and will continue to pursue rogue operators who engage in illegal or unsafe road transport behaviour, endangering not just themselves but other road users.

Ambulance Levy

Mr FLYNN: My question without notice is directed to the Premier. Given that the proposal to subscribe to ambulance via council rates has been dropped after public opposition and his alternative to raise money through Energex, I wonder if any more thought went into the second proposal appearing just as unpopular. Some are not on the grid like myself, on a stand-alone power system. There are multiple families in one dwelling, and struggling business people with several premises including their homes which will be charged several times. This proposal has inequities, and I ask: despite the talk of the Medicare crisis, have you considered at any stage cooperation with the federal government to enable collection via Medicare? Australians should all be in possession of these charts which enable us to identify those who are financially disadvantaged. Why can we not find a way to use Medicare to solve this problem rather than the inequities of Energex?

Mr BEATTIE: I thank the honourable member for Lockyer for a very positive question. The reality is that we would love the federal government to agree to collect ambulance subscriptions as part of the Medicare levy, but it will not do that.

An opposition member interjected.

Mr BEATTIE: That is exactly right, and I take that interjection. If the federal government were prepared to do that, then we would be prepared to reach an understanding with them. So let us be really clear about that. I challenge the federal government today: if it is prepared to agree that it should be part of the Medicare levy, then we will sign up tomorrow. So the answer is that, if the federal government is prepared to agree, then yes we would do it. Our understanding is that it will not. I understand one of its ministers came out and publicly said they would not do so.

Let us deal with the levy as is. We need to properly fund our Ambulance Service. We all know about the subscriber scheme. There are bad debts, and people not paying means that we are not getting money into the Ambulance Service in the way that we should. We also know that there has been a professionalisation of ambulance services, such as the paramedics. When I was a kid in Atherton, ambulance officers used to go to the local RSL or to the streets on a Saturday to sell raffle tickets to pay for the salaries and for the other pieces of equipment.

Those days are gone. We are not prepared to compromise on issues that deal with saving people's lives. This will cost just $22 a quarter or 24c a day. So let us deal with some of the details that you have raised. The honourable member has raised the issue of people in business. We

would have preferred to have done this by rates but, as he knows, the mayors were not prepared to do so. We had to move on to fund the Ambulance Service properly.

We have done an examination of businesses which have an income of $50,000 or thereabouts. What it would mean for a pie worth $2.50 is a cent per pie. For a haircut of $20—and the honourable member and I would not need to pay that amount. If we paid that amount, we could sue for fraud.

Mr Mackenroth: Search fees.

Mr BEATTIE: Search fees, I accept that. For a haircut worth $20, it would be about 3c or 4c. So it can be passed on. That is not unreasonable. But let us be really clear about this: we are talking about 24c a day. We are talking about $22 a quarter to save lives.

Mr Flynn: What about those not on the grid?

Mr BEATTIE: I have indicated that we have come up with a system that is as uniform as we possibly can get it. Unless we can get the federal government to agree to collect it as part of the Medicare arrangement—

Miss Simpson interjected.

Mr BEATTIE: Instead of interjecting, why do you not ring the federal government and get it to sign up to the Medicare Agreement? Instead of interjecting, why do you not take up his idea? The member for Lockyer is right. If your federal government mates are prepared to agree with him, so will we.

Construction Industry

Mrs DESLEY SCOTT: My question without notice is to the Minister for Public Works and Minister for Housing. In recent months there have been many reports predicting that the residential building industry will start to slow across the country. As the construction industry is vital to our state's economy and growth, can the minister advise if there has been a slow down in Queensland?

Mr SCHWARTEN: I thank the honourable member for the question. The doom and gloom merchants for some time have been suggesting that we would suffer a downturn in the domestic housing market in Queensland, but I am happy to report to the House today that over $500 million worth of contracts have been let in the month of January to builders in Queensland. To put that into some context, that means some 6,100 policies were written the year before last, and so far this financial year some 5,400.

Mr Mackenroth: Are you trying to imitate me?

Mr SCHWARTEN: I am not trying to imitate the honourable member. I could never ever try to do that—emulate, perhaps, but certainly not imitate—especially at budget time. I do apologise for the state of my voice, Mr Speaker. I am hopeful that it will improve.

Mr SPEAKER: I thought it might have been the microphone.

Mr SCHWARTEN: No, it is not the microphone. Unfortunately I have a vocal cord problem. I can assure the House that I still have plenty of spirit, whether or not I have the voice.

The fact is that some 6,100 policies were written in January. At the same time last year it was 5,400. This year's figures show an increase of around 700. So all of the doomsayers are in fact wrong. We have every reason to believe that this year will continue to be a bumper year in the building industry.

I do not know how many honourable members saw the *7.30 Report* the other night. Other states were being commented on in terms of the capacity of builders to carry out work. One of our strengths, thanks to this minister, is that we still have our own statutory insurance scheme. In other states it is proving almost impossible in some cases for builders to obtain insurance. As a result of that, home builders are having extraordinary problems.

Queensland continues to have a very vibrant industry. With that comes issues of concern about the building industry. I think we have an excellent regulatory system in Queensland. It can always do with improvement and strengthening. Accordingly, in the next couple of weeks we will be meeting with industry groups to talk about that. I think the figures speak for themselves. The fact is that we are leading the way in Australia in terms of the number of domestic contracts.

Class Sizes

Mr COPELAND: My question is directed to the Minister for Education. I note the minister's earlier answer to a question regarding class sizes. In the 2001 election campaign the Beattie government promised 800 additional teachers over and above growth as a measure to reduce class sizes. According to the minister's answer to question on notice 1776, a copy of which I table, only 135 were approved in 2002 and 158 were approved in 2003. To meet the election commitment, will the minister now commit to 507 additional teachers by the end of 2004?

Ms BLIGH: I thank the honourable member for the question. I welcome him to the portfolio of Education. It is an interesting portfolio that, with the reforms of our government, is seeing some of the most cutting edge reforms anywhere in the country.

The member is right: our government did commit to 800 additional teachers over and above growth over a four-year period. I am very pleased to advise the House that in each of the budget years since that commitment was made numbers of teachers have been deployed to meet that commitment. In 2001, 147 teachers were deployed. One hundred and thirty-five were deployed in 2002. A further 191 were commenced in 2003. The member is right: we will need to see additional teachers in this year's budget. I suggest to the honourable member that at budget time he can look forward to an announcement.

Information Technology Industry

Mr McNAMARA: Mr Speaker, before asking my question I need to seek your indulgence to wish my daughter Caitlin a happy ninth birthday today. My question is directed to the Minister for Innovation and Information Economy. Given the current climate of the IT industry, is the minister concerned about job losses in Queensland's IT industry or possible company closures? What is the current state of Queensland's IT industry?

Mr LUCAS: I thank the honourable member for his question. He has a very strong commitment to the information technology industry and its growth in Queensland. From time to time we see statistics that show that the ICT industry in Australia is variable in terms of its outcomes, but in most statistics for Queensland there is great news to be found. For example, the latest Drake International quarterly employment forecast for the period January 2003 to March 2003 shows Queensland well above the national average in anticipated net hirings in IT&T. Queensland can expect 2.4 per cent growth, compared to an average growth of 0.9 per cent.

The Smart State has been in the top three states and territories in eight of the last 10 TMP job index surveys. ABS statistics show an industry going strong, with 2,500 firms and 24,400 jobs—up 33 per cent since the Beattie government was elected. I believe the real figure is more like 40,000 jobs.

Queensland ICT exports grew from $16 million in 1991-92 to $112 million in 2001-02. Queensland accounted for 7.5 per cent of national ICT exports in 2001-02. Despite the global downturn in the ICT market, Queensland is one of the two states to increase domestically produced exports from 2000-01 to 2001-02, by almost $6 million. The recent Yellow Pages Business Index shows Queensland SMEs are more positive of the economy than SMEs in any other state.

The Smart State has the jobs and growth, but we in Queensland concentrate on what we are good at. For example, one of the biggest games publishers in the world, THQ—the member for Robina will be pleased to note this—recently announced the location of a studio on the Gold Coast. The *Gold Coast Bulletin* states—

> The United States based THQ says it will build its studio in Brisbane and initially will employ up to 50 people. The announcement is a slap in the face for Victoria, which had already expected to get the studio because THQ already had an office in Melbourne.

Our e-security cluster is the second largest in the world after the US. There are 36 companies in the cluster. In the area itself, there are 90-plus companies employing 500-plus people. We are also very good at education and e-learning. We have formed an e-learning cluster with some 126 companies.

Seventy per cent of Queensland ICT businesses are locally owned. We have Mincom, the world's largest mining industry software house. We also have the largest privately owned software company of its type in Australia. Technology One, the largest publicly owned Australian software company, is also based in Brisbane and it recently sold products to the Uniting Church and the

Salvation Army as well as its traditional products. In Queensland we have IBM and SAP. Later this week I will be opening new offices for Hewlett Packard.

Many members will be interested to know that ShortCuts software specialises in customer relationship management for the hairdressing industry. When people go to get their hair cut, the hairdresser will already know what the client needs and have the material. People might not think the Smart State extends to all of those areas, but it does. It represents jobs for people.

Litter in Waterways

Mr WELLINGTON: My question is directed to the Minister for Environment. Recently I met with some fishermen concerned with the number of used plastic fish bait bags littering our waterways and oceans and being a major contributing factor in the death of many turtles, porpoises and marine animals. Will the minister take steps to ban the use of plastic fish bait bags and have them replaced with biodegradable fish bait bags?

Mr WELLS: On 22 December there was a meeting of the ministerial council of environment ministers. The state environment ministers and the federal environment minister discussed the issue of waste plastic bags and strategies that could be put in place to get rid of them over a period of time. My department also has a program to encourage people to behave safely in our nearby waters. It is quite obvious, as the honourable member for Nicklin has said, that plastic bags and other kinds of refuse can actually kill some of the species which inhabit our shores, including endangered species. They can do very, very serious damage.

Last year there was a turtle rodeo. Members of my department went out to tag turtles in order that that species and their linear movements could be better studied. One of the turtles captured and subsequently released in those circumstances was one that was tied up by a combination of thrown away fishing line and waste plastic. This creature, which was a member of an endangered species, could have died as a result of the fact that somebody carelessly, recklessly, negligently and without regard to the preservation and conservation of our species threw away their rubbish in a selfish and thoughtless way. Clean Up Australia Day is happening fairly soon. I urge honourable members to take the opportunity to propagate the information that not only does keeping our rubbish in our boats and in our cars and returning it to an appropriate place keep the place a little tidier and make Queensland look a little bit cleaner but it can also save the lives of endangered species.

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

MATTERS OF PUBLIC INTEREST

Positive Politics Agenda

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (11.29 a.m.): I was very disappointed in the response from the Premier this morning to our positive politics agenda. I tried to enunciate to the parliament this morning that, as far as we were concerned, there would be many opportunities over the coming weeks and months where we would be able to question the government on some of its deficiencies in administration. Unfortunately, this morning the Premier came into the chamber and indicated by his response that he was not prepared to engage us in a new way in this parliament.

I was particularly disappointed when I asked him a question with regard to whether he would give an absolute guarantee that there would be no negative advertising in the next state election by the Labor Party in Queensland. He equivocated on that. At the Premier's first chance to be able to bring Queensland into a new era of election campaigning, he fails. Let us be honest. In the past, all sides of politics have used negative election campaigning. I do not think that that has done anything whatsoever to advance the cause of the body politic or the way in which the electorate at large views us as politicians, political parties and members individually. That is why I was able to secure unanimous endorsement from my party at our recent state management committee meeting that there will be no negative personal advertising from us at the next state legislation. If we identify a government deficiency, then we will also identify at the same time the way that we propose to fix it.

I was particularly alarmed because only a week before, when I was able to secure that I become the leader of the National Party, the Premier enunciated to Queenslanders at large that there was, in his view, a need to have negative advertising against the Liberal Party and the National Party in Queensland similar to the last time. That is very, very unfortunate. The Premier is

starting to run scared, because he knows that the best way for us to be able to beat him in Queensland at the next state election is for both parties to come together and work closely. The Premier went out there with some form of ruse and basically said, 'If they don't give you a choice of Liberal Party and National Party at the next state election in each seat because they have got this deal'—because we have resolved the issue of three-cornered contests—'we might have to run these negative ads.' I implore the Premier: let us get away from that style of politics. This morning, the Premier tried to indicate that he is going to talk about his record. If his record was good enough, then that record in itself should speak volumes and should be good enough for him to get elected on.

This is about us bringing Queensland into a new era of politics. We reserve the right to be critical of individual government decisions, as the Premier reserves the right to be critical of the things that the opposition may do. But the point is that that criticism needs to be targeted and done properly. Negative election advertising is something that we should all commit to ruling out. I was disappointed, and I intend to pursue the Premier with regard to that issue.

The other thing is that the Premier has been going around Queensland saying that he believes in fixed four-year terms. It is interesting to note that, in the time that I have been the leader of the Queensland Nationals, only one person has raised the issue of four-year terms with me. Only one person has raised the need for the Premier to extend his term. That was the Premier. In response to his letter, I said in seven points that if we are going to go along and negotiate with him on this, then we will need some guarantees on accountability. What is wrong with accountability? What is the fundamental problem with agreeing to greater accountability mechanisms? There are some fundamental issues that the Premier would need to address. Firstly, Queensland does not have an upper house. I am the last advocate for a return of the upper house. Secondly, the Premier has attacked access to freedom of information in this state. We have to wait three or four months to get even the most meagre amount of documents, and there is the cost of it. If we are going to have an accountable government with an extended term and no upper house, we have to have more accountability mechanisms. So the government would have to reinstate the freedom of information regime to the way that it was before—and even to tweak it to make it better—to make sure that governments would be able to continue to use the cabinet exemption process to hide information that it does not want to release. It is not the release of information that gets them; it is the cover-up. That is something that we all need to be basically aware of.

Today, the Premier ridiculed the notion that the opposition needs to be better resourced and funded. There is one official opposition in Queensland that does its job. After the last state election when the coalition was not renewed—the opposition consisted of the National Party—the Premier cut the budget of the official opposition. I am dealing here with the official opposition. The computations and the permutations of it do not matter: the official opposition needs to be resourced to make sure that the government is accountable. The government cut it. It cut the number of senior positions that we could have from five to two, it reduced our office space, and it reduced the number of staff by about six. That is not done in a democracy. The Premier has indicated that if the National Party is able to form a coalition with the Liberal Party, then he may look at reinstating those conditions. But he has missed the entire point and that is that, if the government has a four-year term environment, it should maintain its belief in democracy and a properly resourced opposition.

I did not rule out negotiating with the Premier. I said that I would be happy to negotiate with him on that basis. He did not want to commit to extra accountability, because he knew that he could not deliver it. He knew that he had wound back access to freedom of information, he knew that he had gutted the resources that were made available to the opposition. The Premier wants everything his own way. If we are going to consent to negotiate and agree to fixed four-year terms, we need some guarantees on the part of the people of Queensland. We have not been given them to date, and we will continue to pursue getting them.

Instead, because many in the media supported fixed four-year terms as a principle but agreed that these issues should have been addressed first, what did the Premier do? He grabbed his sand bucket and his sand shovel, jumped out of the sandpit and ran away. I said all the way through that I was prepared to continue to negotiate. The Premier came out with a little quip that it was a clever way of Lawrence saying no. It is not. It is a way of saying, 'You will need to convince us that you are prepared to look at accountability.'

Today, if the Premier was serious about the advantages of fixed four-year terms then he would have agreed, when I put the question to him, to work on 28 February next year as the day

of the next state election. The reason for that is that the government's term expires on 24 March. That is the date when the writs must be issued. That is when the term expires. Three days later we have the local government elections and a week or so after that we have Easter. The reality is that there are significant problems in having an election during that period. If we had a 56-day campaign period, the election would go into May. The Premier is not going to have a 56-day campaign period—nobody wants that; politicians or the community at large. So the reality is that we will be dealing with a 26-day election campaign. From a practical point of view, we need the election this side of the local government elections. That is why 28 February next year, two weeks post the three years, is reasonable.

All the Premier wants to do is to enunciate something that he believes in. But when the blowtorch goes near his belly, the Premier runs away. That date would have provided the Premier with an opportunity to do away with the speculation that will build in this state post June about an election at the end of this year. That happens. The speculation will build, the government will not be able to put in place its agenda and talk about positive things. The government knows how things go once an election campaign starts. If the Premier had said that today, that speculation would have been ruled out and we could all agree to go on and deal with the issues that Queenslanders are very, very concerned about.

Over the past week, we have also seen from this government a return to old-style Labor. First of all, last Monday we saw a broken promise with regard to the ambulance tax in Queensland. I can say more about that later and I will. We saw the Premier of Queensland imposing on the people of Brisbane his chosen Lord Mayor. We will see what happens at the next council election. We have also seen special deals for special mates with regard to Queensland First. The Labor Party has put out that information, and the Premier is trying to run away from it. The Labor Party has said that people will get special consideration if they donate and become a foundation member.

This morning, we heard the Premier defend the ambulance tax in Queensland. The Premier said that it was not a problem because if a person owns a pie shop, it will cost one cent more. If a pie is $2.50, one extra cent makes that pie $2.51. I do not know whether the Premier is aware that we do not have one cent coins and the price is rounded down. If the price is put up by five cents, then we have profit taking and trade practices issues. The government has not thought through the process. We also have the late registration fee, which is another $40 that is slugging motorists in Queensland. We also have the drivers licence failure fee. We have the bore licences which the government has imposed on people. We have all of these sorts of problems that must be addressed.

Time expired.

Middle East Conflict

Ms NELSON-CARR (Mundingburra—ALP) (11.40 a.m.): The national and international peace rallies held around the world a week ago attracted hundreds of thousands of peace activists saying 'no' to a US war on Iraq. In Townsville we held our second peace rally and speakers from all walks of life joined together to oppose any pre-emptive strike against Iraq. We all asked the question: what has Iraq done to Australia except buy wheat from us? What do we need to fight the Iraqi people and their children for? The member for Herbert has tried to deflect from his government's position by supporting a pre-emptive strike and by going national, suggesting that soldiers are being vilified by the peace movement. When challenged, of course, he could not name the culprits. What a complete nonsense. All I have read, seen and taken part in illustrates support for our soldiers and their families. They are doing what the federal government is telling them to do. It is their job. We in the peace movement support the families of the military. To suggest otherwise is just another divisive measure by the Howard government to pit Australians against Australians.

The member for Herbert says he is opposed to the Bush agenda, but what has he done? He cannot have it both ways—oppose it in the electorate but support his government. Are the sanctions against Iraq working in keeping Iraq disarmed? Well, if they are, why do we need a war? If they are not, why does the Howard government continue to bring shame on Australians by supporting them? This is not about weapons of mass destruction: it is about mass destruction of thousands of innocent victims. What seems to be emerging in the debate is the need for the right-wing members of our community to denigrate the peace movement, suggesting support for Saddam Hussein and Tony Blair, for instance, because those in the peace movement omit to

carry placards and burn their effigies. They just do not get it. The peace movement is about peace, about searching for better ways to deal with conflict, about addressing alternatives; for instance, having a nuclear weapons free zone in the Middle East which is strictly supervised, implementing treaties banning biological and chemical weapons, or maybe having another peace-keeping operation to work with the Arab League. We need to protect human rights and to address poverty in the region. History repeats in that the only way to get rid of one's enemies is to make them our friends and to feed them.

The Howard government is pouring extra billions into defence at the expense of the Australian people. Medicare is in crisis; we do not have enough GPs, which directly impacts on hospital emergency departments throughout Australia; tax deductions continue to apply to the rich; and devastating cuts to our universities mean that education is once again becoming a privilege and not a right. And what about the scandalous and spiralling cost of petrol? While the Howard government says oil companies are the recipients of oil profits from petrol sales, for every one cent of tax excise the federal coffers make $300 million in revenue. John Howard has his priorities totally wrong. On the one hand he focuses on war, and on the other he takes on state issues to avoid his national responsibility.

In supporting George Bush and being part of the coalition of the willing, Howard supports the notion that one nation should police the world. I say that we should do everything to stop it. For the member for Herbert to question the relevance of the United Nations in a changing world does nothing to address the immediate debate and is extremely damaging. Look at the way Bush governs his country. He shamelessly favours the mega rich. He has no regard for the world's poor or for world ecology and has a swagload of unilaterally abrogated international treaties. We are told that 88 per cent of Americans want war. The United States has raised its defence budget by another $160 billion so that now it is around $360 billion. How can George Bush hoodwink his people like this? He has actually performed a huge conjuring trick by deflecting people's anger from bin Laden to Saddam Hussein. Now, one in two Americans believe that Saddam was responsible for the attack on the World Trade Centre. George Bush is keeping his people in a state of ignorance and fear and John Howard is leading us down the same path.

I would like to table a statement made by Australian parliamentarians and ask that my Queensland colleagues join with me and other state and federal members in opposing Australian military participation in bombing and waging war on Iraq. Interestingly, initial endorsements to 5 February 2003 do not include the member for Herbert, nor indeed do they include any members from the Liberal Party or the National Party. I think this is very disappointing. There is no bipartisan support of this. The statement begins by stating—

> We join with millions of Australians to oppose war on Iraq and Australian military involvement. We are heartened by the opposition to this war expressed by former prime ministers, retired military leaders, community organisations and the heads of faith organisations both in Australia, London and Rome.

For those who wish to add their endorsement, addresses and phone numbers are included.

Finally, at a local level once again, I had the great pleasure of attending the launch of Tips for Living in Harmony produced by the TSMG.

Time expired.

Middle East Conflict

Hon. J. FOURAS (Ashgrove—ALP) (11.45 a.m.): I have experienced the horrors of war. As a five-year-old I was sleeping on a mattress on the floor in my village home in Greece when I was awakened by a torch shining in my face and then saw my father taken away at gunpoint by German soldiers. For many years this was the source of a continuous nightmare for me. Some weeks later I was sitting on a toilet outside my home when bombs began to fall. The house across the road exploded. A bomb fell on our backyard but did not go off. A few months later in a town 11 kilometres from my village more than 2,000 males, including boys aged 14 and over, were massacred by the Germans. I have seen dead bodies stacked like sacks of potatoes on the back of a truck.

I marched the other day. I believe the concept of a pre-emptive war to be an act of madness. How can anyone justify a regime change in Iraq at a cost of many thousands of innocent civilians? Bush, Blair and Howard have increasingly taken the moral high ground in justifying war against Iraq. A massive, unprovoked military attack on a nation whose population is over 50 per cent children is morally repugnant. It is not in Australia's national interest to be involved in a pending war that is ill-conceived and counter-productive. More than 300 tonnes of

depleted uranium weapons with their superior armour piercing capabilities were used in the first Gulf War. The outcome? Iraqi hospitals are now full of children suffering from diseases such as leukaemia, cancer and physical deformity. As a parent I can empathise with the despair of their parents.

Recently, when discussing a possible attack against Iraq, high-level US figures refused to take off the table the use of nuclear weapons. The first casualty of any war is the truth. During the Gulf War the US administration managed the information flow. It manipulated the news. For example, on television their attacks on Iraqi targets were presented like computer games. The use of smart bombs, guided by radar and lasers, were praised for their extraordinary accuracy in hitting military targets rather than nearby civilians. After the war, a spokesman for the US Air Force said that the smart bombs amounted to less than nine per cent of what was dropped in Iraq. The remainder was dropped from old fashioned bombers with an accuracy rate of about 25 per cent. Just one American missile destroyed an underground shelter. About 300 civilians, including many women and children, were incinerated.

There is no clear and convincing pattern of Iraqi relations with either Al Qaeda or the Taliban. A case has not been made to connect Al Qaeda and Iraq and yet a recent poll tells us that one in two Americans now believe Saddam was responsible for the attack on the World Trade Centre. Iraq presents no clear and present danger to its neighbours and none to Australia, the US or Britain. I find it most frightening that in the coming weeks the UN Security Council may be bullied and coerced by the US to support the war against Iraq against the wishes of more than 90 per cent of UN member countries. This will then become a self-fulfilling prophecy resulting in the ultimate devaluation of the UN as an institution. It will take the world back to the law of the jungle where the winner takes all and it is survival of the fittest.

I do not want to live in a world where the strong rule. In conclusion, I shall quote US Senator Robert Byrd, a senator of 45 years. He said—

> We may have massive military might but we cannot fight global terrorism on our own. Our awesome military machine can do us little good if we suffer another devastating attack which severely damages our economy. The war in Afghanistan has cost us $37 billion so far, yet there is evidence terrorism may already be starting to regain its hold in the region.

The Bush administration has not finished the first war, yet it is eager to embark on another conflict with perils much greater and yet we hear little about the aftermath of a war in Iraq. The senator asks some questions. Will we seize Iraqi oilfields and become an occupying power which controls price and supply? Will our war inflame the Muslim world resulting in devastating attacks on Israel? Will Israel retaliate with its own nuclear arsenal? Will the Jordanian and Saudi governments be toppled by radicals bolstered by Iran who have much closer ties to terrorism than Iraq? Could the disruption of oil supply lead to worldwide recession?

Unfortunately, the combination of a compliant media and vested corporate interests is once more ensuring that the questions posed by Senator Byrd are not being debated. A lie led us into Vietnam with the US. Misinformation and spin doctors are now leading us into another war in Iraq. It is time the Howard government found something better to do with the $700 million it is spending on this war. What about spending it on Medicare? Bush is spending $60 billion more on defence this year and $360 billion all-told. Why does he not look after his poor? Forty-two million Americans have no health cover at all. Forty-six per cent of American children aged 18 do not have a trade and have not finished high school, yet the figure in Europe is less than 10 per cent. In America the poor cannot escape the poverty cycle. Its president is throwing away money on a senseless war.

Time expired.

Infrastructure Services Group, Queensland Rail

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (11.50 a.m.): I rise to speak in relation to a QR issue in my electorate. I thank the QR workers for inviting me along to a discussion last week at which an efficiency review was put on the table for the workers to comment on. The representative from QR who outlined the process stated at the beginning, and restated on a number of occasions, that this was the consultation stage and that nothing was set in concrete as yet. However, the majority of the workers felt that the decisions had been made and that the consultation was merely so that the process appeared acceptable.

Many of these workers are men who have worked at QR for many years and have a lot of experience and knowledge. Across the ISG in Queensland, 391 positions are to go. The

projections are that voluntary separations will be 312 and other cessations will be 79. In the Rockhampton district that will make up 51 people; in my electorate of Gladstone, 11. Some of the issues discussed as strategies for reducing the number included the finalisation of apprenticeships when apprenticeships are completed and additional resources are not required. That raised the spectre as to whether QR was intending not to continue its apprenticeship program. I think the government has a flagship role to play in setting an example to business in terms of continually renewing apprenticeships and having an intake each year to ensure that at the end of the apprenticeship cycle there are new and qualified practitioners for our region.

One of the other methodologies discussed was the decommissioning of old machinery without replacement. The Infrastructure Services Group—ISG—workers were told the group was operating at a loss of $45 million. I noted, though, that there was no justification for that figure and the guys were just asked to accept it. In relation to decommissioning older machinery, it was explained that once the use-by date was reached the machines would not be maintained or fixed; they would be sold and the particular work area would have to justify a replacement. Some of the necessary QR equipment costs hundreds of thousands of dollars—track-laying equipment, et cetera. The workmen told the meeting that QR's rates for internal hire are much cheaper than those of external contractors. That is how the men believe QR is looking to make savings, that is, by getting rid of equipment and hiring it from private contractors. At the end of the meeting, more than a half a dozen blokes told me how inefficient that was; that it might look fine on paper and the theorists in Brisbane would be able to justify getting rid of QR equipment, but the problem is that in reality it does not work.

The union representatives indicated that at no time was the restructure of the track section supervisors and the TDS put on the agenda for prior discussion. The two union delegates there stated that they were not interested in the restructure proposal because it had not gone through the right channels. The significant part of the meeting which dealt with this restructure did not even have union support.

In respect of my region there is one matter that I wanted to raise because of its lack of logic. My concern is not only for the workers in my region but for those across the state. I am concerned that this illogical view could be driving the reductions in worker numbers and that in the long run this will be detrimental. In the Rockhampton region the thermit gang—the welders—are going to be reduced from five to three. We had sufficient work in my area for Rockhampton welders to come down last year, and there was still sufficient work for those welders to be gainfully employed. The earthworks gang is going from six to zero, yet in wet weather it deals with slippages. I know we have been going through a lot of dry weather. In dry weather they look after the clay holes and look after sections where there is potential for the line to drop. I am told that in the Rockhampton district 20 kilometres of clay holes have already been identified, but the gang can do only 150 metres a week because of the type of work involved. It is illogical to dismantle this gang.

Time expired.

Federal Government Anti-terrorism Kit

Mr ENGLISH (Redlands—ALP) (11.55 a.m.): I, along with every other honourable member—in fact, every other Australian—recently received John Howard's terrorism kit. John Howard spent $15 million on this extravaganza. This is another example of how out of touch the Howard government is with the people of Australia. I look at that wasted $15 million and think about how that could have been spent in my electorate—what aid that could have given the schools in my electorate, what help that could have given the hospitals in my electorate, how that could have been used to improve roads or upgrade the Redland Bay Police Station. There are many ways in which that $15 million could have been better spent. Instead he sends out a superfluous booklet full of lies and deceit. This is clearly an example of John Howard and his government having completely the wrong priorities.

I understand that some people will argue that people need to be informed about these matters. We do live in uncertain times and people should be informed. People need to be protected. I acknowledge that. However, there are currently systems in place to allow that to happen without Howard resorting to this $15 million extravaganza in setting up this ridiculous 24-hour international security hotline. The state government currently has a very effective Crime Stoppers unit. I refer to the Australian Security Intelligence Organisation Act 1979, section 4 of which contains definitions. Nowhere in that act is there a mention of 'terrorism'. 'Terrorism' is very

rarely used by professional intelligence analysts. The term used is 'politically motivated violence' and that is the term that appears in that act. Effectively, terrorism is a criminal act—nothing more, nothing less—with a political motive and a political agenda. The inherent act that is undertaken is a criminal offence. The police will investigate it and prosecute it; it is a criminal offence. So why could Howard and his government not use the existing criminal resources? Why could Howard not promote the Crime Stoppers number—1800 333000? If people see something suspicious or are concerned about something, I encourage them to call Crime Stoppers and not Howard's ridiculous excuse for an organisation.

Mr Terry Sullivan: They could make it work through Neighbourhood Watch. The structure is there already.

Mr ENGLISH: That is exactly right. The lie in this document is 'Be alert but not alarmed'. But what I see are 19 pages of scaremongering—nothing more, nothing less. If Howard wanted to encourage people to be alert and to keep an eye out, the existing Neighbourhood Watch network and framework presents a very cogent, calm and reasoned framework in which to encourage people to look out for their neighbours. Why are we scaring people about terrorism? We wish to reduce crime full stop. Be it terrorism, break and enters or rape—I do not care—we wish to reduce crime. To me, Howard's fear campaign ramping up terrorism is a waste of money. John Howard's failure to interact with Crime Stoppers and Neighbourhood Watch, and to use existing credible resources and structures, and his decision to waste money on a fear campaign cannot be condoned.

The Neighbourhood Watch principles include taking some simple steps to improve household security while at home and away; to watch out for one another's property and take a little more care. Is that not what we should be encouraging people to do? Yes, we live in dangerous and uncertain times. We should be encouraging people to keep alert. The Neighbourhood Watch Program has been running for many years and has been doing exactly that. To waste money on this third level is a great example of John Howard not sharing the priorities of the people of Australia. Spending money on schools, education, health and roads are the things that people care about. The Neighbourhood Watch and Crime Stoppers frameworks were already in existence. He could have spent the $15 million on propping up those organisations. Instead, he elected to waste this money.

Time expired.

Racing Industry

Mr HORAN (Toowoomba South—NPA) (12.00 p.m.): One of the great industries of Queensland is the racing industry. It is the third biggest industry in this state and employs 55,000 people. The racing industry is organised on three levels: country racing, regional racing and metropolitan or city racing. Racing contributes about 55,000 jobs a year in this state. As I said, it is the third biggest industry in the state and is an industry that is worth while supporting because, unlike some of the so-called smart industries that the Premier often talks about, racing supports a whole range of people. It supports people such as strappers, jockeys, trainers, those working on lucerne farms and breeding farms, those in transport industries, part-time jobs in catering, working on the gates and everything else at the race meeting itself. Generally speaking, racing in the country is run by volunteers and honorary workers.

Country racing is the grassroots of the state's great racing industry. Country racing provides the foundation for apprentices and those people who will go on to higher levels of regional and metropolitan racing and horses that will work their way up to be champions such as Murphy's Blu Boy. On the other hand, those horses that do not quite make it at the metropolitan tracks will find their way back to regional or country tracks. Therefore, country racing is absolutely essential to this great industry. The current problems facing racing in this state come from a number of sources. One is that the TAB privatisation deal done by this government is totally unsatisfactory in what it returns to racing. There is no growth factor built into it or additional funding in the way that the New South Wales and Victorian sale of their TABs has provided those racing industries with such outstanding support.

As a result, there is a need to build up prize money, because there is a limit to the amount of money available for prize money at all levels. I am not saying that this is happening just at country races; it is happening at all races—country, regional and city. In addition, Sky Channel is due to renegotiate its five-year contract with the racing industry in Queensland and that will mean a $3 million loss from the approximately $6 million it now pays to certain clubs in Queensland. Other

clubs, of course, have to pay to get Sky Channel access, but the revenue for those who get paid by Sky Channel will reduce by an estimated $3 million. The newly formed Queensland Thoroughbred Racing Board, Queensland Racing as it is known, is faced with these problems and has no additional finance to try to build up Queensland racing to be competitive with interstate racing and overcome this loss to the code as a result of reduced Sky Channel payments.

However, it is not fair for all of that money to come from slashing and burning country racing in Queensland. In the immediate future country racing in Queensland is facing a 40 per cent cut in race dates—that is over 200 race dates cut from country racing—at non-TAB tracks and TAB tracks in Queensland country areas will lose their TAB dates altogether. The burden for the mess that the government has got racing in Queensland into will be felt by country racing. It is not very smart to cut over 200 jobs throughout the state. It is not very smart to take away the very foundation of racing—that is, country racing. One only has to look at the options for the government. This government puts something like $10 million into a weekend of Indy. None of us decry that or criticise that because it is a great event which brings a lot of international and interstate tourists and, as a result, it builds the tourism industry.

Let us look at racing. Every Saturday at a whole number of tracks throughout regional, city and country Queensland there is racing. There is racing almost every day of the week. There are outback carnivals. There are winter carnivals. There are regional carnivals. There are north Queensland carnivals. It is an incredible industry that does so much for not only the economy of this state but also the social fabric of this state. Chopping out race dates in country areas, particularly in those areas where it is only one day a year, is like cutting out their annual show or saying that Toowoomba cannot hold the Carnival of Flowers. It is cruel to cut out these symbolic and important social events in country towns. Through the Department of State Development this government gives $64 million in free grants to international companies and other businesses to expand or grow their business. We have a huge and magnificent business in thoroughbred racing in Queensland backed up by the grassroots of country racing, which is at least 40 per cent of thoroughbred racing in this state. As a responsible government in a so-called Smart State, why not be smart and actually support the jobs, the economies and the social infrastructure of country racing throughout this state?

Time expired.

Burdekin Community Association; Middle East Conflict

Mr RODGERS (Burdekin—ALP) (12.05 p.m.): John Howard's hawkishness is already showing signs of affecting the quality of life in rural and regional communities. There are concerns being expressed by community associations in my electorate that they could become casualties of John Howard's war agenda. The federal Treasurer, Peter Costello, was quoted in the Townsville *Bulletin* in an article titled 'Defence priority' on Wednesday, 12 February as saying—

> Defence would be the top priority in the May Budget, Treasurer Peter Costello said yesterday, with all other spending plans taking a back seat.
>
> Mr Costello said the Government had already ramped up spending on defence but there was no more important function than defence and national security.
>
> 'The consequence of this, Mr Speaker, as we run up to this year's Budget is that defence will be taking priority over other plans or programs that otherwise may have been considered,' he told Parliament.

Education, health, Medicare and funding for community groups will all suffer under Costello's proposed funding changes and Howard's new agenda.

The Burdekin Community Association in my electorate and its proposed new facility could be a casualty of Howard's war agenda. It could miss out on vital federal government funding to help establish the purpose-built facility for Burdekin rural health in the region. The centre will provide a comprehensive range of health and counselling services, including women's health, children's occupational therapy, speech and pathology, rural/farm family support, a consulting dietitian, podiatrist, audiometrist, RSL Community Health Services, RSL Community Support Services and the Alzheimer's Association. John Howard has admitted that the war in Iraq will cost millions of dollars, and it is becoming increasingly apparent that communities in Australia will have to pay for the price of Howard's efforts to ingratiate himself with George Bush.

If regional communities receive shabby treatment, then clearly this war is not in the national interest. The Burdekin Community Association and its associated community organisations work extremely hard to enhance the quality of life in the Burdekin and their record of achievement is second to none, and they have done so with only minimal support from government. The

Burdekin Community Association has worked particularly hard on its application to the Regional Solutions Program for $161,800 to make the new rural health community centre a reality. The state government has chipped in $100,000 for the new centre under its community facility upgrades strategy.

But Howard looks like letting us down badly. Ordinary Australians are being given low priority while Howard pushes with his third-term agenda—a war agenda. I call on the federal member for Dawson, De-Anne Kelly, and Senator Ian Macdonald to make urgent representations to their political masters to have these funds released. It is time for them to stand up for the communities that they represent in the federal parliament. There is no justification for John Howard, De-Anne Kelly and Senator Macdonald to turn their backs on vital health needs in the Burdekin community and other regions. There is a need for all communities to look at what is happening in their communities. With the war effort, leading up to the budget Howard and Costello have said that there will be cuts. Where are those cuts going to come from? What are they going to do to Medicare? What are they going to do to regional health services that are funded by the federal government? Are there going to be cuts there?

These answers have to be proffered by the Prime Minister, John Howard, and his Treasurer, Peter Costello. If these questions are not answered and if federal funding is cut back to people in rural communities, then I pity the Howard government. The federal government needs to support regional and rural communities and the whole of Australia in maintaining funding for organisations in communities. If they do not, communities will suffer.

It is a lot worse having communities in Australia suffer than funding wars overseas which I believe have come about as a result of a set or hidden agenda of President Bush on Iraq. Communities in Australia will be the ones to suffer, and I hope that Howard and his government see fit to stop this war and support the community.

Time expired.

Drought

Mr FLYNN (Lockyer—ONP) (12.11 p.m.): I concur with the views of the honourable member for Toowoomba South on the state of racing in Queensland; however, without water, the tracks—like many sports grounds statewide—will be unusable. We have had significant rain across the country, as we have all witnessed, but more often than not it has fallen in the wrong places and in some areas in such volume that it has resulted in crop or property damage.

Flood damage is a short-term or transient problem, but the effects of drought are longer term and much more far reaching. A number of factors have affected our attempts to drought-proof Australia and, in particular, Queensland. Firstly, I sincerely doubt that we can drought-proof the driest continent in the world. We have to live with our climate and learn how to minimise its more damaging effects. Secondly, we must have a recognition that water is a natural, essential resource that should not, in my opinion, be treated as a private resource subject to profits in the marketplace, making it affordable to some rather than all. Thirdly, more needs to be done to encourage more efficient use by industry and private consumers in cities and major residential areas.

Many councils, including my two main councils—namely, Gatton and Laidley—have introduced measures to ensure minimum use of water through, in some cases, compulsory measures and, in other cases, voluntary measures. At present, I am told there is a high level of compliance, and my congratulations go to the councils on reaching that degree of understanding with their constituents. Rural residents realise the scarcity of this resource and have responded accordingly. Unfortunately, this water awareness, particularly in cities, seems to dissolve on the first appearance of rain.

The drought is not over and, if anything, we need even further measures to ensure that we maximise the efficient use of our scarce water resource. These measures could include minor ones, such as no drawing upon public water systems for car washing except by bucket and encouragement to use car washes which recycle their water on site. Some car washes presently adopt this practice. People drive in, have their car washed, the water is recycled and is used to wash the next car.

State government might consider subsidising water tanks, wherever practicable, for all houses and businesses to encourage in the long-term installation of recycling devices for all

consumers. This subsidy might be administered in a similar manner to the alternative energy rebates that the state government has had in place in the past.

Mr Terry Sullivan: There is a trial at the moment between the state and the city council.

Mr FLYNN: I take that interjection. I am happy to hear that. Meanwhile, I plead with both state and federal governments to act now to implement water schemes and, in my case in particular, to assist the Lockyer, Darling Downs and other areas.

I remind the House that renewed water will not happen for five years, if at all, and there is some doubt about its likelihood of success. It is also expensive. Fresh water has also apparently been dubbed as financially prohibitive. Are we going to continue vacillating on this issue whilst rural communities gradually collapse around their farmers who have been driven off the land by drought? Yes, drought does drive them off the land. But, more to the point, they are assisted off their land by government procrastination at any level. Help is needed now. When farmers collapse, communities collapse and businesses are bankrupted.

We need short-term answers as well as long-term answers. So let us stop mucking about over whose responsibility it is—the state or federal authorities. Let us have some form of action now. The community will pay for it if they see that it is necessary.

Upper Coomera State College

Ms KEECH (Albert—ALP) (12.14 p.m.): It is clear from the contributions of previous government members that John Howard's full throttle war agenda is just another example of how his government has lost the plot. Every day I receive complaints from residents in Albert who cannot get access to a local doctor, much less one who bulk-bills. But, at the same time, John Howard and his cronies can find 20 scarce million dollars for his propaganda anti-terrorist kit which ends up either in the bin or is returned to sender, all at taxpayers' expense.

What a difference in Queensland where we have the progressive Beattie Labor government. Instead of spending money wastefully on propaganda, we are delivering on real services—services that really make a difference to the lives of working families. Every day the Beattie Labor government is out and about listening and delivering to the people of Queensland.

A couple of weeks after she was appointed as Minister for Education in 2001 the Hon. Anna Bligh joined me in a visit to the Coomera State School so that she could see first-hand the incredible enrolment growth the school was experiencing. After the visit, a commitment was given by the minister to the local school community as well as to the wider community that the Beattie government would work to provide additional educational services to the fastest growing region not only in the Gold Coast but also in all of Queensland. So unlike the Howard government, when it comes to educational services our government listens and our government delivers on its commitments.

I applaud the efforts of the Minister for Education, the Hon. Anna Bligh, and the fact that last month Queensland's newest state school opened its doors to 900 eager students.

Mr Lucas: 900? Wow!

Mrs Carryn Sullivan: That's incredible

Ms KEECH: It is. The entire community is excited about the $28 million preschool to year 12 Upper Coomera State College. At present it has enrolled students from preschool to year 8 and will be fully operational in 2007.

I met hundreds of local families at the college's open days in late January, and they told me how impressed they were not only with their children's teachers and the high-tech, first-class facilities but also with the college's Smart State approach to modern learning. The college is soon to introduce its smart card, which will perform a wide range of functions in the school for both teachers and students. The card will be used as an identification device, and eventually it is planned to be used for marking attendance rolls electronically. And there is more. The smart card means that lost tuckshop money will be a thing of the past.

Mr Lucas: You could have a smart lunch.

Ms Keech: Parents will now be able to credit money on to the smart card for the tuckshop, and, as the Minister for Innovation says, maybe students can have a smart lunch!

Mrs Carryn Sullivan: Not a free lunch because there is no such thing.

Ms KEECH: There is no such thing as a free lunch. Parents will be able to limit what the tuckshop can sell to their children. This is particularly useful, for example, for children with allergies. Parents can be confident that their children are receiving a healthy, balanced diet in line with a child's dietary needs even when they use their smart card.

Opportunities for smart card technology continue. I have also been told that parents will be able to top up the cards when they are low on credit via the Internet. Like everyone else who is involved with Upper Coomera State College, I am extremely excited about the college's future. The teachers and support staff at the college are first-rate educators, led by director Lee Callum, middle school principal Leanne Nixon and junior school principal Keith Warwick. They are ably supported by teachers, support staff and a hardworking P&C. It is a credit to the Beattie government that the Smart State vision is capturing the collective imagination of all Queenslanders.

Ms Bligh: It is a credit to the member for Albert.

Ms KEECH: I thank the Minister.

Technology like the smart card is helping to provide our children with the best educational experience on offer. I am proud to be a member of a government that is achieving real results in a Smart State. The Upper Coomera State College looks set to become a world beater when it comes to educational excellence. The college is just another stark example of the wide policy differences between the Beattie Labor government and the Howard federal coalition. While Mr Howard prances on the world stage, focusing attention on our country for all the wrong reasons, the Beattie Labor government has its priorities right. We are completely focused on putting Queensland families first by delivering real jobs and real services to those who need them most.

Financial Reporting by Government

Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (12.19 p.m.): This morning in this House I asked the Treasurer a question about whether he was prepared to be fully accountable in this parliament and separately provide in tomorrow's long-awaited mid-year budget review not only the full extent of the losses on the government's investments but also a transparent view of the state's underlying financial performance. I asked him to do what he has not been prepared to do, despite urgings previously in this House and despite concerns that have been expressed by Access Economics and other financial commentators. Up until now the Treasurer has shown complete disregard for financial transparency.

He began his reply to my question this morning by saying that, yes, he was prepared to provide the information that he has been urged to provide, but he also said that he was sure 'the underlying thing will show a surplus'. What sort of a comment, I wonder, is that from a state Treasurer? I presume he means that the underlying financial position of the state, without the investment losses, is in surplus. I presume that is what the Treasurer means when he says that tomorrow 'the underlying thing will show a surplus'.

We welcome the Treasurer's reply that he will be altering the reporting format of the mid-year review to include an underlying operating position that is not obscured by market losses. Anyone who is interested in Queensland's financial state would welcome that. I am sure the financial markets and the financial analysts would welcome that. It is long overdue. That is what I asked for in my question, and if that is what the Treasurer comes up with tomorrow then I will commend him for it.

I will also be pleased to see the underlying budget surplus that I take it he referred to when he mentioned 'the thing' because, regrettably, the word 'deficit' has become a common feature of Queensland's budgets in recent years. All three budget sectors—the general government sector, the non-public financial enterprise sector and the whole-of-government sector—have slipped heavily into deficit in the last three years. For instance, the general government sector has suffered consecutive deficits in the past two financial years of $858 million and $894 million respectively. This year the general government sector appears again to be heading towards deficit.

The figure for the whole-of-government sector, which consolidates all of the three budget sectors, gives a complete overview of the government's budget position. The whole-of-government operating result for the 1999-2000 financial year was in surplus to the tune of $1.2 billion. That was the legacy this Treasurer inherited—a budget surplus of $1.2 billion. For the

2001-02 financial year the whole-of-government position slid into deficit to the tune of $1.9 billion. In three short years, that is a negative turnaround of $3.1 billion.

The Premier and the Treasurer continue to swear to the underlying strength of the Queensland budget, but they are having increasing trouble convincing the public and the financial world of this because, unfortunately, the numbers just look that bad. Why do they look so bad? Partly it is a result of accounting practices and partly it is a result of poor fiscal discipline.

I refer to the Access Economics state and territory budget monitor, which includes a measure of financial transparency with regard to governments' reporting of their budgets. The report reiterates that the measure is, among other things, designed to facilitate more informed debate on issues and improve general awareness of a government's fiscal intentions—something that the Treasurer on many occasions has stated as his goal.

At the top of the report card is Western Australia on both occasions. Last year Western Australia received an A for its financial reporting. Next in line are Victoria, New South Wales and the Northern Territory, with scores in the B categories. In the C categories are Queensland and the remaining states. Unfortunately, Queensland is ranked equal third lowest on financial transparency. Access Economics' reasoning for Queensland's poor performance relates to the Treasurer's favourite excuse: equity markets. The report states—

> We have lowered Queensland's transparency score this time around on account of the state's practice of not separately identifying those transactions relating to public financial corporation activities in the general government sector associated with the management of financial assets to fund the state's superannuation liabilities.

In summary, Access Economics explains that the reporting practices of the government obscure the underlying budgetary performance of the general government sector.

What message do we gain from an examination of the government's underlying position? If we do a simple analysis of revenue against expenditures, we see why the numbers look so bad. Since this government came to power in 1998 it has spent over and above its budgeted estimates by a total of $2.26 billion. In the corresponding period government revenue has risen over and above government forecasts by a total of only $759 million.

Time expired.

Madam DEPUTY SPEAKER (Ms Jarratt): Order! Before calling the honourable member for Springwood, I welcome to the public gallery His Excellency Dr Klaus-Peter Klaiber, Ambassador of the Federal Republic of Germany.

National Asian Languages and Studies in Australian Schools Strategy

Ms STONE (Springwood—ALP) (12.25 p.m.): Late last year we heard of the Howard federal government's decision to cut support for Asian languages in schools. Approximately 590 state primary schools were affected by the decision to cut the National Asian Languages and Studies in Australian Schools Strategy.

It is common knowledge that Australia, and especially Queensland, is a favourite tourist destination of our Asian neighbours. Tourism is an industry that provides lots of dollars and jobs to our state's economy, yet the Howard government does not value the education needed by our young people to obtain the skills and knowledge needed to work in this industry. The Howard government does not value the cultural links students have made with their Asian neighbours. This decision sent a very negative message to the very people we are trying to forge links with for tourism, education and other business opportunities.

Last year I had the opportunity to travel with our Asian trade commissioner, the Hon. Tom Burns, and got to see for myself the value of education to the Queensland economy. While in Vietnam I was able to make ties with several schools. Those ties have now developed even more, with many of the schools in my electorate making links with those schools in Vietnam.

Recently I asked the schools in my electorate to give me any resources they may have in surplus so that I could send them to those schools in Vietnam that are in need. I am extremely happy to say that I have been overwhelmed by their support and my office is so full that I have had to use space in other offices to store the goods.

The schools in Springwood have engaged with and will continue to engage with our Asian neighbours because the Beattie state government is committed to the teaching of languages other than English. This is a different story from that of the Howard government. The Howard government decided that not only would it send a negative message to our Asian neighbours

through the decision to cut the national Asian languages and studies strategy; it would send more negative messages through proposed changes to the student visa program. These changes will have a detrimental effect on the business of schools. The Commonwealth Department of Immigration and Multicultural and Indigenous Affairs—DIMIA—has proposed changes to visa requirements for school sector overseas fee-paying students. DIMIA believes that students will need to demonstrate their suitability and commitment by achieving a level of English language proficiency prior to applying for a visa.

School students throughout the world study what their schools teach. What will happen to those students who do not get the opportunity to learn English before they apply? What will happen to the students who learn very little English because their school does not put much emphasis on the effective teaching of English? They miss out on the opportunity to receive the best education in the world, to learn in a country where schools have received international recognition for teaching students. Queensland has its share of these schools.

John Paul International College at Daisy Hill in my electorate, under the leadership of Russell Welch, is world renowned for educating international students from non-English speaking backgrounds. These students achieve very high results in academia and in sport. They bring a great deal of economic benefit to Logan city, and this is replicated throughout Australia with overseas fee-paying students. Schools such as John Paul International College have invested large sums of money, time and energy to ensure they attract students to Australia. This has brought with it international recognition for successfully preparing students for further study. It also brings with it large export earnings.

A joint submission from the Commonwealth, state and territory departments of education and the National Council of Independent Schools Associations raised a number of concerns with the DIMIA proposal, such as that there is a likely negative impact of the proposal to China, which is a major market for schools. A loss in the number of students will have a negative flow-on effect to other sectors, particularly the higher education sector.

The export of education services is big bucks for Queensland, it is big bucks for Australia and it is important to Logan city. John Paul International College has a large market in China and soon will have an international Korean soccer centre, which will include soccer training, education and accommodation for Korean students.The accommodation will be built adjacent to the Cec Munns Oval at Daisy Hill and it will bring business dollars to our local businesses.

In regard to health, obviously the Howard government does not have its eye on the ball. Over the past four months, Logan Hospital's emergency department received five new doctors, thanks to an additional $2 million allocated by the state government to enhance the hospital emergency departments in Queensland. That shows clearly that the Beattie state government is committed to ensuring a quality, professional and efficient health service for our communities. It is a pity that the federal government has not felt the need to meet our commitment and help the fight.

Not only is the doctor shortage hurting our public hospitals but also the difficulties in finding a GP who bulk-bills or works after hours are horrendous. The Howard government spent $700 million on a terrorist hype campaign, yet it will not put money into Medicare, it will not put money into hospitals and it will not put money into training doctors. The Howard government has turned its back on health.

The Beattie Labor government is committed to health and education. The Beattie government is committed to listening to the people. However, the same cannot be said for the Howard government. The Howard government has turned its back on LOTE, on international students, and the list goes on and on and on. It is obvious that the Howard government is not interested in education, health or many of the other issues that are important to Australians.

Time expired.

Madam DEPUTY SPEAKER (Ms Jarratt): Order! The time for debate on matters of public interest has expired.

HEALTH AND OTHER LEGISLATION AMENDMENT BILL

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (12.30 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend acts administered by the Minister for Health, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mrs Edmond, read a first time.

Second Reading

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (12.31 p.m.): I move—

That the bill be now read a second time.

I am pleased to bring this bill to the House. The bill amends 19 Health portfolio acts and the Freedom of Information Act.

I will deal firstly with the amendments to the Medical Practitioners Registration Act. Shortly after the act commenced in March last year, the Australian Medical Association and numerous retired doctors voiced their concern that the act would prevent retired doctors from using the title 'doctor' as is the current custom. In response to these concerns, I announced that I would introduce appropriate amendments to the act to address this situation.

The bill does this by establishing a new category of registration called non-practising registration. To be eligible for non-practising registration, an applicant will have to meet specified criteria. Firstly, the applicant must be, or have been, registered as a medical practitioner in Australia or overseas. Secondly, the applicant must be a suitable person to be a non-practising registrant. In deciding whether an applicant is a suitable person, the Medical Board may have regard to matters such as the existence of any convictions against the applicant for an indictable offence or the cancellation of an applicant's registration under the act.

To complement the establishment of the registration category of non-practising registration, the bill also makes changes to the title restrictions under the Medical Practitioners Registration Act. Non-practising registrants will be able to use the title 'doctor' and to refer to the medical qualifications they hold. However, in order to ensure that non-practising registrants can be distinguished from other registrants, non-practising registrants will not be permitted to use restricted titles such as 'medical practitioner' or 'specialist'. It is important to note that while the legislation will enable non-practising registrants to use the title 'doctor', these registrants will not be allowed to provide any form of medical service.

The government has been mindful of the need to strike a balance between the entitlements of retired doctors and the need to protect health consumers. The proposed restriction on non-practising registrants recognises that medical practitioners should not practise unless they maintain their skills and abilities to enable them to do so safely and competently. Key stakeholders, including the Australian Medical Association, support the amendments.

Other significant amendments to the Medical Practitioners Registration Act provide for the protection of entities and persons from civil or criminal liability under specified circumstances. It is intended that protection from liability be conferred on bodies such as the Post-Graduate Medical Education Foundation of Queensland, which advises the board about the standards of intern training. Protection from liability will also extend to persons who give information to the board about registrants who are required to practise under supervision. In both cases, the protection applies only if the information is given honestly and on reasonable grounds.

The board relies on receiving candid and comprehensive reports to ensure that high standards of intern training are maintained and that registrants who practise under supervision do so safely. It is possible that an entity or person may be reluctant to provide reports of this nature if they were liable to be sued for defamation or exposed to other types of legal liability.

I now turn to the amendments to the Health Services Act 1991 and the Freedom of Information Act 1992. This government is committed to ensuring that Queenslanders have access to health services of the highest possible standard. To this end, a range of quality assurance and improvement mechanisms are in place to continuously improve the safety and quality of health services in this state. Approved quality assurance committees under the Health Services Act review the processes and outcomes of health services and develop recommendations as to how the safety and quality of those services can be improved. These activities can have major benefits for health consumers in this state by reducing mortality and morbidity. The provisions of the act dealing with quality assurance committees have been in force since the act commenced in 1991. Amendments made to the Health Services Regulation in 2001 imposed public reporting obligations on approved quality assurance committees. In meeting these obligations, committees will make their final reports available to the public.

Documents held by quality assurance committees established by public sector health services are accessible under the Freedom of Information Act unless the release of these documents falls within one of the exemptions under that act. For example, the personal affairs exemption may apply if the documents contain patient-identifying data. However, there is no certainty that a document held by a quality assurance committee would be exempt from disclosure.

As members of the House would be aware, every FOI application must be considered with regard to whether the particular document in question falls within any of the exemption categories in the act. For many of the exemption categories, the FOI decision maker must determine whether public interest considerations weigh in favour of, or against, disclosure. Many health professionals have indicated that they are reluctant to participate in quality assurance committees because information held by a committee might be disclosed under the Freedom of Information Act. For example, I am told that some health professionals are unwilling to give information to committees about adverse outcomes for individual patients because of fears about their potential medico-legal liability arising from the adverse outcome. Similarly, they have concerns that the information held by committees could be misinterpreted or inadvertently used to mislead the public. This could occur, for example, where the complexity and risk factors associated with cutting-edge health procedures are not fully detailed in all of the relevant documents held by a quality assurance committee.

The Australian Council for Safety and Quality in Health Care has done a lot of work in recent years examining issues concerning quality assurance activities. In the council's national report on qualified privilege, published in July 2002, the council promotes the importance of quality assurance activities in improving the safety and quality of health care. The council recognises that many health care professionals are reluctant to participate in quality assurance activities because of fears of how the information they contribute to those activities might be used. It also recognises the competing public interest arguments for disclosing quality assurance information and protecting the information from disclosure. The council suggests that the future collection of quality assurance information is likely to be jeopardised if it is accessible under freedom of information.

While the public interest in obtaining information about the activities of quality assurance committees is recognised, I firmly believe that this is outweighed by the public interest in improving the safety and quality of health services in Queensland by encouraging greater participation in the activities of quality assurance committees. The bill therefore excludes approved quality assurance committees from the application of the Freedom of Information Act to ensure that documents held by these committees are not accessible under that act.

I wish to highlight that this amendment will not affect the right of individuals to access information about their own health care. Queensland Health has a longstanding policy providing for administrative access to health records. This policy supports a patient's right to access their own health record or for a third party who is acting with the consent of a patient to access that patient's health record.

Amendments are also to be made to those provisions of the Health Services Act that prohibit disclosure of information created or received by quality assurance committees. Currently, these provisions only apply to committee members. The bill will extend their application to other persons authorised by a quality assurance committee to receive information. It is important that these provisions be extended to persons, such as support staff, who are instrumental in receiving and analysing the information provided to quality assurance committees. The bill will also prevent disclosure of information being compelled by any statutory requirement or legal process. Like the Freedom of Information Act amendment, these amendments will allow quality assurance committees to better perform their functions.

Again, I must emphasise that the committees will make their final reports available to the public. The last set of amendments to the Health Services Act concern the duty of confidentiality imposed on employees, officers and agents of Queensland Health. Section 63 of the act prohibits the giving of information that could identify a person who is receiving, or has received, a public sector health service. However, in order to accommodate those circumstances where it is necessary to give such information, section 63 also sets out a number of exceptions to the duty of confidentiality. For example—

- to enable information about a patient's condition to be given to a health care practitioner so that further treatment may be provided; or

- to enable information to be given to the Australian Red Cross to trace blood or blood products, or the donors or recipients of blood; or
- to enable a staff member of Queensland Health to receive information to give effect to or manage a funding arrangement; or
- to give information authorised under another act or required by the operation of law.

The provision of public sector health services has undergone significant changes since the enactment of the Health Services Act in 1991, including, for example, the expansion of community based services. Situations have arisen that were not originally contemplated by the legislation. For example, a school based youth health nurse may be provided with information that a student is intending to harm their fellow students and teachers, or is supplying drugs to other students. This is a situation that would compel any person to consider how the privacy rights of an individual should be balanced against the rights of others to be protected from harm.

The existing exceptions are considered to be deficient in so far as they do not provide any capacity for Queensland Health to deal with unusual or unforeseen circumstances. The bill therefore provides for a new exception to the statutory duty of confidentiality. This exception will enable the Director-General of Queensland Health to be provided with, and consider whether, information that would otherwise be protected under the act should be disclosed in the public interest.

If the director-general determines that the disclosure is justified, the director-general may give the information or authorise an officer, employee or agent of Queensland Health to give the information. The government has been mindful of the need to strike a balance between the privacy rights of individuals and the public interest. Queensland Health will therefore be publicly accountable for how it uses the proposed public interest exception. The legislation will require that a statement about the use of this exception be included in Queensland Health's annual report. This statement is to include details about the type of information provided and the purpose for which the information was given. The bill amends the Health Rights Commission Act 1991 to remove any doubt that health service complaints may be made on behalf of a deceased person and that complaints can continue to be dealt with after a complainant has died.

As the Health Rights Commissioner's ability to deal with this type of complaint has been questioned, the bill also validates past complaints made by or dealt with on behalf of deceased persons. I am sure members of the House will agree that the ability of the Health Rights Commission to receive and resolve complaints in these circumstances is in keeping with the commission's statutory functions about the review and improvement of health services in Queensland. The principal amendment to the Health Act 1937 authorises the chief executive to give information to registration bodies about the conduct of health practitioners or veterinary surgeons involving suspected offences against the Health Act or inappropriate use of drugs of dependency. While Queensland Health currently provides this information to registration bodies, the amendment is necessary to ensure that the giving of this information does not infringe Queensland Health's privacy policy concerning the management of personal information.

Amendments are to be made to the Health Practitioners (Professional Standards) Act 1999 to allow the Health Practitioners Tribunal and Professional Conduct Review Panels to operate more efficiently. These bodies are established under the act to deal with disciplinary matters involving registered health practitioners. The amendments provide greater administrative flexibility in the constitution of the tribunal when conducting directions conferences and hearings. The bill also allows the review panels to use any form of communication to make decisions about matters before the panel or to delegate the holding of pre-hearing conferences to the secretary of the panels. For example, if panel members live in regional areas, the use of teleconferencing or email would be an expeditious and cost-effective means of communication. The amendments will enhance the effectiveness of the disciplinary system for health practitioners and assist in achieving the main objective of the act to protect the public.

The bill also amends the Hospitals Foundations Act 1982. As members will be aware, hospitals foundations make an important contribution to maintaining high standards of health care in this state, particularly through fundraising for medical research projects. However, the requirements of the act dealing with the appointment of members of hospitals foundations, which are established as bodies corporate under the act, are administratively burdensome and have led to delays in the appointment and reappointment of foundation members. The bill establishes a more streamlined and flexible process for the appointment of members to a hospital foundation. The amendments require the minister to consult with entities the minister considers have an

interest in the purposes or objects of a hospital foundation. Following consultation, the minister may nominate a person as a hospital foundation member if the minister is of the opinion the person has an interest in, and is able to assist in achieving, the foundation's object. In addition, to reduce the frequency with which appointments must be made, the bill provides that all appointments may be for a term of up to five years.

The amendments to the Pest Management Act 2001 are minor in nature with the exception of the insertion of a new definition of 'fumigant' to clarify that fumigation activities involving the use of household fumigants, such as mothballs, are not subject to the act. The bill also amends the Private Health Facilities Act 1999 and the Radiation Safety Act 1999 to simplify the process for the notification of standards made under those acts. Currently, the standards are notified by way of gazette notice. This is not necessary as the notice for the standards is subordinate legislation and therefore notified and published as such. In addition, the bill includes a provision to validate certain notices about standards made under the Private Health Facilities Act 1999.

Lastly, the 11 Health portfolio acts listed in the bill's schedule are to be amended to correct minor errors, renumber certain provisions, update cross-references to other legislation and reflect current drafting practice. I commend the bill to the House.

Debate, on motion of Miss Simpson, adjourned.

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (12.49 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend particular acts administered by the Minister for Natural Resources and Minister for Mines, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Robertson, read a first time.

Second Reading

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (12.50 p.m.): I move—

That the bill be now read a second time.

The legislation before the House, the Natural Resources and Other Legislation Amendment Bill 2003, proposes to amend five pieces of legislation: the Mineral Resources Act 1989, the Environmental Protection Act 1994, the Vegetation Management Act 1999, the Land Act 1994 and the Integrated Planning Act 1997. These amendments will deal with two issues of vital importance to Queensland's future. The first is the scourge of illegal land clearing.

The Beattie government has consistently led the way in the field of vegetation management. We introduced Australia's first comprehensive vegetation management framework in 1999, and we have further proven this commitment to Queensland's future by tightening clearing restrictions in salinity-prone areas, promoting regional biodiversity and investigating every single notification of illegal clearing, with a prosecution success rate of 100 per cent in cases that go to court.

In aiming for a fair, consistent and practical approach to managing all Queensland's native vegetation, this government has recognised the need to adjust the legislative framework surrounding vegetation management to meet the state's changing needs. This government is serious about balancing sustainable economic land use with the need to protect the environment and maintain biodiversity. We are supported in this by the majority of land-holders, who recognise that their long-term future depends on environmentally sustainable land management now. Many land-holders welcomed the Vegetation Management Act in 1999 because it supported what they were already doing.

Illegal clearing poses a major threat to our natural resources. To prevent the kinds of environmental disasters that have befallen other states, it is imperative that clearing only takes place within our legislative framework. I want to emphasise that most land-holders are doing the right thing, and these laws will not affect them in any way. This legislation will not change the way

we determine what land can be cleared, and neither will it impose any new restrictions on land-holders' ability to legally clear their land.

The people this legislation will affect are a small minority—a minority who believe that vegetation clearing laws do not apply to them, who think the short-term benefits of illegal clearing outweigh the risks, whose scant regard for the land, now and in the future, leads them to clear that land illegally. We will not tolerate the environmental vandalism of illegal clearing. We are taking this action to ensure that everyone gets the message that illegal clearing is unacceptable, and that this unlawful behaviour will not be condoned. This government is serious about enforcing vegetation management legislation. The potential costs of land degradation to the community are far too high. Nearly three years have passed since the Vegetation Management Act commenced and, in that time, the enforcement provisions of the act have been tested by the courts. Through that process, we have been able to identify the improvements that are contained in this bill.

As our technological capabilities increase, so too does our ability to detect illegal clearing. The latest Statewide Land and Trees Study, or SLATS, which uses top-of-the-line satellite technology, identified 61,000 hectares of land that has been potentially illegally cleared—some 25,000 hectares on freehold land and 36,000 hectares on leasehold. This data reinforces the concern this government has held for some time: that the current enforcement provisions of the Vegetation Management Act and the Land Act simply are not enough to deter illegal clearing.

It must be made uneconomic for land-holders to clear illegally. That is why amendments to the Land Act will provide greater powers to investigate and prosecute tree-clearing offences and will provide additional deterrents, including compulsory remediation of illegally cleared land. In the most serious cases on leasehold land, lessees who are found guilty of illegal clearing, and who have been prosecuted for a tree-clearing offence more than once, will have to show cause as to why their lease should not be revoked. To those who would claim this clause is unnecessarily harsh, I say this: this land belongs to the people of Queensland, and those living on this land are tenants of the wider Queensland community. This government has a responsibility to maintain it and pass it on to future generations in the best possible condition.

The bill will also amend the Vegetation Management Act to clarify existing enforcement provisions for offences, the powers of authorised officers, and the legal and evidentiary procedures involved. The amendments allow anyone found guilty of illegal clearing to be banned from applying for another permit for five years, on both freehold and leasehold land. There will be further deterrents to illegal clearing that will make it economically disastrous. If a land-holder clears illegally, and is ordered to remediate that illegally cleared land, the remediation notice will appear on the land title, binding both the current land-holder and any future purchaser of the land to the obligation to remediate. Previously, areas cleared without a permit have been remapped as 'non-remnant' on regional ecosystem maps, frustrating both the intent of the law and any remediation orders. This will change. This bill ensures that remediation orders are carried out by classifying future clearing of these areas as 'assessable development', meaning a permit will be required to clear.

The Vegetation Management Act currently prevents prosecution in cases where a land-holder has been given a compliance order. This bill will allow remediation orders to be served without ruling out prosecution for the original offence. There are those who will try to claim that this is punishing an offender twice for the same offence, a claim that is simply not true. This provision will help mend the damage caused by the illegal act by returning the environment to its previous state. Remediation offers a chance to regain lost values and to prevent many of the clearing's negative effects.

The bill will also crack down on corporations and their employees, who will find it more difficult to escape prosecution for illegal clearing. Under the current legislation, it has sometimes been difficult to obtain evidence from employees wary of incriminating themselves, which makes investigations particularly difficult. This bill will allow investigators to require information from an employee, and will allow safeguards for the employee to ensure that the information or evidence gained cannot be used by the employer to incriminate the employee. Similar provisions to protect corporation employees already exist in the trade practices legislation.

Similarly, some corporations have attempted to escape prosecution by refusing to provide information, hoping they will attract a lesser penalty by avoiding the more serious offence of tree clearing. This bill brings vegetation management legislation into line with other acts, which place a heavier onus on corporations to comply with the law. Authorised officers will be able to seek court

orders to ensure that corporations, and their executive officers, comply fully with vegetation management laws.

The bill will also provide clearly defined powers for authorised enforcement officers, such as the power to enter a property without a warrant to serve a compliance notice for an immediate stop to a tree-clearing offence. This new legislation also increases the safety of these compliance officers by giving them the power to obtain information from the Commissioner of Police about a person's criminal history concerning violence or firearms offences. At no time will the details of criminal histories be made available to departmental employees, allowing privacy to be safeguarded while protecting the right of compliance officers to a safe, secure working environment.

Authorised officers go about their business unarmed. They work in some of the state's remotest areas, with little chance of immediate help if they are confronted with a dangerous situation. This amendment will give those officers the chance to consider whether their safety is compromised by entering a place unaccompanied, and if they decide they are at risk, they may also request a police escort.

The bill also sets out that readings from equipment or instruments will be accepted as both accurate and precise, unless evidence is presented to the contrary—similar to provisions used for traffic offences. At the moment, we rely on annual analysis of satellite imagery to detect extensive amounts of illegal clearing. The current limiting period of 12 months means that some cases run out of time between the notification of an offence and legal proceedings starting. We are addressing this problem by extending the limitation to cover all cases identified as occurring after January 1999, and allowing the time limit to be extended by a magistrate in particular circumstances.

The maximum fine for those found guilty of illegal clearing has not increased, but the options open to magistrates, including the discretion to impose penalties on a per hectare basis, have been extended. These changes will not affect the vast majority of land-holders, who are law-abiding, responsible managers of their land. Those who will feel the weight of this new legislation are those who choose to flout the law and, by jeopardising the sustainability of our natural resources, put the future of Queensland at risk.

This bill emphasises that the Beattie government is serious about putting an end to illegal clearing by making it inconvenient and unprofitable for those who have scant respect for their vegetation management responsibilities or the wellbeing of their fellow Queenslanders. The second part of this bill fulfils a commitment made by the Premier on 28 November last year to use the Commonwealth procedures for dealing with native title for new mining and exploration activity. That decision followed a review of the effectiveness of Queensland's native title processes for getting mining, especially the exploration sector, moving in the state.

When establishing that review, the Premier made three key points. Firstly, he noted that consultation with all stakeholders was of prime importance. On that point, I thank all those who made submissions in response to the review for being part of that process. Secondly, he maintained that any outcome must protect native title interests as well as allowing the mining and exploration industry to function effectively. Thirdly, the Premier cited the decision of Justice Wilcox in February 2002, which found that the main part of the Alternative State Provisions were effectively inoperative, rendering the Queensland scheme unworkable. This decision had a significant impact on Queensland's scheme, and was made complete by the intransigence of the Commonwealth Attorney-General, who refused to remake any determinations to allow the Alternative State Provisions to become operative.

Given the time, I seek leave to incorporate the remainder of my second reading speech in *Hansard*.

Leave granted.

After an exhaustive court process, we now know that Queensland has always had an intact, fully working scheme—but this was not the position for those who had to operate in the time between the Wilcox decision and the decision of the full Federal Court.

From 1998 onwards, the Beattie Government invested in its commitment to develop and implement a set of Alternative State Provisions, as allowed under the Commonwealth Native Title Act, anticipating real benefits in finding ways to make the native title process more workable, and to integrate native title within the State's existing mining and exploration regime.

The unanimous decision of the Federal Court rewrote the Wilcox decision, finding that Queensland's high impact exploration and mining production schemes were operative, and dismissing the challenge to the validity of the section 26A low impact exploration schemes by the Queensland Land Council Aboriginal Corporation.

This bill makes the necessary amendments to the Mineral Resources Act 1989 and the Environmental Protection Act 1994 to allow Queensland to adopt the Commonwealth right to negotiate process. This includes the use of the expedited procedure for exploration activities that comply with the section 237 requirements of the Commonwealth Native Title Act 1993, which are directed at protecting the rights and interests of traditional owners in the lands where exploration will take place.

This bill gives the minister, in the case of exploration permits, and the Mining Registrar, in the case of prospecting permits, the power to impose native title protection conditions on these exploration tenements to ensure that they comply with these requirements.

Applicants for these tenements must convince the government that they have adequate plans to manage the interests of traditional owners before the government will agree to use the expedited procedure for their application.

If these concerns are dealt with adequately upfront, the need for objections by native title parties to using the expedited procedure will be reduced—making the process easier for everyone.

There will be no opening of the floodgates on using the expedited procedure. This government is strongly committed to a careful, considered approach to all facets of native title.

Under the Alternative State Provisions, the state had the option of taking a lesser role. This is not possible under the right to negotiate process, so it will become necessary for the state to equip itself for this new responsibility by redirecting the resources it needs to conduct good faith negotiations at a pace acceptable to everyone involved.

Along with allowing Queensland to move to the right to negotiate process, the bill also amends the native title provisions of the Mineral Resources Act to allow the Alternative State Provisions to apply to relevant applications lodged between 18 September 2000 and 31 March 2003 until those applications are completed. This means that those applicants who are part of the way through the process will not have to start again, using the new process.

The bill also identifies what is known as the applications 'backlog'—those applications made before 18 September 2000, which will proceed under the right to negotiate process.

Mr Speaker, this Bill is evidence of the strength of the Beattie government's commitment to all Queenslanders: our commitment to the future of our vital mining and exploration industry, an industry that employs thousands of Queenslanders and contributes billions to our economy; our commitment to our land's traditional owners, and the recognition of their rights; our commitment to crack down on illegal clearing, to protect our environment and secure the future of our natural resources.

Ultimately, this bill is evidence of our commitment to all Queenslanders—to our economy, our environment, and our way of life.

Mr Speaker, I commend the bill to the House.

Debate, on motion of Mr Hopper, adjourned.

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

QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 5 December 2002 (see p. 5470).

Mr LIVINGSTONE (Ipswich West—ALP) (2.30 p.m.): I rise in support of the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. Firstly, I congratulate the minister and the Building Services Authority for all the work they have done in preparing this bill. It is certainly going to make the building industry in Queensland a better place. Currently, building inspectors employed by the Building Services Authority have to seek the permission of the person in charge of a building site to enter the site for the purposes of inspecting work or to interview contractors for compliance purposes. Otherwise, entry to building sites must be by warrant of a Queensland Building Tribunal member. Obviously, with the introduction through this bill of offences for licensees to knowingly engage unlicensed contractors, it would be in the best interests of licensees who are committing an offence to refuse access to a site. Allowing such refusal would limit the effectiveness of the Building Services Authority compliance program and perpetuate a tolerance of unlicensed contracting within the industry.

The bill expands the rights of inspectors to enter premises other than occupied dwelling houses to carry out inspections of work and to interview contractors for compliance purposes regardless of whatever building work is being carried out on a site. However, as members would know, there are occasions when building work is carried out completely within the confines of a house. Such things as bathroom and kitchen renovations immediately come to mind. For this reason, the requirement that inspectors must gain the permission of the owner or person in control of a building site prior to entry to the occupied dwelling house will be retained. Building Services Authority inspectors will be able to access land around the dwelling house for the purposes of requesting permission to enter the site. This provision is simply made so that the inspector can come through the front gate and knock on the front door to ask permission to enter

the premises. It will also allow for the inspector to come through the front gate of a house in order to speak to a painting contractor on a scaffold by the side of the house.

When combined with the creation of an offence for licensees to knowingly engage unlicensed contractors, the power to enter sites without permission will greatly improve the Building Services Authority's compliance powers. Unlicensed contractors are undesirable in the industry because they have not demonstrated their competence in either their building abilities or business acumen and they compete unfairly with contractors who comply with the law. Any reasonable steps that can be taken to rid the industry of an unlicensed contractor are well worth while. I commend the bill to the House.

Ms NELSON-CARR (Mundingburra—ALP) (2.33 p.m.): I, too, rise in support of the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. This bill is about proper standards in the building industry. It is about increasing accountability, improving consumer protection and improving compliance. We have all heard about defective work carried out by unscrupulous builders, leaving families not only out of pocket but frequently devastated emotionally. The objectives of this bill will rid the industry of bad practice, which ultimately affects building structure and of course the safety of those on the receiving end. Those individuals who repeatedly operate despite repeated financial failure will also be dealt with under this new bill.

Minister Judy Spence began these reforms in 1999 and I congratulate both Minister Spence and Minister Schwarten, who has added further steps to abolish bad practice in the industry. Those two ministers are a great team. This bill also provides for life bans for second or subsequent financial failures, life bans for persons convicted of asset-stripping, bans of three years or life for persons who carry out grossly defective building work and bans of three years or life for those who consistently fail to comply with their contractual and payment obligations. The bill details in order all of those issues, which I will not go into.

There may be some in the industry who believe that these measures are a little harsh, but I can assure them that this government has no desire to add to the suffering of people who, for various reasons, are unfortunate victims of circumstance. The applicant will be able to work with the BSA, ensuring that they took all reasonable steps to avoid the outcomes of financial failure. If this is the case, they will be issued with a permit and not banned from the industry. However, those taking advantage of bankruptcy to avoid paying their debts will face a ban from the industry.

Mr Mickel interjected.

Ms NELSON-CARR: I think so. The measures outlined in this bill will prevent the hardship of thousands of subcontractors, suppliers and consumers. It will bring balance into the industry, it will bring fairness into the industry and, of course, will address the safety issues.

I have to tell the House that I have a vested interest in this bill, because renovations are about to start on my own home this week. Gone will be my bedroom. Gone will be my bathroom. My children will have no bedroom and no bathroom. Gone will be the toilet. It is utter gutting and it is total house devastation.

Mr Mickel: You'll have nothing to go on.

Ms NELSON-CARR: That is right. Our suffering will be—

Mr Schwarten interjected.

Ms NELSON-CARR: I am going to tell the minister, and I am hoping that he will have some innovative ideas to help me. Our suffering will be relegated to how well my husband and I and my children will cope with this severe change of life, because we will still be living in the other half of the house. I have been told that divorce is a very high possibility, but if we can live through the destruction of what was and constantly visualise what will be then what is a little dust between people who love each other?

There must be alternatives to the use of traditional bedrooms, bathrooms and toilets. I guess we will just have to be flexible. We will have to be positive and we will have to be peaceful. After all, I have been told that it is only going to be six weeks from Thursday. I think I can feel an anxiety attack coming on! But at least I know that under the direction of the very competent, able and efficient building contractor that I have employed, Terry Thompson, all will be well. Terry's business has always complied with the BSA and his business is a testament to this. While he continues to have a great reputation in our city, perhaps more contractors will join him by abiding with the reforms contained in this bill. Once again, I commend the bill to the House and congratulate Minister Schwarten.

Mrs DESLEY SCOTT (Woodridge—ALP) (2.37 p.m.): When a person signs a contract to have a home built, they have every right to expect that this expenditure, which is probably their single most expensive purchase in their life, will be well protected and that the home will be well constructed and that it fulfils the clauses in their contract. These amendments add to earlier safeguards put in place by Minister Judy Spence in her previous portfolio of Fair Trading where a five-year ban was placed on unscrupulous operators. This legislation goes further with the express desire to rid the industry of dubious operators whose work is inferior and some who in times past have closed down one company after stripping the company of its assets only to emerge a week or so later as a brand-new company—a new facade with the same rottenness within.

We clearly do not want these operators in this business. This legislation has provision for life bans should there be a second financial collapse of a building company. It also ensures that a person cannot return to an alternate position of influence in another company should they not be able to satisfy the BSA of extraordinary circumstances. I have seen many tragic cases over the years where building contractors have clearly had very poor building methods. Families have signed up and paid over money which has been saved over many years only to have their dreams of a new home fade and to be plunged into months and sometimes years of litigation or debate and remediation work.

One case I remember vividly involved a builder who already had a poisonous relationship with the home owner and who was ordered to return time and time again to repair and re-do defective work. Indeed, it was a nightmare. Defective dwellings have been paraded on our TV screens over the years, with some requiring demolition. I applaud these measures to protect Queenslanders from these unscrupulous operators.

Tier 1 defective work entails grossly defective work which may affect the ability of the home owner to live in the dwelling or may even prove dangerous leading to death or injury. The bill has provided a mechanism in part 3D of the act to totally remove these people from the industry. Should a building be structurally so unsound as to require demolition, a three-year ban will come into place automatically and a second incident of a tier 1 nature within 10 years will result in a life ban. The bans will impact upon all operators within the company who are culpable, including directors and secretaries, as well as those who carried out the work.

When a company is believed to have been responsible for tier 1 defective work, all executives will be required to justify why they should not be banned from the industry. Should these officers not receive a ban, there is provision in the bill for substantial fines. Previous fines have been doubled to reflect the seriousness of their neglect. A company may be fined up to a maximum of $150,000 and $30,000 for an individual. This is sending a clear signal to companies and individuals in the building industry that this government expects high standards and that they need to ensure that they have proper processes, procedures and practices in place to ensure that their work is of an appropriate standard.

The home in which I now live was purchased in 1986. It is a brick dwelling which had a couple of additional rooms built on after a few years by the original owner. During this extensive period of drought, we have discovered that the front extension is sinking and that the footings were not put down deep enough. We need very deep pockets to remedy this work. Maybe the front of our house will need to be rebuilt. This demonstrates how vital it is to have honest, conscientious building contractors with high building standards in this state. When having a home built or buying a home, many things are not visible, even on inspection by an expert.

I commend the minister for his commitment to future home owners and those renovating existing dwellings in this state. We all need laws with bite so that a clear message is sent. If you are not a good tradesman and seek to cut corners on recognised building codes or are an executive in a firm without high standards, you are not welcome in this industry. The harm to individuals and families can be devastating. I commend this bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (2.43 p.m.): I rise to support the general concepts in this legislation. As I have said to the minister previously, the QBSA is an authority about which I receive a lot of complaints. I guess that is because the authority is the mediator, in most cases, between a contractor or a builder who feels that they are being asked to do more than their stated agreement with the home owner or home owners who are significantly aggrieved because of defective work.

As the previous speaker mentioned, in one instance under the QBSA process a painting contractor was required to remediate work and the relationship between the home owner and the contractor had deteriorated to a point where there were really no grounds of commonality at all.

The home owner refused to have the painter on the premises and the QBSA insisted that the painter remediate the work. It reached such a stalemate that it took approximately 18 months for the situation to be reassessed.

The QBSA legislation is reviewed and changed on a regular basis, and I believe the minister is wise in doing so because it is an authority that sees a lot of change and certainly a lot of review is necessary.

This legislation introduces the demerit point system, and I want to make a couple of points in that regard. I believe there is a lot of worth in the demerit system, but I seek clarification from the minister about one aspect. I am sure it is in the legislation and I have not been able to identify it, but I am wondering whether the demerit points that are accumulated by the various contractors will be public knowledge.

One of the problems that people face after hiring a builder is ascertaining whether a person from whom they receive a quote is a reputable builder. It is usually word of mouth as to whether somebody is a reputable builder. The demerit system means that, except for extreme behaviour, a person will not necessarily be removed from the industry in which they have worked for a number of years to become qualified; however, it is certainly an indicator of the confidence that a home owner can have in hiring a person to carry out work. It also gives contractors who are subject to demerit points an opportunity to see that their reputation will go slowly down the toilet unless they improve the manner in which they do their work.

I commend the minister for introducing the demerit system. It is not punitive to the point where the axe immediately falls on a particular builder or company; it has to involve significant and extreme behaviour. It also provides an opportunity for the community to know the reputation of the builder. I just wonder how public that demerit system will be.

Mr Schwarten: Clause 15 of the bill says that they will be published.

Mrs LIZ CUNNINGHAM: I thank the minister.

The only other issue that I want to raise with the minister relates to the QBSA and, again, it is not dealt with in this legislation. However, it is an issue which has come to the attention of my office on a number of occasions. I refer to the ability of the QBSA to order restorative work in cases where a builder has appeared before a tribunal, the builder has been previously required to do corrective work on a particular property and he does not do that corrective work. The builder goes to the tribunal and maybe subsequently pays the fine, but the person who has the defective work on their home—in my electorate it is swimming pools—is still left with a job that is not complete and that is not up to standard.

On the information that I have been given, it appears that the builder is able to walk away from that situation, leaving the home owner with defective work. Home owners with pools who have visited me on four occasions have said that there is nowhere else for them to go. They go to the QBSA and they are told that the pool constructor has been fined, but there is no opportunity for the owners of those facilities to have the work remediated other than at their own cost.

In my electorate the QBSA has been at the centre of considerable criticism. I know that this bill addresses issues such as the inability of a person or company which has gone into bankruptcy on a number of occasions to reinvent themselves. I commend the minister for that. There are a lot of people in the community who will ask the question: how is it that they can come back as Jones—

Mr Schwarten: They won't be able to any longer.

Mrs LIZ CUNNINGHAM: That is right. I think the minister has answered a lot of community concern in relation to the ability of someone who has shown themselves to be lacking integrity to come back as ABC Construction when they were previously Jones Construction, having left a lot of people wanting in terms of finalisation of debts.

Mr Schwarten: On the other matter, you mentioned swimming pools. That is uninsurable work.

Mrs LIZ CUNNINGHAM: I will talk to the minister about that. I have written about it because it is the same company that keeps coming up.

The BSA serves a very important role. As other speakers have said, people invest probably the biggest percentage of their life's earnings in their home and in refurbishments of their home. Not only is the home an asset that people spend a lot of time in—they build a lot of family

memories—but people also have a reasonable expectation that, if they have to sell that asset in the future, work that has been done by contractors is of an appropriate standard.

I commend the minister for being willing to revisit the QBSA legislation on a regular basis and to change those areas that are shown to be ineffective or incomplete in their control of shonky builders. I look forward to seeing the reaction in the building industry and in the community to this new legislation.

Mr NEIL ROBERTS (Nudgee—ALP) (2.50 p.m.): I am pleased to speak to the Queensland Building Services Authority and Other Legislation Amendment Bill, which continues the government's actions to provide for the maintenance of proper standards within the building industry. I take this opportunity to talk about an important aspect of standards within the industry and specifically the effort the government is putting into ensuring that the skills the industry needs are delivered through an active training strategy.

Some members might recall a speech made by the Premier when he was opposition leader at the Construction 2001 conference held in October 1997. It was there that he set out a detailed plan for the building and construction industry which had the aim of revitalising the industry, particularly to stimulate jobs growth.

The state government, in collaboration with the industry, has implemented a number of programs to increase training opportunities statewide. These programs have already achieved a significant increase in the number of apprenticeships and traineeships in the industry, particularly in the last few years. Part of that resulted in the Building and Construction Industry (Portable Long Service Leave) Amendment Act 1998, which resulted in funds becoming available for the provision of employment and training in the industry.

What followed was the Building and Construction Industry Training Fund, which forms part of the government's Breaking the Unemployment Cycle initiative. The fund focuses on creating a training culture in the building and construction industry and making sure that skills shortages are being addressed effectively. The Building and Construction Industry Training Fund, which is a joint initiative with Construction Training Queensland, was set up in 1999 to encourage employers to take on up to 3,000 additional apprentices over four years in skill shortage areas. Since it began, the fund has supported more than 2,500 additional apprenticeship and traineeship training opportunities, and it is expected that up to 3,000 additional employment opportunities will have been created in building and construction over four financial years.

In building and construction, as with other key industry sectors, the government wants to ensure that skilled workers are available to support construction activity in this state. Furthermore, it is important that existing workers have the opportunity for building on existing skills and for cross-skilling. The bottom line is an industry with all the needed skills to be efficient, to contribute to Queensland's economy and to provide the framework for increased employment opportunities, and of course to ensure that all Queenslanders can be confident that quality work is carried out at all levels, from humble home renovations to major construction projects.

The government is supporting the building and construction industry in a range of other programs. Some members will also be aware of the 10 per cent training policy which is a part of the Breaking the Unemployment Cycle initiative. This has been strengthened to ensure that 10 per cent of the labour hours on all major government projects is made up of apprentices, trainees and cadets.

Whenever a contractor hires an apprentice, trainee or cadet, they are actually investing in the future of the building and construction industry, because everyone who successfully completes their training is able to contribute to the growth of the industry and to a productive and competent work force. As well, as more workers in the industry become skilled there is an increase in workplace efficiency, and this means reduced costs for building and construction firms. Some 2,500 apprentices and trainees and 1,500 existing workers have benefited since the policy was revitalised in 1999.

I have first-hand knowledge of building and construction industry training from visiting the Construction Training Centre in Salisbury on a number of occasions. The development of the Construction Training Centre arose out of a partnership between the Queensland government and the industry. It was established to create a centre of excellence which is driven by industry needs and standards. The Construction Training Centre in Salisbury is the result of a successful partnership between government and industry members, such as Building Industry Group Apprenticeship and our public provider, the Bremer Institute of TAFE. It continues to provide quality training across the whole building and construction industry.

A readily available highly skilled work force is something the government and the industry's training advisory body, Construction Training Queensland, have been working towards together. We share the same goal, which is to ensure that the exact skills are there when and where they are needed. This strategic goal is supported by major reforms to our state's education and training system, specifically the government's Queensland the Smart State—Education and Training Reforms for the Future. The reforms are all about supporting and broadening the pathways from school life to the working world, offering all young people meaningful opportunities to learn and to earn.

The construction industry has an important role to play in implementing these reforms. At present there are 5,671 apprentices in the construction industry, which is an increase of 210 over last year. This is good news for the many young people involved who are building their skills while at the same time building our state.

The Queensland building and construction industry is worth more than $11 billion annually to our economy. Through Q-Build, the state government remains the largest employer of construction apprentices in Queensland. Since the Beattie government was elected, 525 apprentices have commenced training through Q-Build. This is in addition to the training opportunities funded by the state in the private sector. The Department of Housing has also funded around $80 million in new housing projects under the Housing Industry Trade Training Scheme. This program helps around 400 young Queenslanders a year to enhance their skills through real life worthwhile projects. I commend the minister and the Department of Housing and Q-Build for the magnificent contribution they are making towards the training and skills development of young Queenslanders. I commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (2.56 p.m.): I rise to participate in the debate on the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. I note that the object of this bill, as set out in the explanatory notes, is to amend the Queensland Building Services Authority Act 1992 and to make a number of administrative amendments to provide for ongoing maintenance of proper standards in the building industry. I support the minister and his attempts to clean up the building industry by the changes proposed in this bill. In particular, I support the minister's attempts to prohibit unacceptable people from working in the building industry for life.

I see this bill as providing greater protection not just for consumers but also for subcontractors and everyone involved in the building industry. In this regard I refer members to the contents of the bill. Categories relating to permanently excluded individuals, convicted company offenders, banned individuals and disqualified individuals are created.

Clause 39 of the bill amends section 107 of the act by expanding the current powers of inspectors to enter and inspect building sites. I understand that section 107 currently requires a warrant or the consent of the occupier before entry to site. This bill removes that condition and will allow entry to be effected without warrant or consent while work is being carried out on that site. I certainly have no problems with the expansion of this inspection and investigative power. I certainly support the broadening of the range of entry powers conferred by the bill.

I take this opportunity to inform members that a building company in my electorate, Packer Projects Pty Limited, which had a contract with the state government for the building of an information technology building in my electorate at the Nambour High School, recently failed. The administrators have made various recommendations to creditors. One of those recommendations is that the company be placed in liquidation. I propose to table a copy of the administrator's report to those creditors before I conclude my contribution.

In particular, at this stage I refer members to page 15 of the administrator's report. The reason I raise the matter of Packer Projects Pty Ltd now is simply that they had a contract with the state government to build a building—and a significant building at that. Unfortunately, they have not been able to complete the construction and they have left many subcontractors and suppliers out of pocket—and I understand to the tune of over $500,000. I also understand that the project for the Nambour High School was over 95 per cent complete as at December.

I cannot understand how we can have so much money owing on a project when the project was over 95 per cent complete. When Packer Projects was awarded the tender to build the building, I understand that they were one of three parties that tendered to build the project. I understand that the usual process is that the government engages quantity surveyors to investigate the capacity of the tenderer to actually build the building for the price that they have

tendered. I note that there was about $8,000 difference between the price of the tender provided by Packer Projects and that of the other tenderer that was closest to them in price.

How was it that this party was able to tender to build the building, receive approval by the state government Building Services Authority and then, before completion, go into liquidation and owe over half a million dollars? I understand that, in the report that the administrator has tabled, he refers to some comments from the company directors. I note at page 7 of the report he states—

The director attributes the failure of the company to the withdrawal of contracts and payments by Government Departments, having the effect of hindering the company's ability to continue preparations.

In that regard, I know that a subcontractor's charge was lodged late November, early December. As a result of that charge, the government all of a sudden suspended payments and they held those funds as a result of that charge that was lodged.

I also note on page 7 of the administrator's report he states—

There are a number of discrepancies between the records held at the company and financial statements prepared for annual lodgment requirements. Further investigation will be undertaken in this regard.

The question that I have for the minister is: if it is established that the accountants who verified that Packer Projects had the capacity to build this building and that our quantity surveyors and the government department relied on that verification of the accountants or the other professionals involved in the acceptance of their tender, will the minister throw the book at these professionals? Many small subcontractors and small suppliers are owed over half a million dollars because someone may not have done the right thing.

Mr Schwarten: We will prosecute those gentlemen. I can tell you that.

Mr WELLINGTON: I thank the minister. That is certainly what the subcontractors and the suppliers—

Mr Schwarten interjected.

Mr WELLINGTON: I thank the minister, because it seems to me that somehow, on the information that has been provided to me—and I table this—the administrator has raised serious concerns about Packer Projects' capacity back from 1998. I seek leave to table that.

Leave granted.

Mr WELLINGTON: That was the issue that I wanted to raise in relation to this bill. I certainly support the bill 100 per cent. I thank the minister for taking this step.

The other question that I have is: in light of Packer Projects going belly up, is it possible to ensure that their directors and the management come within the ambit of this bill notwithstanding that this bill has not actually become an act at the moment- it is not a law in Queensland? Would the minister consider making this retrospective so that we can ensure that Packer Projects' senior management fall within the ambit of the amendments that the minister is proposing in this bill.

Mr Schwarten: I think you will find that we will catch them through this process.

Mr WELLINGTON: I thank the minister.

Mrs ATTWOOD (Mount Ommaney—ALP) (3.04 p.m.): The objective of this legislation is to amend the Queensland Building Services Authority Act 1991 and to make a number of administrative amendments to provide for the ongoing maintenance of proper standards in the building industry. This will be achieved through a number of mechanisms to increase accountability, provide greater consumer protection and improve compliance. Strong measures are included to rid the industry of those who carry out grossly defective building work that adversely affects the structural performance of buildings or endangers human life. This includes those who exhibit a pattern of behaviour of non-compliance with contractual and payment obligations and those who demonstrate their irresponsibility through repeated financial failures.

The Building Services Authority's auditing powers will be expanded to include contractual terms and conditions under both the Queensland Building Services Authority Act 1991 and the Domestic Building Contracts Act 2000. An offence will be created for a licensed operator to knowingly engage or contract to an unlicensed person when that person is required to be licensed under the act. Subcontractors who do not contract directly to builders or the public but who subcontract to licensed trade contractors to carry out work approved under the licensed trade contractor's licence class will not be required to be licensed.

The bill is intended to provide for the ongoing maintenance of proper standards within the industry by banning from the industry those persons who have demonstrated an inability to meet

the most basic standards of workmanship, financial management or honesty. The bans in relation to financial dealings are non-discretionary and provide for persons to be banned from the industry for life for a second or subsequent financial failure or for a conviction in relation to asset-stripping.

The bill establishes a head of power for the introduction of a fee for lodgment of a dispute notification with an amendment to the Queensland Building Services Authority Regulation 1992 to set the fee at $20. The Queensland Building Services Authority is a statutory authority funded by industry primarily through licence fees. The ability to refuse an inspector access to a building site will significantly advantage those licensees not meeting their obligations under the act. Other Queensland jurisdictions have similar right of entry powers, particularly in relation to premises at which a business is being conducted. The bill mirrors the powers and protections of those jurisdictions.

Representatives from the Department of the Premier and Cabinet, the Department of Justice and Attorney-General, the Department of Public Works, the Department of Housing, the Department of Tourism, Sport and Fair Trading, the Department of Industrial Relations and Queensland Treasury have been consulted in the preparation of the bill. The strength of the building industry in Queensland is regarded as a significant indicator of the health of the Queensland economy. In May 2000, 144,000 people in Queensland were employed through the construction industry. The major objective of this bill is the maintenance of consumer confidence in the building industry. The increasing cost of investment in housing to the consumer makes it essential that consumer confidence in the ability of the industry to deliver acceptable standards of workmanship is high. This, of course, will result in positive economic growth for Queensland. I congratulate the minister and commend the bill to the House.

Madam DEPUTY SPEAKER (Ms Male): Order! I welcome to the public gallery the Caboolture National Seniors Group.

Ms STONE (Springwood—ALP) (3.07 p.m.): I rise to speak to the Queensland Building Services Authority and Other Legislation Amendment Bill. The building industry and how it is travelling is a significant measurement of our state economy. Therefore, consumer confidence in the building industry is vitally important to not only those involved in the industry but also it is an important factor in having a healthy state economy.

A major goal of this bill is maintaining public confidence in the building industry. I was very fortunate when I built my first home at Springwood in 1987. I had what people called a dream run of building a home. In fact, I often say that I would build a new home any day. Building a new home is exciting and one of the biggest outlays of money that people will experience. I say that it is exciting, and it should be. Our home is an expression of ourselves and shaping the way that we want it to look should bring joy and happiness to us. I know that, when I built my home, I wanted value for money, good-quality building, and to work with people whom I trusted. I was indeed blessed because I had all of that. Even though the builder who built my home was a friend of a friend, I still took the time to get references from other people he had built for and I still took the time to look at his workmanship on other houses that he had built.

But it is the confidence that I have in the building industry and the good experience that I had that needs to be replicated throughout the state. However, I must admit that there was one thing that I found very annoying. Some contractors would come and have an in-depth conversation with my male family members or my male friends who were visiting. Those contractors would often give them details of how they were going to do the job, or ask them what way would they prefer and talk about the process.

With me, they would just come up and tell me how they were going to do it. Well, me being me did not accept that and I often asked them to repeat what they had told the males so that I, too, could make an informed decision. But I am sure that there are far more many single women building their homes today than there were back then. I am sure that the contractors out there now are talking much more freely with women about constructing their homes, because it is important that all consumers know their rights and have an understanding of the building process.

My other good experience has been with a painter. Eddie Redfern has done a fantastic job painting houses for me, but I must say that Eddie is not well and I would like to wish him well and tell Eddie and Denise Redfern that my prayers are with them. I am sure that Eddie will fight on. The introduction of law to impose life bans on builders and building companies for defective work that adversely affects the structural performance of buildings or is likely to cause death or grievous bodily harm will certainly strengthen the reforms that have already taken place to improve the state's building and construction industry.

A report by the Royal Australian Institute of Architects found that in Logan City 19 per cent of dwellings inspected were subject to foundation problems, 26 per cent to rising damp and 32 per cent to roofing problems. When we talk in quality assurance terms I am sure that other industries would find this percentage unacceptable. The report did apportion the blame between unqualified owners doing renovations and extensions, and I was pleased to hear that the member for Mundingburra had a qualified person doing her renovations. It also pointed blame to project builders from other states not being fully aware of the environmental conditions experienced by our state. The warning here is that if we do not know the building process and have little knowledge in building, it is much better to call a qualified builder. The Queensland Master Builders Association has a referral service, both Internet and over the phone, that can assist with renovations or new construction. I must say that I found that very easy to use.

I also must thank Bill Wallace and Greg McLean from the Queensland Master Builders Association because they often ring me, talk to me and keep me informed about the building industry and about the work they are doing for their members. I met one of their happy members on Monday. I am also kept up-to-date on the industry through Greg Simcoe and Dave Hanna and the team at the BLF who also do a great job at looking after their members. It is important that the industry is rid of those persons who continually keep performing grossly defective building work that puts the public safety at risk and reduces public confidence in the industry.

I am pleased that the BSA inspectors will have their rights expanded to allow entry into work sites to investigate complaints of defective work. Inadequate supervision has also been identified as a factor in the cause of defective building work. Most building supervisors are tradespeople who are also involved in organising subcontractors and others to ensure work keeps proceeding in line with obligations under contract. They are in fact looking after the contractor's interests. The role of the nominated supervisor for a licensed company will be clarified in line with the individual contractors so that they are made accountable to ensure adequate systems of supervision take place. This will include the provision that adequate supervision be determined by reference to whether the standard is of a level that would be expected of a competent holder of a contractor's licence. Company nominees or companies that are licensed contractors will have an individual responsibility to ensure adequate building supervision. Failure to do so will be treated as an offence. Company nominees will no longer be able to hide behind the company structure. This brings the obligation of a company nominee into line with that which exists for individual contractors.

I note that the Queensland Master Builders Association has acknowledged that a lack of building supervision is a contributing factor to defective building work and that it supports this provision in the bill. These new laws also tackle the rip-off merchants and phoenix companies that give the industry a bad name and make it difficult for those honest and hard working contractors and subcontractors. We have all seen and heard the stories on TV, in the print media and on radio concerning the building of homes that have gone horribly wrong. This bill is about better protection for Queensland consumers and the industry. I commend minister Judy Spence for the work she commenced in cleaning up the industry, and now that good work has continued through Minister Schwarten. I commend the minister on tackling these issues in the industry and on bringing the bill to the House. The Beattie government has a track record of listening and delivering and this is just another fine example.

Mrs LAVARCH (Kurwongbah—ALP) (3.13 p.m.): I also rise today to give my support to the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. Like many other members of the House, I also commend the Minister for Public Works and Housing, Hon. Robert Schwarten, on this bill which builds upon the reforms introduced through the Better Building Industry legislative reform package that commenced in 1999. There are a number of mechanisms contained in the bill which will work to improve the standard of building in Queensland and create greater confidence in the industry.

Today, I would like to concentrate my contribution to this debate on the provisions which strengthen contractual and payment requirements in the building industry. The culture in the building industry where verbal and handshake agreements have long prevailed must come to an end if security of payment and consumer protection measures are to have any effect. Also, the unjust situation where creditors take a building contractor to court and win the case, only to have to wait indefinitely for payment, is not acceptable. Over the past few years, the Queensland building industry has matured and become more professional through stricter licensing requirements, but still there are those who cling to the unfair practices of the past and use their

superior bargaining power to try to avoid the law. This bill contains a demerit point system by which a consistent pattern of non-compliant and unfair behaviour becomes evident.

Part 4A of the Queensland Building Services Authority Act requires that contracts between builders and subcontractors must be in writing and contain certain details such as the scope of the building work to be carried out, the completion date, amount to be paid, agreements about retention amounts and securities to be held, the name and licence number of the contractor and the address where the building work is to be carried out. These requirements are to protect the rights of both parties and they work well to avoid disputes. Inevitably, verbal contracts lead to misunderstandings, disputes and in some cases non-payment of subcontractors. The Domestic Building Contracts Act provides certain rights for consumers, including a written contract and information statement; limits the amount of deposit that may be asked for; and provides for progress payments to be paid upon completion of certain stages. These requirements are necessary to protect both the consumer and the building contractor.

Demerit points will be allocated to practitioners who breach certain requirements of part 4A of the Queensland Building Services Act or the Domestic Building Contracts Act, with two demerit points for each breach but a maximum of six demerit points for any single audit. In addition, 10 demerit points will be allocated for unsatisfied judgment debts. Obviously time will be allowed for appeals. However, once a judgment is outside the time for an appeal, if contractors fail to satisfy the debt they will be allocated demerit points. Demerit points will be shown on the public register of licensees for the information of suppliers, subcontractors and consumers but will be removed after three years or sooner if the debts are paid. If a licensee is allocated 30 or more demerit points over a three year period, they will face a ban for three years. If within 10 years of their first ban they again repeat their previous pattern of behaviour in not complying with their contractual obligations, they will face a ban for life.

It is this provision of a ban for life that has raised concern in some quarters. It has been suggested that it is an unduly harsh punishment. But when one balances the harm that can be caused not only to an individual but to the whole building industry here in Queensland as a result of someone who repeatedly breaches or flouts their contractual obligations, it is an appropriate measure. It sends a very strong message. I am sure that the 99.9 per cent of builders and building companies who do the right thing would uphold the need for a stricter system. I know that over time these measures will benefit all involved in the building industry. Having a vibrant housing industry is essential to Queensland. This industry alone reportedly employs more than 150,000 people and, with the predicted population growth in Queensland, combined with the current lower interest rates, I imagine that demand for housing will not be waning. Although there was a reported slowdown in new housing loans around Christmas time, I note that the most recent figures indicate that this is not a trend and that consumer confidence is on the increase.

It is predicted that new house starts for 2002-03 will outstrip the previous recorded high of 27,000 starts in 1994-95. I believe the provisions in this bill will uphold and strengthen our building industry and should be supported wholeheartedly. It is also my hope that the Reserve Bank holds the line on interest rates. With rising house prices and the declining housing affordability currently being experienced here in south-east Queensland, the last thing we need is an increase in interest rates. I commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (3.19 p.m.): I am pleased to speak briefly to the Queensland Building Services and Other Legislation Amendment Bill insofar as it relates to the building industry in Toowoomba. At the moment, across the Darling Downs there has been a steady demand for housing. This is despite the dry conditions land-holders and primary producers have experienced and the economically tough times at present.

Toowoomba is a growing city. Strategies have been employed by the state government, the Toowoomba City Council and neighbouring shires that have resulted in a population rise of 1.4 per cent for the greater Toowoomba area, which compares with the 1.3 per cent national average growth according to 2001 census statistics.

The honourable member for Kurwongbah referred to various economic circumstances prevailing at the moment, including the strengthening Australian dollar. Other relevant factors are the recent tragic world events. I suppose there is, therefore, a focus by the current generation on a family and opportunity oriented lifestyle. For most income earners this has centred around owning their own home and, later on, investment properties. For builders this means that there has been, and probably will continue to be, a steady stream of work, at least for the next year, particularly in the Toowoomba region.

In Queensland alone, building and construction is one of the strongest industries sustaining our economy. It is an $11 billion industry in Queensland employing 135,000 people and continues to drive economic growth. Therefore, consumer and investor confidence is essential. Both government and industry must do everything to ensure that the industry is free of disreputable characters who can bring the industry into disrepute for the vast majority of honest operators.

Recently, I was a guest of the Toowoomba branch of the Master Builders Association. During that meeting we were able to exchange views in relation to the conditions prevailing and particularly the draft, as it then was, bill before the House. All parties have taken independently strong stances on issues in order to raise the bar of the Queensland building and construction industry. While the tough stances have no doubt attracted some criticism, there is evidence already that a united endeavour to create a safe and credible industry is paying off.

This new law, as encompassed in the bill before the House, will be part of the Queensland's government's endeavour to dramatically strengthen its crackdown on rogue builders by introducing life bans for builders who flout the law or perform grossly defective work. I am sure all members would agree that the industry has no room for builders who repeatedly fail financially, leaving creditors, including subcontractors and often their employees, in the lurch. Furthermore, there is no place for builders who are fraudulent or who endanger lives by performing grossly defective work.

The law being debated today is tough, but it is also just. Life bans will not be slapped on one-time offenders who have been the victims of unfortunate circumstance. The government understands that mistakes happen. If the builder or company can satisfy the BSA that he or it took reasonable steps to avoid the situation, they may be classified as permitted individuals and not be banned. Furthermore, natural justice is afforded in that if companies or individuals dispute a life ban applied by the BSA they are entitled to appeal the decision, being assured of a comprehensive review of the situation.

However, an important aspect of the running of a business is ensuring that it remains solvent, that debts are paid off on time, that a high work ethic applies and that employees are working in a challenging yet safe environment. If people do not abide by these ideals they will face a ban.

These reforms add to the foundations put in place through the Better Building Industry reforms already introduced to improve Queensland's construction industry. Since those reforms were put into effect in October 1999, 130 individuals and 72 companies have been excluded from the industry for five years because the companies went into liquidation or administration. The legislation before the parliament at the moment will add to the tough stance on rogue builders. The reforms are reasonably complex but detailed. Time does not permit me to discuss them in detail, but I am sure most members would be aware of what the government is aiming to do.

I recommend that members read and recall the minister's second reading speech, which in itself is quite a detailed expose of what the bill is purporting to achieve. The minister's speech is extremely informative, dealing particularly with the detail involved in the demerit system that leads towards life bans and extended powers for the BSA. Overall, this important law aims to empower Queensland's honest contractors, subcontractors and suppliers and provide greater protection to Queenslanders from rip-off merchants and phoenix companies.

Toowoomba has a proactive MBA branch under the leadership of Tom Burchard, the regional manager. The MBA in Toowoomba is also endeavouring to lift standards within the building industry, providing quality training and opportunities to raise the bar in the state's building industry. MBA members throughout Queensland are responsible for 95 per cent of all construction activity and 90 per cent of all housing sector activity performed each year. The MBA offers high-standard training courses to its members. These courses are designed with industry's needs and diversity in mind. It is a proactive way of ensuring that the Queensland building and construction industry is top quality by providing training in administration, business management, estimating, workplace health and safety, accounting and bookkeeping, building, computing and licensing.

The Queensland Master Builders Housing and Construction Awards are also a proactive way of encouraging excellence in the industry. Last year, 240 builders and guests attended the Downs Awards, which proved that our community is behind the building industry and in particular supports innovative and professional work on the downs. All of the local QMBA members and particularly the award winners received well-deserved acclaim on the night for their building

expertise. Last year's award winners, including Barclay Mowlem Constructions for the 2002 Project of the Year, F. K. Gardner and Sons for the 2002 House of the Year, Robert Cathcart for 2002 Apprentice of the Year, Golden West Employment Solutions for 2002 Apprentice Employer of the Year, and Clive Berghofer for outstanding service to the industry, have certainly set a high standard for the building and construction industry on the downs. I look forward to this year's awards, which promise to be a bigger and better event, continuing to raise the profile of the industry on the downs.

Mr Schwarten: A good organisation.

Mr SHINE: I take that interjection from the minister and thank him for it. Together with the state government, the building and construction industry is going from strength to strength. I commend the efforts of the minister and his department in further strengthening the building industry in Queensland via this legislation.

Mrs PRATT (Nanango—Ind) (3.27 p.m.): I rise to address the House on the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. I commend the minister for introducing the bill. For far too long we have had a large number of complaints about the building industry in general—a substantial enough number to justify these amendments to the act. Most complaints, it appears, cover shoddy work, overpricing and the time taken to complete work. Those most affected appear to be pensioners or people in lower socioeconomic classes, whose work is often regarded as the least essential or where the least speed is needed to complete the work.

The main objective of the bill is to stop individuals entering into bankruptcy for a second time by imposing instead a life ban. But sometimes a person cannot, for whatever reasons, avoid bankruptcy. It is a very sad state of affairs for anyone in that situation. People in every industry have at times found themselves unfortunate enough to be in that situation. However, if these same people are bankrupted a second time, it can only be assumed that they have either not learnt the lesson or they believe that there is an advantage in entering bankruptcy. It is the public, the tradespeople and the building service industries that always carry the cruel burden. It is too easy an escape route for people to avoid their obligations by entering bankruptcy, as I said, not once but twice. This is unreasonable, and most people would support this amendment in the bill.

In respect of individuals found guilty of asset-stripping and who face a life ban, I do not think many people would oppose the new penalties. Asset-stripping is a deliberate act and therefore offenders should suffer a harsh penalty. We have witnessed asset-stripping in other industries over the years. There is the HIH debacle, and most people could think of other examples. We need to do whatever we can to stop that practice.

I support the entire bill because I have had no negative feedback on it. That has surprised me, because usually when it comes to building legislation people come to see me about the proposed legislation all the time. With respect to individuals who carry out grossly defective work, they should not only face bans but should have to go through another certification process to prove that they really understand how to construct buildings and that they are prepared to comply. Defective work penalties are one thing, but does that mean that they are able to continue working regardless of whether or not they can prove that they used constructively the period during which they were banned to update their expertise and prove that they can in fact build properly? In order to be accredited again, I believe that they have a duty to everybody—not only the authority but people in general in the community—to prove themselves in some way. I do not believe that banning them and then allowing them to return after a certain period of time is adequate. It would also be a very effective way of weeding out from the industry those people whom the industry does not need.

The re-education program should apply to all other types of legislation, too. If we fail our driving licence we have to sit for it again. People's property, houses and buildings is a major issue affecting many lives and those operators should be re-educated and forced to undertake a very strict exam. I agree in particular with the section of the legislation regarding licensed contractors committing offences by using unlicensed subcontractors. Too many times we hear of contractors trying to dodge their obligations by putting the blame on their unlicensed colleagues. I want to see a heavy monetary cost to these offenders. I say that because I believe they use these people to save money—the old cash in the hand deal perhaps—and if money is the incentive for them to be shoddy in their practices it should also be used as a deterrent. We should take back from the greedy to compensate the victims of their greed. As to site entry by inspectors, that is essential regardless of the size of the site. That should have been a given and there should be no exception.

Mr Schwarten interjected.

Mrs PRATT: Right. I thank the minister. The bill could even go further. Many subcontractors also cause unreasonable angst for shoddy work in other areas such as renovations. I am not sure whether this bill satisfactorily answers that particular problem. There should be more debate and stricter monetary and punishable offences expanded in the bill over the current provisions it covers. There have been too many building service companies, businesses and transport companies, to mention but a few, that have themselves gone to the wall over shoddy or greedy practices.

Mr Schwarten interjected.

Mrs PRATT: Good. Any person in a position of authority in the administrative running of a building business should be made accountable for repaying money back to subcontractors and other companies associated with the building industry that suffers from their unfair actions. We should add seizure of assets to the bill the same as drug income laws allow seizure. As a result, the bill will make offenders think twice about setting out to perhaps inadvertently destroy many people and associated business operators. I support the bill before the House.

Mr BRISKEY (Cleveland—ALP) (3.33 p.m.): I rise in support of the Queensland Building Services Authority and Other Legislation Amendment Bill. At the outset, I congratulate the minister, his staff and the QBSA for their initiative in progressing the bill and their ongoing commitment to cleaning up the building industry. The reforms contained in this bill are significant and substantially build on the Better Building Industry reforms put in place by Minister Judy Spence. Together with the ongoing vigilance of the BSA, these legislative changes are cleaning up the building trade in Queensland and making rogue builders accountable. In turn, this is boosting consumer confidence in the industry and driving our economy. What that means is more jobs, jobs, jobs for Queensland. As previous speakers have mentioned, this bill goes a long way towards restoring consumer confidence in the building industry and I would be surprised if there were not a few builders—those with a questionable past—who will be quite worried about the impact the new legislative framework might have on their unscrupulous practices.

Mr English: Shaking in their boots.

Mr BRISKEY: Most certainly. For those builders who are professional and do the right thing, there is absolutely nothing to worry about. The new amendments are tempered with the right checks and balances to ensure that only rogue builders and, in particular, repeat offenders whose shoddy work poses a risk to the public are subjected to the penalties prescribed by the bill. I particularly welcome reforms concerning the financial situations of builders. Under current arrangements, a licensed builder who mismanages their business and enters into bankruptcy leaving debts unpaid faces a five-year ban if they can convince the QBSA that they took all reasonable steps to avoid the circumstances that resulted in failure. Under the new amendments, if at any time a banned builder sets up another company of which he or she is a director or influential person and that company fails, a ban for life will be put in place even if that second failure was outside the building industry.

As the minister said, an important part of running a business is to ensure that financial matters of the company remain solvent and that debts are paid. When a builder fails to do this, the common story is for a trail of victims to be left behind—home buyers, subcontractors and suppliers. Every member of this House is well aware of subcontractors in our electorates who have been hurt. The effect on the economy is far greater than the initial financial woes of the business owner. Other key changes under the bill include giving the QBSA the ability to ban a person from the industry for life if they are convicted of asset stripping under the Corporations Act and a new range of bans for carrying out grossly defective building work which can result in a life ban from the industry plus financial penalties.

Further consumer protection mechanisms include the creation of an offence for building contractors to contract with persons who are not appropriately licensed. Importantly, it needs to be stressed that this bill is not an attack on the building industry, and the Beattie government is 100 per cent behind the building industry and the outlook for the future is promising. There is currently more than $11 billion worth of building and construction work happening right here in Queensland. The rule of thumb with these figures, as most honourable members would know, is that roughly a third of this figure relates to residential building, another third relates to commercial construction and the final third relates to civil engineering—that is, roads and infrastructure. I am sure that many members have had the opportunity to see what has long been known as a telling sign of the boom we are currently experiencing in Brisbane itself—that is, the number of cranes

across the city skyline is reflective of a current boom in the construction of city apartments. In terms of local jobs—

Mr Neil Roberts interjected.

Mr BRISKEY: True; one does not. The member for Nudgee just advised me that one does not see cranes with road tunnels, and he is probably correct about that. I will take his word for that. If we take a look at the bigger picture, the building and construction industry represents approximately 11 per cent of Australia's economic output. The residential building sector alone contributes close to $37 billion annually to our gross domestic product. The commercial construction and engineering sectors contribute a further $34 billion. The building and construction industry in Queensland is a significant employer, employing 140,000 people. It makes up approximately nine per cent of our work force and is the third largest contributor to our gross domestic product behind tourism and hospitality. When we take a look at these figures—

An opposition member interjected.

Mr BRISKEY: It most certainly is important, as the honourable member said, that we look after this industry.

When we look at these figures, it is not hard to imagine just what kind of domino effect a spike like that experience in the late 1980s or even a loss in consumer confidence can have on Australia's economic output and, indeed, on our businesses, particularly our small businesses and subcontractors.

Small operators and subcontractors are the backbone of the building and construction industries in Australia. These amendments will ensure that those who choose to run unscrupulous operations will feel the full force of the statutory powers of the QBSA. This can only have a positive effect on the industry's future. Once again, I congratulate the minister and commend the bill to the House.

Mrs SHELDON (Caloundra—Lib) (3.40 p.m.): Up and down the length and breadth of Queensland, people have been waiting for the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. It is also headed 'Maintaining Standards within the Building Industry'.

This is an important bill. Certainly, the more we can strengthen the provisions that look after subcontractors and individuals who are reliant on the building industry, then the better it will be. There is no doubt that all of us in this House have had experience where contractors have fallen over, subcontractors have not been paid and businesses have gone under, particularly the small businesses of subcontractors. Although many governments of different persuasions have tried to strengthen legislation to ensure that this does not happen, it is very difficult to get 100 per cent cover. I imagine the minister would agree that nothing gives 100 per cent cover, but at least this legislation goes some way towards doing that.

The objectives of the amendment bill are to increase the level of accountability within the building industry, to provide greater consumer protection and to improve compliance with industry standards with respect to contractual and payment obligations.

Last year, and indeed the year before, two major building companies on the Sunshine Coast went under, taking a very large number of subcontractors with them. Some of those subcontractors are still out of business. I would like to thank the minister for his help last year when a major company with a large number of subcontractors building a major project on the Sunshine Coast was caught. Progress payments had been made. I have read the clauses under 'progress payments' and a lot of those had been met, but it was the last payments which were not handed over and they were the big payments. I still do not know how that is going to be covered, and I do not know whether the minister knows. Even though he is covering this all the way, if the final payments are not going to be made, and they are often the big payments, that creates a big problem.

It is very important to ensure, as this bill does, that the history of contractors is well recorded. If they have had problems before, if they have had a licence cancelled or have incurred demerits points, all of this should be on the register and it should be readily available for people to see. I ask the minister whether that is going to occur. The QBSA has this register but, if someone wishes to check the register, will it be—

Mr Schwarten: It will be on the web site.

Mrs SHELDON: That is a very good initiative.

Another issue I wish to raise is in regard to companies. A lot of contractors or developers—however you wish to term them—work as companies and it is very important that the directors, other office holders or people of influence over those companies are similarly scrutinised. All too often the company goes into liquidation, the directors—or their assets—cannot be got at, although that has changed to some degree as well, and the subcontractors in particular go begging.

It is all very well to say that subcontractors should be aware, but some are not. They do not look after their own interests and no government can really do it for them. However, subcontractors who have gone through the correct procedures and still find that they are in difficulty need to be better covered by legislation; they need to be protected as much as they can be. They must also ensure that they get their progress payments, that the books are kept up to date; they must do their homework on the builder or the contractor. Often this does not occur.

Too often in an area—not just on the Sunshine Coast—a subcontractor's bread and butter depends on a contractor or developer. If they are too strident or stroppy with that developer, they are not going to get any more work. For that reason, they have at times turned a blind eye to faults that have existed. I support anything that can provide greater protection to the subcontractor, to the consumer and to decent builders and contractors because a large number are roped in together with a minority of people who have abused the system for their own financial gain and often by their own incompetence.

When we consider the importance of residential and commercial building in Queensland—and it is one of our bigger industries; it is also one of our big job creators—we realise it is vital that we make this industry as sound as possible. This bill goes a long way towards doing that. I think that the Building Services Authority, which often receives a fair bit of flack, should be commended for what it has done. I would also like to thank Mr Ian Jennings and his people for the help they gave me and those subcontractors on the Sunshine Coast when we were having major problems.

I commend the minister for introducing the bill. I know that he has done a lot of genuine hard work on it. I would like to thank him for the help he gave the industry and me with regard to the problems we were experiencing.

Mr Schwarten: Thank you for the hard work you have put in also.

Mrs SHELDON: Thank you, Minister. I also thank the QBSA for its work, advice and information.

Mr PURCELL (Bulimba—ALP) (3.46 p.m.): It gives me pleasure to rise to speak to this bill. Like other speakers, I would like to congratulate the minister on bringing this legislation before the House today. This authority is vital to the integrity and viability of the building industry.

The last major legislative reform package for the building industry was the Better Building Industry reforms. As members will recall, they were in two waves: one in 1999 and one in 2000. This legislation will build further on those reforms. Let us take a look at some of the significant issues that are addressed in this bill.

A very significant issue is industry bans. This is a major step for any government to take in regard to someone's livelihood. I think it is necessary in this industry because of the number of people taking advantage of other people who are not versed in the building industry and to protect the innocent.

We need to achieve ongoing maintenance of proper standards in the building industry. This protects not only those who make their living from the building industry but also the general public. It will ensure confidence in the building industry and a healthy economy. The building industry is a large part of the Queensland economy and the Australian economy. When the building industry is firing and going well, the economy is doing reasonably well. It is a large barometer of our economy.

The family home, investment properties, businesses, complexes and resorts are a part of every person's life. Any mechanism which will increase accountability, provide greater consumer protection and improve compliance is welcomed by all. We need to rid this industry of those who carry out grossly defective building work which adversely affects the structural performance of buildings or endangers human lives. I will come back to that and talk about a matter which I am sure the QBSA and the minister will be aware of. We also need to rid the industry of those who demonstrate their irresponsibility through repeated financial failures.

I have known companies in the building industry that planned to go broke at a certain stage in the building cycle. That was part of their bidding process. That is how they got their prices so

low. They would go broke. They would catch all the suppliers. They would ring the union, or me in those days, the night before they went broke or the night they went broke and say, 'We will guarantee all the wages, holiday pay, sick pay, rostered days off. We will guarantee everything for the workers. We will have you employed tomorrow morning with another company, but that company has gone broke.'

They would catch every supplier they could for three, four or five months' worth of money, they would catch many workers who were not in unions, who were single person subcontractors and battlers, and they would start up again. It was absolutely disgraceful. This bill will ensure those people are stopped in their tracks and are put out of the building industry. And so they should. They need to be made accountable for their actions and their promises. The public should not have to pick up the tab for shonky business dealers and suffer the penalty, both personally and financially, through unsound construction projects. A life ban from the building industry is very serious. This bill will ensure that people who do not meet their contractual obligations will think very seriously about doing that if they will not be able to continue to work in the building industry.

An offence will be created for a licensed contractor to knowingly engage or contract to an unlicensed person when that person is required to be licensed under the act. They have been getting away with murder in that regard for years. For example, someone who makes a subcontracting arrangement does not commit the offence; however, the builder who engages the unlicensed tradesperson commits the offence.

The minister would probably remember the case of a structural wall that was built by a constituent of mine. The constituent went out to the industry and contracted the job out himself, not knowing the rogues in the industry. A landscape company was engaged to do the work. That company put up a structural wall. The constituent thought the wall was unsound. It certainly did not look right to any person who just looked at it. It looked shonky. I am pleased we are enacting some legislation with regard to engineers, because this landscape company got an engineer to certify that there was nothing wrong with the wall. The BSA did the same thing on the engineer's report and said that the wall was structurally sound.

Mr Schwarten: Made of compo, wasn't it?

Mr PURCELL: Yes. Then the owner engaged his own engineer, who dug down and found out first of all that the wall had no foundations. A structural wall with no foundations! It was a wall built not of structural concrete but of compo with a few stones thrown in it. It was an absolute disgrace. I know that the BSA has been chasing that bloke—it probably still is—and has fined that particular company three or four times. This person is still around the place working. We need to put him out of business so that he does not continue to catch people. In this case a structural wall that would have cost $18,000, had it been built by a person who was doing the right thing, turned into a $40,000 nightmare. This legislation will protect against those situations occurring again. Bring it on. I thank the minister.

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (3.53 p.m.), in reply: I wish to thank members for their general support of the Queensland Building Services Authority and Other Legislation Amendment Bill. I am pleased to respond to the issues raised in the debate, which commenced on 5 December 2002 and was adjourned to today.

I thank the member for Darling Downs for his commendation regarding the bill. At the same time, I would like to respond to his criticism of the BSA's actions in allowing a list of individuals and companies that have been excluded from the industry for five years for financial failure to be published in the *Courier-Mail*. He referred to an article published on 17 September 2002 entitled 'Shonky builders face life ban'. I have to say that the title was created by the *Courier-Mail*, not by me or the BSA. Nevertheless, all the excluded contractors listed had been in a position where they were unable or unwilling to pay their debts.

The honourable member should remember that, before having their licences cancelled, excluded contractors are given the opportunity to satisfy the BSA that they took all reasonable steps to avoid the circumstances that led to their exclusion. Furthermore, if they are unable to convince the BSA that they should remain in the industry they are given the opportunity to review the BSA's decision in the Queensland Building Tribunal. I believe that the public has the right to know when contractors have proven themselves unreliable in their business dealings.

In response to the honourable member's call to ensure that new legislation is applied in a fair and balanced way, I would like to make a number of points. I am well aware that some large

building companies are concerned that, because of the volume of work they carry out, they may well inadvertently commit a number of breaches and accumulate the maximum 30 demerit points within three years which would result in the loss of their licences. I make it clear that this government is not out to ban reputable companies that have appropriate systems in place to ensure compliance with the law—those who pay their subcontractors properly and on time and do not demand payments from consumers before they should. The bill is intended to result in banning only those licensees who, despite repeated warnings, continue to show blatant disregard for the law. This is why a maximum of six demerit points may be imposed as a result of a single audit and why, once demerit points are allocated, further demerit points must not be allocated in relation to information received by the BSA from the same source.

In future, the BSA will consider the full range of actions available to it, including issuing warnings and imposing conditions on licences as well as issuing penalties notices or pursuing prosecution in the courts. For example, the BSA may become aware that a certain company is not providing its subcontractors with written contracts and issue a warning notice. If some months later the BSA learns that on many occasions the company is not providing subcontractors with written contracts it may impose a condition on the company's licence requiring the company to provide a written undertaking in respect of its plans to introduce a system for ensuring that all subcontractors are provided with a contract. If six months after the condition is imposed an audit reveals that in 95 per cent of cases the company has provided subcontractors with written contracts, the BSA, having regard to all the circumstances, is unlikely to prosecute the company. On the other hand, a small operator who only engages the one subcontractor and refuses to provide a written contract, despite a warning, is likely to be prosecuted and incur two demerit points.

I know that some contractors have raised concern about what might happen if they have a computer error and accidentally send out a series of letters demanding payment before payment is due. Too often letters of demand are based on schedules rather than building work actually completed. This is something I want to ensure comes to an end. It is simply not good enough for a company to say, 'We send them out at the end of the month,' or, 'We send them out every three months'—or whatever the period may be that they have set into their computers. What they should be doing is going out and satisfying themselves that the actual work has been completed. I actually do not accept to any great extent that that is an excuse.

The answer to these concerns is the same as for any business. If you become aware of an error, whether it is computer error or human error, you apologise to the customer and take appropriate steps to change your systems so that it is unlikely to ever happen again. For instance, it might be necessary to require supervisors to sign off on completed stages of building work before letters of demand are sent.

The BSA, as the regulating authority, is responsible for ensuring that the laws are administered fairly. No-one is going to lose their licence because of minor, unintentional breaches. Businesses that make such errors and are faced with a penalty notice or prosecution will be able to make representations to the general manager of the authority. Based on the facts, if the apparent breach is clearly due to human or computer error, the authority will decide not to take further action and no demerit points will be lost. At the same time all licensees, whether they have large or small operators, need to make sure that their business practices are compliant. Having a large turnover does not place companies above the law. Rather, large companies should take the lead in improving the security of payment and consumer protection in the building industry.

The member for Tablelands mentioned the question raised by the Scrutiny of Legislation Committee as to whether these provisions have sufficient regard to the rights of building licensees as well as those of consumers. I have responded fully to the committee's queries. The removal of self-incrimination as a reasonable excuse for failing to comply with a notice requesting documentation will allow the BSA to check whether a contractor meets the financial requirements for licensing so that subcontractors and consumers are not disadvantaged because of the contractor's financial failure. Part 4A of the Queensland Building Services Authority Act 1991 and the Domestic Building Contracts Act 2000 are designed to address the imbalance of power between contractors and subcontractors and contractors and consumers through the imposition of contractual obligations. However, it seems clear that this legislation would have little effect if the authority did not have the power to require the production of relevant documents from contractors.

The expanded powers of site entry for inspectors are necessary amendments to provide the BSA with an adequate power to pursue compliance with licensing requirements and investigate

complaints. I responded to a comment made by the member for Nanango on this point. She said that that provision should have been in the original legislation. When the original legislation was brought in, councils had the responsibility for building inspections. Consumers could contact councils and they would carry out that work. So it was against that background that it was done. I have to say that, when I became minister, I thought that the BSA had that right, but I was quickly proved wrong. As the member for Bulimba pointed out before, the reality is that this is something that is long overdue. However, the powers do not allow an inspector to enter without consent premises where a person resides.

I refer now to what the member for Nicklin raised here today. Like all other members in this House, I am alarmed by what I hear. I trust that the honourable member will bring forward whatever evidence that he has that can assist us in regard to the Packer matter. The BSA assures me that all the necessary financial checks were done. If the accountants are found to be negligent, the full force of the law will flow to them. The reality is that, if I get my way, they will not be practising as accountants ever again. However, I can assure the honourable member and the House that we will be pursuing that matter most vigorously. I am very keen, as is the general manager of the BSA, for the BSA to get their hands on that material so that we can have it investigated thoroughly.

I thank all honourable members for their contributions. There is unanimous support for this bill in this parliament and I thank all sides of politics for their cooperation. It is great to be as one in this place where everybody has a view that something must happen. Every member in this chamber can tell their own story about how tough it is for the building industry. Every member has their own consumer story to tell. The BSA gets about 5,000 complaints a year. So it is pleasing to see that so many members of this parliament are in touch with their constituency and have their constituency on side on this issue. One of the members said that they had not had any complaints whatsoever about this legislation. I think that is true. I think that it will be generally welcomed out there in the community.

However, I state also that I beg to differ with anyone who thinks that this bill is going to resolve all problems in the building industry. There is always a risk that a consumer is not going to get what they want, there is always going to be a risk that subcontractors are not going to get paid and there is always a risk that the builder is not going to get paid. A lot of things come into play in a contract situation. There are always going to be people who will try to push the margins to try to pick up a job and who find themselves on the wrong side of the financial fence. There is always going to be a consumer who thinks that they can rip off a builder. To that end, I think that the whole industry needs to understand that it has to commit themselves to more written and fewer verbal contracts, which are still taking place in the industry today. People are still having a contractual arrangement by word of mouth. While ever that continues, we are going to continue to have problems.

The reality is that I do not for one moment step back from my position of banning for life from this industry people who have proved time and time again that they are either incompetent or simply crooks. It is unfair to have those people competing with honest builders—driving down the margins, not paying their subcontractors, not paying the right wages, dealing with cash in hand, you name it. All members have stories to tell about that. The reality is that a decision to ban someone for life will not be taken lightly. I believe that checks and balances are in the legislation to make sure that we weed out only those people whom we want to weed out. I have no interest in trying to catch the bloke or the business that has simply made a blue. That is not what we are about. We in this parliament all know the people who we want to get out of the industry. This bill is targeted towards them.

I would like to apologise to the Queensland Master Builders Association and the HIA for not adequately consulting with them on this issue. The fact of the matter is that it would not matter how much we consulted with the industry over this bill—and this is a point that I made to the Master Builders Association the last time that I was there—if they had to consult with their membership, it would have taken forever to get this formulated. Both of those organisations believe, as do I and every other member of this House, that there must be a capacity to get rid of people from the building industry for life. That must occur, and they accept that. Anybody who does not accept that would be arguing that people should be able to indefinitely keep their drivers licence after subsequent drink-driving offences, crashes, speeding offences and so on that kill people and all the rest. It just simply beggars logic to argue anything different. I thank members for their contributions to what I think has been a very positive reform in the building industry.

Motion agreed to.

Committee

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) in charge of the bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—

Mr QUINN (4.08 p.m.): Clause 8 has been amended to take out certain sections in the principal act regarding transfers from the insurance fund to the general fund. I have two questions. First of all, can transfers still be made from the insurance fund to the general fund?

Mr Schwarten: No.

Mr QUINN: That answers my question. The next question is: why cannot they be made? They were previously. What is the reason for abolishing that flexibility now?

Mr SCHWARTEN: As I understand it, previously there was just one fund and they have now been run into two separate funds that have different administrations.

Clause 8, as read, agreed to.

Clauses 9 to 33, as read, agreed to.

Clause 34—

Mr HOPPER (4.10 p.m.): I know that the minister touched on this issue in his speech, but I refer to the insertion of section 67AZD that deals with the procedure if the authority considers an individual has accumulated 30 demerit points. I am aware, as I am sure is the minister, of concerns in the building industry that the scale of works by large building companies means that individuals held responsible by this bill are likely to accumulate demerit points much more quickly than licensees working on a smaller scale. I note that this section provides for the individual to question within 28 days that they have incurred 30 demerit points, but beyond this the BSA has no discretion. A building company building up to 1,600 homes a year, many of course concurrently, could potentially incur demerit points, particularly for technical offences, at a much greater rate than an individual builder building one house at a time. We have had people contact us who think that this is a very unfair aspect of the bill. I would really like the minister to expand on this. Without taking anything away from the principles of this bill in that all licensees should work in a responsible manner, has any provision been made to address this issue?

Mr SCHWARTEN: I did touch on this issue in my summing up. I am prepared to deal with it in a bit more detail. In order for somebody to accumulate 30 points, they have to commit 15 two-point offences. All the way along that chain they have the right to challenge the veracity of such offences. As I have said before, if it is a genuine error, a mistake, a wrong date, a clerical error, discretion will be used to ensure that those persons do not lose any points. I know where the member is coming from, because the HIA has put these points to us as well. I understand that big builders who have multiple contracts and use large teams of subcontractors may make errors, but in my view those errors we need to stop are things such as sending out bills to consumers before the amount of work is actually done. Why do they do that? Because they have obviously not got the right information from their subbies or have not supervised the job properly. As far as I am concerned, both of those things are things that we want to step away from; that we want contractors not to do. I do not care whether they are building one house or 15,000 houses a year—they are building for some poor battler out there who is expecting to get a quality product. Equally, they are involving other people who have to get paid. If we are to do anything about this industry we must maintain the same logic that applies to other professions, that is, if people repeatedly thumb their nose at the law they have a lot to worry about. Honestly, I do not think that bigger builders are any more exposed than smaller builders. We are trying to establish a set of rules. If people reach 30 points, believe you me, they have not been angels. We are not in the business—and I can give the member this assurance again—of trying to get people who have made an honest mistake. We are out to get the people who are ripping others off. If we weaken this provision in any way, we will compromise this whole position. I hear what the HIA says and I hear what the bigger builders have said because they have seen me. I am satisfied that we have enough discretion in the system along the way to ensure that we catch only the people we want to catch.

Clause 34, as read, agreed to.

Clauses 35 to 52, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 3 December 2002 (see p. 5229).

Mr HOBBS (Warrego—NPA) (4.16 p.m.): I am pleased today to talk to the Local Government Legislation Amendment Bill 2002. The National Party opposition will be supporting the bill in the House today. This bill provides for amendment of the City of Brisbane Act 1924 and the Local Government Act 1993 to provide local government with more appropriate flexibility in revenue raising; to improve the accountability of local governments in revenue raising; and to clarify the intended purpose of some current provisions relating to revenue raising. The bill amends the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984 to ensure that Brisbane City Council can effectively deal with unauthorised vehicles in Brisbane city malls, and it enables the BCC to utilise the state penalties enforcement regime for enforcement of prescribed offences under the Malls Act and local laws supplementing the acts.

In May 1999 the Department of Local Government and Planning released a discussion paper on local government revenue raising powers to stimulate discussion about a range of general and technical issues relating to the revenue powers available to local government, including the flexibility afforded local government in response to community needs and sufficient transparency in local government decision-making processes. This paper also included proposals for legislative change arising from the Ombudsman's 1998 report on an own motion investigation under section 15 of the Parliamentary Commissioner Act 1974 entitled *Rate recovery practices of local governments in Queensland*. A lot of that probably would not mean a great deal to the average person out there, but in local government circles the legislation we are dealing with today is pretty important. It will have a large impact across-the-board on ratepayers. I genuinely believe that there will be some improvements and that ratepayers will benefit from the accountability process in terms of having a better understanding of local government's revenue raising ability in relation to how and why they do it.

I wish to address a number of the clauses in this bill. However, prior to doing so, it is important to acknowledge in the context of the debate yesterday's announcement of new land valuations for parts of Queensland. The announcement that valuations across the region have soared for a third consecutive year, with average land valuations up 32.5 per cent in Brisbane and 38.07 per cent on the Gold Coast, confirms to us again that the present valuation system based on the unimproved capital value of all rateable land requires the urgent attention of the state government. Land-holders across Queensland are outraged, to say the least, after being hit with massive increases in their land valuations, which has in turn driven up the cost of leasehold land rentals. We will see increases down the track not necessarily only in rates, which I will come to later.

Yesterday, industry and property groups called on local government to show restraint when passing on rate adjustments based on the new valuations. Most councils will; most are responsible and, as we all know, generally speaking, councils require only a certain amount of money and will adjust their rate in the dollar. However, many ratepayers will be caught out by variations in valuations across the regions. Some residents will have substantial increases in rates. Some may even go down. In a lot of instances, they will go up. That is not satisfactory. Many people have been searching for ways to improve the system. However, no-one has come up with a really good answer. There have been a few suggestions. I believe we need to work harder on finding a better system. People who have lived in some suburbs for many years are now being rated out. That cannot be allowed to happen. People who have made their retirement plans are being rated out and are having to move.

I note that a spokesman for the Department of Natural Resources said the valuations will take effect on 30 June this year and were simply a reflection of the buoyant property market. The market is buoyant. However, Real Estate Institute of Queensland President, Mark Brimble, said the latest valuations seemed overinflated given that the increase in median house prices between 2001 and 2002 was 22 per cent. I am sure people will object to those valuations and I hope that results in a resolution for them.

It is about time this government and in particular DNR bit the bullet and conducted a lengthy review of the current system. If that is already under way, there needs to be a report in the short term with recommendations being put forward for public consideration and comment. The impact of these valuations has hit not only metropolitan land-holders but also those in rural areas, who have witnessed increases in valuations of up to 70 per cent. Forty-one of the 124 local government areas have had valuations this year. The others have not had enough movement over that period to warrant an annual valuation. We will see some big increases in the land tax being paid in those areas. Tomorrow, with the mid-term budget figures being released—they are about two to three months late—we hope the Treasurer will indicate that next year there will be reductions in land tax to take account of the huge increases in valuations this year, otherwise members opposite will get representations from those being hit with land tax increases.

During possibly the worst ever drought seen in Queensland, which has seen 87 shires and six part shires drought declared by the state government, the last thing we need is producers, growers and small business owners having to contend with land tax increases. I am sure the Minister for Primary Industries and Rural Communities will acknowledge the fact that the recent rains are very welcome. However, they need to continue across Queensland and we still cannot mitigate the effects on crops or cattle already lost by our primary industries over the past couple of years. Our governments at all levels need to remain supportive of communities suffering from the drought as they get back on their feet.

The bill before the House will provide local councils with the opportunity to limit the financial blow through the increase in land valuations. The Executive Director of the Local Government Association, Mr Greg Hallam, noted yesterday that rate capping, rate averaging and differential rating were used throughout Queensland to limit this financial impact.

This legislation is intended to improve the workability of the City of Brisbane Act and Local Government Act with respect to the making, levying and recovery of rates and the granting of rating concessions. I believe these amendments will enable councillors to consider local circumstances and the impact of disasters such as the drought in their jurisdiction's use of the rating tools available. The proposals in this legislation for concessions for classes of land-holders could have had an early benefit for councils wishing to recognise the impact, say, of the drought, a flood or some other natural disaster that we have seen hit communities across Queensland even over the last few weeks.

It is important that this legislation is brought on early and passed in a timely manner so as to allow councils a sufficient period to have these new requirements in place for their budgets. The minister mentioned to me yesterday that this is one of the reasons the bill has come forward early, namely, so that councils will be able to use this in their forthcoming budgets. That is a valid reason. We accept that.

This is one bill that has had extensive consultation. It is a model that should be used for a lot of other legislation. Often, bills that come before the House have not been the subject of adequate consultation. This minister is guilty of that in respect of some legislation, and particularly the decision that councillors now cannot stand for state parliament, where there was very limited consultation. This can be done and done right. This is one example of how this can be done properly. Trying to push things through without proper consultation reduces the credibility of the government and the departments. Departmental officers are trying their best to balance the political whims of the government of the day and the reality of getting on with the business of government. They must try to retain their credibility—something they lose when they have to support the minister of the day. In many instances they are told to toe the line when reality and commonsense dictates otherwise.

I turn now to the City of Brisbane Act 1924. Clause 4 replaces the general rates and charges provisions under this act—sections 48 to 58—with a new set of provisions incorporating amendments similar to those made in the Local Government Act 1993. Also, section 59 of the act is replaced by a new section 1071A in the Local Government Act inserted by clause 66 of the bill. I have already broadly noted in my introductory comments what these changes intend to do. However, I wish to address a couple of these amendments in brief.

The replacement of section 53, which deals with the adjustment of special rates and charges, will provide for councils that have remaining funds received from a levy or a special rate or charge to refund in the same proportions the special rate or charge that was levied to the current owners of the land on which the special rate or charge was levied. This would have to be acted on as soon as possible and would apply in an area where: firstly, the council decides not to fully implement an overall plan that has been partly implemented; secondly, the council has funds

received from a special rate or charge remaining; and, thirdly, the plan identifies, for different stages of its implementation, the rateable land or occupiers of the land that will benefit from or have access to the service, facility or activity. This is a fair amendment. I am happy with and supportive of the provision that will provide for councils to refund any special rates or charges that have been collected initially but which are not required for their initial intention. However, there is a slight sting in the tail with this. Perhaps the minister could clarify this later. We may have an administrative problem if a special rate is struck for a purpose and it takes a long time to complete a program. With the best of intentions, a council might elect to impose a special charge for a special purpose and, because of various reasons—too much or not enough rain—it might take a couple of years before it is finally completed.

For instance, in a situation where a council has struck a rate and they have not been able to complete it, it may take some time. I presume they have to strike that rate every year. When they have to try to find the owners, what happens if the owners have gone or sold? That is what I am talking about. One would hope that if they had to refund money to 10,000 or 5,000 or 100 owners they would find most of them within 12 months if the council was not able to get the job done. But if it took two, three, four or five years before it was finally washed up, where are the owners? There may have been three different owners since then. There is a large turnover in flats, for example. That is an issue that needs to be worked through.

In her second reading speech the minister spoke about fixing regulatory charges to recover no more than the cost of providing the service, and I presume this comes under the same act. Does that mean that if archiving costs the council $50 or $100 they can only charge that much? Is that the way it is meant to be? That will be interesting, because many councils will vary in what they charge. Will there be a standard across the state? How is that going to be handled? That is something we may be able to talk about in the debate on the clauses. The intention of this amendment is for councils to have the power to decide if discounts should be available where all rates are paid or only those rates specified by the council. In addition, the council could decide that a discount on rates is not available if the ratepayer owes an outstanding amount for work performed by the local government under section 1066 of the Local Government Act, 'Performing work for owner or occupier'. We support this amendment.

I turn now to the insertion of proposed clause 79A, 'Council may grant concessions to classes of landowners'. This clause provides councils with the discretion to grant a rating concession to a class of land-holders or entities without an individual application from each member of that class. This is obviously a great improvement in administration for councils. As the minister mentioned in her second reading speech, local governments wishing to grant rating concessions to ratepayers who meet certain criteria such as pensioners have to deal with applications on a case-by-case basis and this can create an administrative burden for local governments that must assess and process each application individually as well as a burden on ratepayers wishing to take advantage of any applicable concessions.

It is a very practical amendment that will hopefully allow our councils to recognise the difficulties experienced during the current drought. They may be able to apply concessions to land-holders in such circumstances, particularly in relation to some large valuation increases in the central Queensland coastal region. For instance, there are farmers who have had no water at all with which to irrigate and their valuations have gone up dramatically. That may be a case where councils could say, 'Oh, well, we'll try to phase this in and perhaps give a concession for that particular year.'

I hope that granting concessions to a class of land-holders will not disadvantage any individual who has a genuine case. However, such people will be in the minority, and as a result the council refuses to go ahead with a blanket concession. I think that should be okay. I do not believe this amendment is being proposed with any ill intent. However, it is important that councils adopt and apply these concessions where they are most needed in drought declared areas or disaster declared shires, which reflect more than half the local councils in Queensland.

I turn to the amendment to section 81, 'Establishing criteria and categories'. This amendment provides an example of how a council may decide categories for a differential general rate and how the council may determine the criteria for those categories. These examples are outlined in detail in the legislation and they include separating land into residential land, commercial and industrialised land, grazing and livestock, rural (sugarcane) and rural (other) including in an urban centre or locality, sugarmilling land and any other land not previously mentioned.

Given that quite lengthy consultation was undertaken on this legislation with some 1,700 copies of the draft bill being downloaded from the department's web site, I am keen for the minister to indicate whether she is aware of how many of the 125 local councils are prepared to adopt the categories for rating land that this bill provides for. The minister may not have had any indication at this stage as to what councils will do. I think quite a few have indicated that they probably will adopt these categories, but is there any documentation that the minister has along those lines or a best guess? The opposition is supportive of the development and application of these categories and will be interested in seeing their adoption by some of our local councils.

I turn now to division 1A, 'Revenue policy'. A responsibility of our local governments is to provide the community with the opportunity to comment on and scrutinise their policies and in particular their revenue policy—in other words, the way rates are levied and recovered. The requirement in this legislation for local councils to prepare and adopt a revenue policy for each financial year will provide for greater accountability and transparency in the process. A revenue policy will have to be adopted in advance of the budget to clearly set out the principles to be used by the local government in setting the revenue component of the annual budget and the strategy that it plans to use to raise the revenue.

As I understand it, local governments will be required to prepare this revenue policy in the same manner as they prepare their corporate plan prior to the handing down of the budget. The opposition is most supportive of the requirement of this level of government to be completely transparent in its revenue collection process. I commend the minister for putting forward these changes to both the City of Brisbane Act and the Local Government Act. The public should have the opportunity to understand and question how their council works through this process. I believe that these new requirements will achieve these objectives.

As I understand it, once the budget has been developed a revenue statement is prepared which has to take the form of an explanatory statement to accompany the budget outlining and explaining the revenue measures adopted in the budget process. These new provisions will apply for the forthcoming financial year. Hopefully that will give people a much better explanation of where the money is coming from in relation to council revenue.

I note that the minister has also said that it will be up to each council to decide the overall measures needed to achieve appropriate levels of transparency. In order for local councils to achieve these appropriate measures or minimum standards, it is important that the department assist in this process. I am aware that the minister has committed the department to providing training and updating the department's revenue raising manual. For the benefit of all members of the House who respond to the concerns of local councils in their electorates on a regular basis, it would be useful if the minister could outline exactly what assistance her department will provide and whether this will be available to each and every council in Queensland. Will she simply be updating the department's revenue raising manual and sending it out or will there be one-on-one assistance with that? We need to ensure that all councils, remote or metropolitan, have the opportunity to access the department's knowledge and resources in preparing their new revenue policies.

I turn now to the insertion of new section 16-16C, 'Removal or moving of vehicles in mall areas'. I do not wish to speak in detail on the series of amendments concerned with this section of the bill, but it is important to say that this will provide an authorised person under the Local Government (Chinatown and the Valley Malls) Act to remove or move a vehicle if satisfied on reasonable grounds that a vehicle has been (1) abandoned in a mall area, (2) left unattended in a mall area and its presence is hazardous or (3) found in a mall area and its presence is hazardous or contravenes the act.

This power will not be permitted unless the person who is, or appears to be, in control of the vehicle cannot be readily located, or has failed to remove the vehicle when required by the authorities to do so. These powers will also apply to the Local Government (Queen Street Mall) Act. We support the inclusion of this new section as it is often the case that abandoned or unattended vehicles take up space or get in the way of short term-parking, driveways, pedestrian walkways or other utilised areas within Queen Street Mall and Fortitude Valley. These two particular areas within the broader city precinct are major traffic and pedestrian zones and provide mainly short-term parking, or in some circumstances no provision for parking. It would be unfair on those people wishing to benefit from these services for other commuters to abuse this process and escape being penalised.

Part 7 of the act has provided that the Brisbane City Council, in the matters just mentioned, will be able to utilise the state penalties enforcement regime instead of any action being carried

out through the Magistrates Court. I appreciate that in these particular cases action through the court process would be an expensive alternative in requiring a person to pay an infringement notice. However, it is clear that since the establishment of SPER in November 2000 it has justifiably acted as a toothless tiger with regard to its ability to chase up repeat offenders who continue to fail to pay a particular fine.

I want to place on record the opposition's concerns about the use of SPER given that its personnel are already unable to keep up with the processing of existing infringement notices as well as keep track of those repeat offenders within the system. I would appreciate the minister's advice as to the decision to utilise SPER in enforcing these changes.

In conclusion, the bill deals with a number of important aspects of the operation of local councils. The amendments that have been put forward with regard to improving the flexibility of revenue raising as well as introducing greater transparency into the reporting process will provide a more fair approach towards landowners, in particular those affected by the current drought.

This legislation should also ensure that members of the public are more aware of how their local councils raise revenue from the levying of different rates through these more accountable measures. Local councils should not bear the full brunt of justified criticism of our current land valuation system. It is the responsibility of the state government to seriously review and consider how this process can be improved. I commend the bill to the House.

Mr ENGLISH (Redlands—ALP) (4.42 p.m.): I rise this afternoon to speak on the Local Government Legislation Amendment Bill 2002. I, like many other members of this House, frequently receive complaints about the behaviour of local councils and the lack of transparency in some decision making that local governments undertake.

This bill seeks to improve the accountability mechanisms for local governments. This bill contains a key proposal to improve the accountability and transparency of revenue policy decisions. This will, in turn, better inform the public about the principles underlying local government revenue raising decisions.

The Local Government Act 1993 is to be amended to replace the current provision relating to revenue policy with a two-step process for the development of revenue policies. The process would involve the creation of two documents by local governments, which would both be publicly available.

First, a revenue policy, which clearly sets out the principles used by local governments in setting its budget and the broad strategy it plans to use to raise revenue, will be developed. The policy intent is for a revenue policy to be strategic in nature. Consequently, local governments will need to prepare their revenue policy in advance of their budgets in the same way a local government prepares its corporate plan prior to the budget. In the revenue policy, it is proposed that local governments will be required to specify the principles to be applied in the making, levying and recovery of rates and charges and in the exercise of the concession powers under the City of Brisbane Act 1924 and the Local Government Act 1993. It is intended to provide the public with a short strategic document rather than a detailed operational statement on revenue raising.

Adoption of the revenue policy prior to the budget is a means of strengthening the rigour of the budget process, without interfering with the local government achieving its public policy objectives through the budget. It also increases transparency so that the public is better informed about the council's general directions. Even if the public does not respond to the publication of the revenue policy, the mere fact that it has to be publicly available should increase the rigour of local government budget processes. The revenue policy will be similar to the government's Charter of Social and Fiscal Responsibility, which is required under the Financial Administration and Audit Act 1977. The intent and purpose of the revenue policy as an accountability mechanism is also similar to the intent and purpose of the charter.

Secondly, a revenue statement, which will accompany the budget, will need to be prepared outlining and explaining the revenue measures adopted in the budget process. Revenue statement accountability measures include providing a description of the differential rating categories and criteria used in the budget; summarising the joint arrangements for the levying of special rates for expenditure or services in another local government area; and documenting the criteria used as the basis for fixing regulatory fees. Similar amendments to the City of Brisbane Act are also included in this bill.

In order to facilitate the development of these documents. which will be detailed in subordinate legislation, the Department of Local Government and Planning will update its

revenue raising manual, used to provide guidance to local governments, to reflect the proposed amendments and will also conduct local government information sessions throughout the state.

I think this bill will move the accountability and transparency of local government decision making forward. I understand the concerns of people in my electorate in relation to how money is spent around the shire. A lot of money seems to be spent in some areas whilst the southern end of the shire, the Redland Bay area and southern bay islands, seem to be somewhat neglected, despite the fact that a lot of revenue is raised from those areas. I think any steps that this government takes to increase the accountability of local governments is to be applauded. I commend the bill to the House.

Mr BELL (Surfers Paradise—Ind) (4.46 p.m.): I rise briefly to support this bill. I do believe, though, that there may have been one or two opportunities missed. I have no problem with the provision that the Brisbane City Council would have powers to remove illegally parked vehicles in the Queen Street Mall, the Chinatown Mall and the Valley Mall. That seems to be quite reasonable, but I wonder why it is limited to those particular malls.

I would have thought that a wider provision might have been appropriate, enabling local authorities who have gazetted malls wherever they be to have similar powers of removal of vehicles. Perhaps there is something in the Local Government Act of which I am unaware, and I would be grateful if I am wrong for the minister to put me right on that. Otherwise, I cannot see any difference in principle between the Brisbane City Council removing a vehicle that is hazardously parked in one of the three mentioned malls and the Gold Coast City Council removing a hazardously parked vehicle from Cavill Mall.

I also see another opportunity that may be lost. I see no difficulty with the provisions in this bill relating to the levying of charges by local authorities, but I see nothing—and again I stand to be corrected—which might give local authorities the ability to change their charges part way through a financial year. As I read this, the provision that has been standing hitherto that the charges must be adopted for the financial year, normally in the budget but now possibly by resolution, remain fixed for the full financial year. I can see that there needs to be a certainty for a full financial year in relation to rates, but so far as charges are concerned it is my submission that there could be changing circumstances part way through a financial year as it applies to the levying of charges, for example, charges for water.

In times of drought it might be necessary for emergency arrangements to be made to acquire water at a much higher charge from some other source, and it might therefore be reasonable for that extra charge to be passed on to the consumer. The same could apply with parking. There could be a situation where a parking charge might be reasonable at the commencement of a financial year but, due to changed circumstances in part of a financial year it may be appropriate, quite acceptable and quite reasonable to change the parking charges in a particular place. Something I have always found a little difficult for local government is the inability to make changes to charges part of the way through a financial year, however compelling the reasons might be.

Again, I cannot take any objection on principle to the provision of a revenue policy, but I am concerned that local government, bit by bit, is being somewhat hamstrung by a whole lot of policies. Not only is there the corporate plan and a revenue policy; there are a whole lot of other policies which, in the name of accountability, mean that the councillor of the day—he or she might have been elected at a by-election and not present when these policies were first adopted—finds himself or herself somewhat hamstrung in doing what he or she believes to be right.

There is a balance situation. Perhaps something of that occurs in the ability under subsection (3) of section 106B to amend the revenue policy at any time during the financial year. I am happy to see that appear, but I wonder whether there will be guidance to local authorities in the form of perhaps pro forma revenue plans, in the same way as there are with model local laws, that would help local authorities. Also, perhaps the revenue policy may be in itself sufficiently flexible to enable various changes as circumstances do change from month to month. All in all, I am quite happy with the bill. I certainly will be supporting it.

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (4.51 p.m.): I rise to support the amendments outlined in the explanatory notes and second reading speech made in the House late last year. The Local Government Legislation Amendment Bill seeks to amend principally four acts—the City of Brisbane Act 1924, the Local Government Act 1993, the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984. Also, the bill makes some slight changes to the Integrated Planning Act 1997.

COBA and LGA amendments provide local government with more appropriate flexibility in revenue raising, improve the accountability of local governments in revenue raising, and will go a long way in clarifying the intended purpose of some current provisions pertaining to that revenue raising.

The Minister for Local Government and her staff have worked diligently to conduct evaluations of sections of the LGA to make sure it remains an up-to-date legislative structure that caters for an efficient, effective and accountable local government system. In May 1999 a discussion paper was released for comment. It covered general and technical issues relating to local government revenue raising powers, including the flexibility afforded to them to respond to community needs and adequate transparency in their decision making processes. The paper also covers some proposals for legislative change arising from a 1998 Ombudsman's report, with its findings being used as the foundation for the compilation of this bill.

The bill will assist in improving the workability of the COBA and LGA in relation to the making, levying and recovery of rates and the granting of class rating concessions, which could be of great benefit to rural areas that have been affected by hardship—the drought is a good example—as local governments will be able to provide for a class action without the need for individual applications, as occurs now. Amendments will not only improve the accountability of local government by developing new requirements for a revenue policy and statement to make the public more aware about the principles underlying revenue raising measures; they will also provide for a separate head of power for local governments to set commercial and regulatory charges by resolution or by local law.

The proposed changes to the Local Government (Queen Street Mall) Act and the Local Government (Chinatown and The Valley Malls) Act will achieve two things. Firstly, they will clarify that Brisbane City Council has the authority to remove illegally parked vehicles in these pedestrian malls and, secondly, they will repeal provisions providing for a penalty infringement notice regime for prescribed offences under the two acts and local laws supplementing these acts. The Scrutiny of Legislation Committee's *Alert Digest No. 1 of 2003* confirms—

Whilst these provisions impact on the rights of owners of the relevant vehicles, the committee—

of which I am proud to be a part—

considers that, given the purpose of the malls, the conferral of the powers is not unreasonable.

I support this bill and commend it to the House.

Hon. V. P. LESTER (Keppel—NPA) (4.55 p.m.): I rise to speak to the Local Government Legislation Amendment Bill 2002. The National Party opposition will be supporting this bill. The bill provides for amendments to the City of Brisbane Act 1924 and the Local Government Act 1993 to provide local governments with more appropriate flexibility in revenue raising, to improve the accountability of local governments in revenue raising and to clarify the intended purpose of some current provisions relating to revenue raising. It will also amend the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984 to ensure that Brisbane City Council can effectively deal with unauthorised vehicles in Brisbane city malls and enable the BCC to utilise the state penalties enforcement regime for enforcement of prescribed offences under the malls acts and local laws supporting these acts.

In May 1999 the Department of Local Government and Planning released a discussion paper on local government revenue raising powers. Indeed, some state economic commentators have said that local governments have a better ability than state governments to increase their revenue base as a result of the GST and the general trend in Commonwealth-state financial relations. The paper included some proposals for legislative change arising from the Ombudsman's 1998 report on an own motion investigation under section 15 of the Parliamentary Commissioner Act 1974 entitled *Rate recovery practices of local governments in Queensland*.

This week we have seen the announcement that valuations across the region have soared for the third successive year, with average rateable land values up 38.25 per cent in Brisbane and 38.07 per cent on the Gold Coast. These steep increases enforce the need to overhaul the present valuation system, which is based on the unimproved capital value of all rateable land. Land-holders across Queensland are outraged, to say the least, after being hit with massive increases in their land valuations, which has in turn driven up the cost of leasehold land rentals. Industry and property groups yesterday called on local governments to show restraint when passing on valuations in terms of rate adjustments.

In the last year the property industry has suffered at the hands of this government. We have seen the government, without any consultation, scrap the 15 per cent land tax rebate for

companies, trustees and absentee landlords. These latest valuations will see more people dragged into the land tax net. Who will be the biggest beneficiary? It will be the state government coffers. Real Estate Institute of Queensland president Mark Brimble said the latest valuations seem overinflated given the increase in median house prices between 2001 and 2002 of 22 per cent.

The impact of these valuations has hit not only our metropolitan land-holders but also those in our rural areas who have witnessed valuation jumps of up to 70 per cent. During possibly the worst ever drought seen in Queensland, which has seen 87 shires and six part-shires drought declared by the state government, this is the last thing that our producers, growers and small business owners need to contend with as they are trying to get through this difficult period. Our government at all levels needs to continue to remain supportive of these communities that are suffering from the drought and as they get back on their feet. Increased land valuations will put a large dint in their ability to do that.

This bill will provide local councils with the opportunity to limit this financial blow through the increase in land valuations. Yesterday, the Executive Director of the LGAQ, Mr Greg Hallam, noted that rate capping, rate averaging and differential rating were used throughout Queensland to limit this financial impact. The legislation is intended to improve the workability of the City of Brisbane Act and the Local Government Act with regard to the levying of rates, the recovery of rates and the granting of rate concessions.

In conclusion, I would like to again affirm the opposition's support for the bill. However, I would like to reiterate my concerns about the spiralling land valuations in Queensland and the need to review the way in which we determine land valuations.

Mrs SMITH (Burleigh—ALP) (5.01 p.m.): I rise to speak in support of the Local Government Legislation Amendment Bill 2002. The purpose of this bill is twofold: firstly, to increase the flexibility of revenue raising for local governments and, secondly, to increase the accountability of local governments to their residents. Councils are under increasing pressure to provide a value-for-money service for their ratepayers. These measures will give them the ability to service their residents more efficiently and effectively.

Although issues surrounding local governments seem to be issues that should not affect those of us here, like many other members I seem to find myself spending a great deal of time discussing these issues and trying to resolve them. Measures that may make the Gold Coast City Council more effective and efficient are to be applauded. The administration of the rates on the Gold Coast is increasingly becoming an issue, with land valuations again rising steeply. The Gold Coast City Council faces the difficult task of deciding how best to use that information to appropriately raise the necessary money without causing undue hardship. In the past two years, many of my constituents have had rate increases of over 100 per cent.

The bill enables local governments to offer rating concessions to a specified class of ratepayers instead of individual applications from each eligible ratepayer. It is to be hoped that they use the opportunities afforded by this bill to make sure that their policies are applied fairly and equitably.

Part of the provisions that will allow for local governments to be more accountable is contained in the requirement to produce a new revenue statement. This will allow for a better explanation of revenue-raising measures, both the principles underlying those measures and the mechanics of the actual measures themselves. The current provisions for revenue powers will be made clearer and, in some cases, there will be amendments to provide greater flexibility in the application of these revenue powers. In particular, the bill makes clear the power of local governments to set commercial charges.

The bill also provides a new head of power to make regulatory charges with the clear policy intent that local governments can recover the costs of administering regulatory regimes only through such charges. Local governments will also have to include in their revenue statements the basis used to fix regulatory charges. Other provisions relating to the power to collect revenue will be clarified and, in some cases, there will be changes to provide for greater flexibility.

In the past, there have been difficulties regarding the collection of outstanding moneys owed to local governments. This bill resolves those issues and allows a local government to initiate sale of land procedures earlier for vacant or commercial land where rates have been overdue for more than one year and a court judgment has been obtained.

In response to the state's damage to roads policy, the bill also contains amendments to enable local governments to cooperatively respond to cross-boundary matters. A special rate or

charge may be levied on properties in another local government area that will benefit from services such as roadworks that are required in more than one local government area. I commend the bill to the House.

Mrs LAVARCH (Kurwongbah—ALP) (5.04 p.m.): The local government system is one of the great achievements of the Labor governments that held power in Queensland in the first half of the last century. Those governments created a system that empowered local communities to have a real say in how their communities were run, how services were delivered—and are delivered—and how priorities are set. Since the reforms, which came together in the landmark Local Government Act 1936, Queensland local councils have enjoyed a much greater level of real power than have their counterparts in other Australian states. In Queensland, the standard powers over rates, roads and rubbish that are common to all Australian local authorities have had added to them powers in relation to town planning, economic development and essential services such as water and electricity.

Although in the past 30 years sensible change has seen infrastructure provision and service delivery in water and electricity being transferred from local councils to state government corporations, such as SunWater, Energex and Ergon to name but a few, Queensland councils remain comparatively powerful. Certainly, the so-called 'greaterisation' process of the 1920s, which saw Brisbane as we now know it created, has led to our capital city having influence and financial power well beyond that of the Northern Territory, the ACT and even the state of Tasmania.

This bill continues in the long and proud tradition of state Labor governments strengthening and improving the revenue raising and management functions of councils to increase flexibility and transparency. The bill follows an extensive process of consultation conducted by the Local Government Department. This featured the release in May 1999 of a discussion paper on local government revenue raising powers. That paper included proposals from the Ombudsman on rate recovery practices. After the feedback from the discussion paper was assessed, a draft bill with an accompanying consultation paper was released by the department in August 2002. I commend the minister for this process, which has undoubtedly seen the bill improved and, not surprisingly, has seen the bill being supported by the Queensland Local Government Association.

The bill will improve financial planning by councils by requiring that they provide a revenue policy and a revenue statement as part of their budget process. This revenue policy will set out the principles used by the council in setting the budget and in revenue raising. As well as ensuring good governance practices within a council, the revenue reforms will enhance accountability and compliance with competition policy requirements. This will occur as councils will need to separately identify regulatory charges within their revenue collections.

As honourable members appreciate, the division of regulatory functions and costs from business functions and service delivery is an important part of competition policy as it allows a clear and open assessment of the true costs of regulation and service delivery. Although this aspect of competition policy is a valuable improvement to good governance, it does not necessarily follow that business functions should not continue to be performed by councils from their own work forces. I strongly support local authorities maintaining an in-house capacity to serve the needs of their local communities.

The other important reform that this bill brings to the Local Government Act and the City of Brisbane Act is in the area of the making, levying and recovery of rates. In short, these changes will make it easier for councils to grant and process rate concession schemes for pensioners and collect unpaid rates.

There is another issue that I have raised with the minister previously and which I would like to raise again today. It is an issue that is not covered by the proposed amendments to the Local Government Act, but I believe that it warrants further consideration. This issue concerns the payment of rates at the time of and following the sale of a property. I am aware of some problems being experienced by councils, and especially those councils that have an annual rates system such as the Pine River Shires Council, with respect to outstanding rates not being passed on to the council at the time of settlement.

If we take just a simple conveyance of a residential property, where solicitors act both for the vendor and the purchaser, according to the provisions of the standard REIQ contract there is a rates and charge adjustment. In the situation where the vendor has not paid the rates, there is no requirement under the REIQ contract at the time of settlement for the unpaid rates to be passed on to the council. It is up to the purchaser to do this. The adjustment in the sale price will take into

consideration that the vendor has not paid the rates and there will be a reduction in the purchase price. Across Queensland, by practice solicitors have always passed on the moneys that have been adjusted for the rates to the council.

I do not know what happens in other parts of the state, but in northern Brisbane we have seen a practice where solicitors give the purchasers the choice. They will say that either a cheque can be drawn and sent on to the council or the purchase money is provided at that reduced rate. The Pine Rivers Shire Council advised me that, especially late in the year after the annual rates have been levied and it is not attractive for vendors to pay rates in advance as the property is for sale, on a given day they can have $1 million in outstanding rates. They tell me that it then takes two to three months after a conveyance for them to be notified of the sale of the property. By the time they have advised the purchaser of the outstanding rates and put in a claim for those rates, they end up with a very irate new owner who, A, does not have the money to pay the rates and, B, is quite surprised that they were not settled at the time they purchased the property. I have had discussions with the Queensland Law Society about how the legal profession can overcome this problem between councils and new property owners. That dialogue is continuing, but I just wanted to alert the minister to the situation. I know that some councils are asking for a legislative measure to mandate that rates be paid at the time of settlement.

Mr FLYNN (Lockyer—ONP) (5.13 p.m.): It is not often that we see a general agreement between state and local government; in fact, it is pretty much a rarity. Therefore, in general I support the intent of this bill. I see it streamlining, as it does, the bureaucracy surrounding the operation of local government. However, I question the wisdom of making it easier for local government to eject rate defaulters from their properties. Despite the clear responsibility of ratepayers to fulfil their obligations, I cannot get past the fact that essentially a person's home is their castle and that any attempt to evict residents should be viewed with the utmost precision and care of procedure. I do of course appreciate that the power to evict will be subjected to a court judgment. However, what is the avenue of appeal from this court and what will be the process to rehouse the subject of council and court judgment? Society has a responsibility there also.

I find the community response to the consultation process of this bill somewhat alarming. It indicates to me perhaps that the government has not fulfilled its community consultation process; rather, the process did not canvass widely or clearly enough. Our great Australian dream of owning our own home is gradually being strangled and any move, however reasonable it may seem, to move people into the rental market is not to be encouraged. To the other end of the perception spectrum, the accountability factor financially for local government might be unnecessarily cumbersome. The government must remember that councils are audited and accountable to their electors already without having the spectre of further monitoring from state government, which is onerous, and that the government already has the power to remove council where necessary. I do support this bill. However, in some areas there appears to be times when the state government seems to want its cake and to eat it too; that is, it wishes to give councils more responsibility on the one hand but appears to be taking it with the other. I do generally commend the bill to the House.

Mrs MILLER (Bundamba—ALP) (5.16 p.m.): The Local Government Legislation Amendment Bill has been presented to this House by Minister Nita Cunningham following some three years of consultation, the release of a discussion paper, draft legislation proposals and a consultation paper. The Local Government Association of Queensland has no objection to this bill. The bill amends four acts: the City of Brisbane Act 1924, the Local Government Act 1993, the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984. The bill has been introduced to ensure that local government in Queensland is efficient, effective and, importantly, accountable to the people. A major objective of the bill relates to local government revenue raising powers. Section 513A requires local government to prepare and, by resolution, adopt a revenue policy for each financial year. The revenue policy must be adopted before the budget and must outline the strategy it plans to use to raise revenue. The local government revenue policy must also comply with the local government finance standards.

Local government must ensure that its revenue policy is open to inspection by members of the community and it must also make copies available for purchase. The result of this process will strengthen local government's budgetary processes. It will also lift the veil of revenue raising so that the community is better informed. Once the budget has been developed, in accordance with section 520A a revenue statement will be prepared. This statement must comply with the local government finance standards as well. This statement must include matters concerning

differential general rates, special rates or charges and regulatory fees. Basically, the revenue statement explains to the community the revenue measures adopted in the budgetary processes.

I strongly support these initiatives of the Beattie government. In saying so, only a few days ago one councillor in my electorate, Councillor Morrison, commented about the alleged high rates paid by Springfield residents compared to the rest of the City of Ipswich. He would do well to research his own division before making such statements and should also have a clear understanding of the powers of differential general rates. Perhaps these amendments will assist his understanding of local government budgetary processes, equity issues and social justice issues.

I am particularly pleased with the insertion of section 1035A into the act relating to concessions of classes of land-holders. The amendment will give local government the scope to approve concessions for affected ratepayers as a class rather than requiring the burdensome and costly requirement of separate individual applications. Classes of landowners may include pensioners, not-for-profit entities, arts and cultural development entities, amongst others.

Ipswich City Council has a budget of some $180 million annually. The council employs about 1,100 people and is a major employer in our area. The budget process begins in early January with discussions amongst councillors and officers of the council. It takes some five to six months to finetune the budget for our local government area under the stewardship of the chair of the finance committee, councillor Paul Tully. Councillor Tully has overseen some 24 Ipswich City Council budgets and at the rate he is going says he will be there for another 24 years. I have never really seen him as a bean counter, I must admit, but he assures me that he knows where every dollar is spent in our great city. That is what we want: accountability and responsibility by our local government representatives. I thank the minister and officers of the department for their hard work and commend the bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (5.18 p.m.): I rise to speak to the Local Government Legislation Amendment Bill and note that the amendments apply in some instances to the city of Brisbane area and others to just local government generally. Perhaps rather than make the distinction between the two, most of the issues that I want to speak about apply to both local authority areas. The community continues to have its closest relationship with local government. I know that the minister has a local government background and understands the special relationship between the community and the council, particularly at rates time. Councils' ability to generate rates through minimum general rates and differential rates is essential, although I know that people in conflict with the council will often question the need or the ability for councils to raise rates in the way that they do, even though the standard answer from anyone in local government and others in state government is that they have to make a revenue stream in some way.

The minimum general rate applies, in most cases, to areas that are not progressing quickly—places in rural areas that may have an urban-type structure, such as smaller acreage or smaller subdivisions, and in my area the miners' homestead perpetual leases and the miners' homestead leases. They really do not have any services. However, they are charged minimal rates so that there is sufficient income generated from these areas to at least provide the basic council services. Many councils have retained differential general rates. I would have to express some disappointment that Calliope council—I was a member of the Calliope council several years ago now—abolished its differential general rate. It had an urban and a rural differential rate. I believed—and so did others at the council when I was there—that that allowed council to recognise the fact that in general terms rural ratepayers demand less of council services than urban ratepayers. That is not a criticism of one or the other. People who live in urban areas consume more council services; they access libraries, use footpaths, roads, parks and so on much more frequently than people in rural areas. At the time when the differential general rate was abolished in Calliope it was stated that it was done because the rate in the dollar charged for that particular year was the same as that for the urban areas. That may be the case, but in terms of urban versus rural situations in a council area that allows a council to recognise, particularly, as I said, in rural areas, the impact of drought, commodity prices and so on, as well as recognising that those issues are addressed during valuations by the state government.

I am sure the minister would remember the wars we would have with the valuer-general's department when it came to valuation time. Even though the valuer-general's department does the valuations that are the basis for rates, the community still sees council as the body that sets the rate level and the amount of money that will be required of them as individual property owners, so the council is always the target of the venom of the community. That is why local

authorities oppose additional levies being attached to a rate notice. There has always been a reaction when that has occurred; for instance, when the rural fire services levy was attached to the rates notice. The rural fire service is accepted by everybody who uses it and needs it as an essential service. The council knows that most landowners look at the bottom line and blame the council irrespective of the nature of the additional levies.

I also wish to place on the record concerns developers have expressed in my area that with the development that has occurred there has been an increased demand for subdivided land and there have been increases in council special levies on development blocks to the point at which a number of developers have told me they will not continue with the rate of subdivision development they perhaps would have originally contemplated. This is because a council, for example, has the ability to levy a cost to a block of land for not the roads attached to the subdivision but the collector roads that lead to subdivision areas. Councils have a significant balancing act to maintain in generating sufficient revenue for their needs—not only for construction and capital works but also for their operational and I&R needs. They need to keep those charges at an affordable level. If there is any criticism of local government and these changes in the Local Government Act, it will be in terms of the ability of the local authorities to generate additional charges and levies to the level that councils consider appropriate. Some of the changes in the wording indicate a greater ability of councils to generate income. Councils do need that income. However, it reduces the opportunity for ratepayers to question the basis and rationale for those increases. We experience situations, as do all local authority areas and members, where individuals are aggrieved by charges placed on their rates notices and go through the process of approaching the Ombudsman only to find that when a charge is legislated the council has not stepped outside its parameters of power.

I, too, wish to commend the minister for the retention in the Local Government Act and the City of Brisbane Act of the ability for councils to grant concessions to certain classes of landowners. It gives a council a broad ability by resolution to remit a rate wholly or partly. I commend the minister for the retention of that power for council, in particular in respect of the concession that pensioners are allowed. It is also pleasing to see the recognition of bodies whose objects do not include the making of profit. There are hundreds of such bodies in our community. If the government was suddenly left with the responsibility for these areas in our community, some would not survive. In particular, I refer to Blue Care, Meals on Wheels and sporting bodies. Councils accept that these groups make a major contribution to the societal fabric of local authority areas and grant them concessions on their general rates. However, a lot of councils still require them to pay full water and sewerage rates. There is also an ability for councils to give concessional rates to those who would otherwise be placed in hardship and also the ability to give assistance for economic development.

Another issue that I wanted the minister to clarify relates to a slight change only. The power has been in force for a number of years. I refer to the ability for councils to rates cap. I endorse the efforts of any council to contain the rise in any one rates year for land, particularly where valuations rise significantly in any one valuation period. We went through the process about 10 years ago when we changed from seven-yearly rate valuation cycles to one-yearly valuation cycles. The member would have been in local government back then; I was, too. That was purported to stop the peaks and troughs in valuations. It did not. I just meant that instead of it being every seven years, in some areas it was every year. The impact, particularly if those valuation rises were disproportionate across a shire, meant that different geographical areas of a local authority could be significantly impacted by valuation rises, particularly waterfront land and land with significant beneficial and saleable strengths. Their valuations would rise exponentially. Others areas may not have changed. Land in rural areas might have even decreased because of commodity prices and drought conditions. However, prior to rate capping councils did not have any opportunity legally to be able to contain the impact on ratepayers of a local government area. The rates cap gives them the ability to pass through the valuation and subsequent rate rises over time. That ameliorates the sudden increase in rate payments, which could be up 300 per cent or 400 per cent in some instances, to a cap and a progressive increase over a longer time.

Rate caps have been in place in Calliope shire for a number of years. They were brought in when I was on the council. Although it is distasteful for people to have to face a rate rise every year because of a valuation jump one, two or three years prior, it does keep those increases in rates to an affordable level. As I said, whilst it is distasteful in theory, the fact is that land owners can actually afford their rates bill when it comes, particularly if the cap is around 10 per cent to 15 per cent. I commend the minister for the retention and clarification of that ability.

The only other areas that I wanted to comment on were the obligation on councils to establish their budgets and then the obligation on councils to have those budgets available for inspection and also copies available for purchase. A complaint that I have had in relation to both local and state governments is that documents are made available, but they are made available at such a cost that the ordinary worker cannot afford to buy them. If transparency and accountability are the catchcries for state, local and federal government, it is incumbent that intrinsic information that we say we want to make available to the community is affordable. I guess it is a bit like FOI: it is fine to have it in place, but if one cannot afford to have documents identified and available to them then it is only FOI in words and not reality. The same can happen in local authorities where some of the costs attached to their services are so high that it effectively moves it out of affordability for residents in the local authority area. The soft answer is to say that those people who are aggrieved have the opportunity to respond to the situation at the next election. That is true, but that is every four years. For many people, it does not answer their concerns about access to information.

The other issue I want to raise relates to special rates and charges. It is interesting and noteworthy that throughout this bill it is often repeated that a local government may fix a minimum amount of a special rate or a special charge whether or not that local authority is undertaking or supplying the service, while the footnotes state that other local authorities may provide the service. It is an indicator of how far local governments have changed over the last few years in that there is a lot of interaction and cooperation between local authorities where they have common interests and, in most instances, that cooperation is done in the right spirit. There are instances where there is a little bit of a turf war, but fortunately that has diminished in the last few years. But, again, it is important.

Whilst the words are in the legislation to say that local authorities are accountable, the cost must only be the cost that is incurred by the local authority to provide the service. There are many instances where constituents feel that the cost of the service is not a commercially comparable cost and they therefore feel aggrieved. I ask the minister to clarify that—that is, where people feel aggrieved, obviously their first port of call is the Ombudsman, but in what way will local authorities legally be called to account where there is a significant concern about the level of a charge, rate or cost that is applied to sections of the community where the local authority will be required to be accountable?

In one of my experiences people were concerned about the amount of land taken for a sewage treatment works. It was a huge area of land. When the landowner whose land was to be resumed came to me to discuss the issue, the fact was that the council was acting within its legal powers, albeit that one may be able to question the morality of the decision made. Will the Local Government Ombudsman still be the only place for aggrieved residents to take their concerns in relation to the powers of local government in levying rates and charges or will there be other avenues available for keeping local governments accountable in that charging regime? There have been many changes to local governments over time in terms of their responsibilities, their perspectives and their involvement in the community.

I commend the minister for introducing the bill.

Mr LEE (Indooroopilly—ALP) (5.33 p.m.): I rise to speak in support of the Local Government Legislation Amendment Bill 2002 and to place on record some of my opinions on issues related to local government revenue raising in Queensland. This bill in essence provides for the amendment of four acts—the City of Brisbane Act, the Local Government Act 1993, the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984.

The primary objectives of the bill are to provide local government with more appropriate flexibility when it comes to issues of revenue raising, to improve the level of accountability that local governments have in revenue raising and also to clarify the intended purpose of some of the provisions which already exist in relation to revenue raising. The bill also intends to provide for the Brisbane City Council to be able to effectively deal with unauthorised vehicles in Brisbane city malls and to enable the BCC to make use of the state penalties enforcement regime for the enforcement of its activities in relation to effectively dealing with inappropriate vehicles in city malls.

Firstly, I want to speak about the amendments that will improve the accountability of local government. They do this by developing new requirements for a revenue policy and a revenue statement to better inform the public about the principles which underlie revenue raising measures of local governments and also providing much greater flexibility in the use of local

government revenue powers, providing separate heads of power for local governments to set commercial charges and regulatory charges. A major objective of this bill is to adjust the current provisions for local government revenue powers in order to provide local governments with appropriate flexibility in revenue raising, improving accountability of local governments in revenue raising and also clarifying the intended purpose and workability of some of the current provisions.

A discussion paper on local government revenue raising powers was released as far back as May 1999 to stimulate discussion about a range of general and technical issues relating to the revenue powers that are available to local authorities in Queensland. This included the flexibility which would be afforded to local governments in order to respond to the needs of their communities and to provide appropriate levels of transparency in local authority decision making.

The discussion paper also included a number of proposals for legislative change arising from an ombudsman's report of 1998. A draft bill, together with an explanatory consultation paper, was released for public consultation in August 2002. An assessment of the submissions of the discussion paper assisted in the development of the proposed amendments and I am delighted to be able to stand in the House and support these amendments today. I commend the minister for preparing this bill and also commend her department.

I want to very briefly place on record a number of comments about the way that most local authorities raise their revenue in Queensland. This week many of my constituents received in the mail their new land valuations. As with most members who represent a constituency with significant changes in real estate, most of the people who received new land valuations in my constituency also got a fairly unpleasant surprise because the valuations increased quite dramatically. This is okay if you are someone who has an income and can afford to continue to pay the increased levels of rates associated with having an increased land valuation, but I have quite a few constituents who moved to my area straight after the Second World War. One lady in particular told me earlier in the week that she and her husband built their house immediately following the Second World War and they have lived in the Long Pocket area of Indooroopilly since that time.

When they built their house the area was not considered in any way elite and the property values would have been nothing like they are today. Every single year she and her husband, who have both been retired for quite some time, get a letter from DNR saying that their land valuation has increased, which indeed it has. The value of her land is naturally increasing year after year after year because properties in her area are selling for increased prices as the demand increases. It is a particularly desirable part of the world in which to live.

The problem that she has, quite simply—and it is the same problem that a lot of people in her situation have—is that her revenue stream is not increasing in any way from year to year. She has the same amount of money every year to make ends meet. Because her rates are creeping year after year as a result of the increase in land valuation, I do not feel that she and her husband will be able to continue to pay those rates and to stay in their home in the long term.

I would like to suggest that local authorities and the minister look at the situation in Dublin, Ireland, where it was acknowledged—I think during the 1980s—that the inner city, in particular, was becoming a particularly desirable part of the world in which to live. New residents who were moving in had a significantly greater income than those who had lived there for quite some time. Rates were becoming such that the long-term residents simply could not afford to live in the inner city, and old people were being moved out of their houses in Dublin so that younger and wealthier people could move in.

This causes a great deal of stress for older folk. They become dislocated from the community in which they have lived for often up to 80 years, and this is not something that I think a sensible government or a sensible council could support. In Dublin they simply abolished the rate for people who had lived in an area for a significant amount of time. For instance, if you are 80 years old and you had lived in the inner city for 50 years, your rate would be capped or abolished.

I would like a system implemented which is fair in its rating of people and which could provide some flexibility. For example, if a person has lived in an area for a long time—maybe the length of time should be 40 years or 50 years—that person should be able to apply to the council by filling in a form that says, 'My income is not keeping pace with the rates.' The council could then investigate to make sure that person is not trying to pull a swiftie. If, indeed, their income is not keeping pace with their rates and they have been a long-term resident, I believe they ought to be entitled to have their rates capped where they were when they made their application. With these few comments, I would like to commend the minister on the bill and say it is a delight to support it.

Mr BRISKEY (Cleveland—ALP) (5.42 p.m.): Like the member for Indooroopilly, I am very pleased to be able to stand here and support this bill. It seems very timely to be discussing a bill which seeks to deliver on a number of reforms in the area of local government revenue raising and, in particular, seeks to raise the level of accountability for local government revenue raising activities.

As members are aware and as the previous speaker already mentioned, the release of land valuations this week has sent many Queenslanders into a spin about what effect increases in rateable land values will have when it comes to the bottom line on their 2003-04 rates notice.

Within my own electorate of Cleveland, North Stradbroke Island residents, in particular, many of whom are now pensioners and have lived on the island for most of their lives—in fact, many have lived there for all of their lives—are threatened with skyrocketing land values, and have done for a number of years now with very little capacity. In fact, in some cases they have no capacity to meet the rising costs of rates and services. In particular, people at Point Lookout and Amity Point on North Stradbroke Island have seen their rates go up increasingly each and every year that valuations are carried out. I am very concerned because their income does not go up accordingly, and many are being forced to sell their properties because they cannot afford the rates bill that they receive.

Much of the confusion surrounding the issue stems from the fact that many of council's revenue raising activities have until now lacked transparency and ratepayers have been left in the dark about the whys and wherefores of the process. This bill before us today seeks to change that. The new provisions contained within this bill seek to enhance accountability by providing for greater transparency in local government decision making, particularly when it comes to revenue policy decisions.

The changes will ensure that the public is better informed about the principles underlying local government revenue raising decisions. Councils will now have to create and make available publicly two documents: a revenue policy and a revenue statement. These new requirements will mean that, prior to releasing their budgets, councils must first prepare their revenue policy documents which detail its broad strategy to raise revenue.

This document will specify the principles to be applied in the making, levying and recovery of rates and charges and in the exercise of concession powers under the City of Brisbane Act 1924 and the Local Government Act 1993. It is intended to provide the public with a short, strategic document rather than a detailed operational statement on revenue raising.

The publication of a revenue policy prior to the budgetary process will achieve two key objectives: strengthening the budget process and providing increased transparency about the local government's broad directions. As has been said by previous speakers, even if the revenue policy receives no response from the constituency, the fact that it has to be publicly available should increase the rigour of local government budget processes.

The revenue policy will be similar to the government's Charter of Social and Fiscal Responsibility, which is required under the Financial Administration and Audit Act 1977. The intent and purpose of the revenue policy as an accountability mechanism is also similar to the intent and purpose of the charter.

As I mentioned earlier, the second requirement is for the publication of a revenue statement which will accompany the budget. This particular document will need to outline and explain the revenue measures adopted in the budget process. The statement will need to provide a description of the differential rating categories and criteria used in the budget, summarise the joint arrangements for the levying of special rates for expenditure or services in another local government area and document the criteria used as the basis for fixing regulatory fees.

Under the new provisions, local governments will also be able to use the flexibility of the legislation to decide how the rate burden will be shared across the community. Importantly, local governments will need to ensure that the mechanisms used for deciding how the rate burden is to be shared is an open and accountable process.

Once again, the inclusion of this provision in the bill ensures a level of transparency which allows the ratepayer to scrutinise the actions of their local government. The changed provisions have been added to ensure that there is no doubt as to the intent of the current legislative framework. In the past, some local governments have fulfilled the requirements to produce financial plans, policies and reports. However, these have failed to document their revenue raising decisions.

The creation of a publicly available revenue policy and revenue statement will ensure an unprecedented level of transparency. I congratulate the minister, her staff and departmental staff on the new provisions and commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (5.47 p.m.): I rise to participate in the debate on the Local Government Legislation Amendment Bill 2002. In speaking to this bill, I understand that the Local Government Association of Queensland has advised that it has no objections to the bill. In particular, I note that this bill provides a new head of power for the fixing of regulatory charges by resolution or by local law.

In his second reading speech, the minister advised that the policy intent is that the regulatory charges should recover no more than the cost of providing the services. My question to the minister is: what checks and balances does she propose to enact to ensure that, where the local council chooses to use a regulatory charge method of recovering costs for the provision of services, the council complies with her intended policy? I ask: how can the minister assure Queensland ratepayers that their local councils will not be able to use this new power to not just recover the costs of providing the service but also use it as a means of funding the staffing and running of relevant departments or parts of those relevant departments?

It has been said that a fee for service is a fee or charge collected for particular identifiable services provided individually to or at the request or direction of the particular person who is requested to make that payment. I ask: once this bill becomes law, what checks and balances will be available to ratepayers or councillors who believe that the council's proposed regulations or local laws are not consistent with the proper legislative standards?

In this regard I note that in this parliament we have a Scrutiny of Legislation Committee which considers and advises on a whole range of issues dealing with proposed bills and proposed subordinate legislation. In particular, the Scrutiny of Legislation Committee considers whether subordinate legislation is within the power that, under an act or subordinate legislation, allows the subordinate legislation to be made; is consistent with the policy objectives of the authorising law; contains only matter appropriate to subordinate legislation; amends statutory instruments only; and allows the subdelegation of a power delegated by an act only, one, in appropriate cases and to appropriate persons and, two, if authorised by an act. I do not intend to repeat the comments made by speakers in relation to this bill; suffice it to say that I do commend the bill to the House. I certainly await the minister's response to my questions.

Hon. K. W. HAYWARD (Kallangur—ALP) (5.50 p.m.): I rise to speak to the Local Government Legislation Amendment Bill 2002. This bill amends four acts: the City of Brisbane Act 1924, the Local Government Act 1993, the Local Government (Queen Street Mall) Act 1991 and the Local Government (Chinatown and The Valley Malls) Act 1994.

The electorate of Kallangur covers two local government shires—parts of the Pine shire, which comprises Kallangur and Dakabin, and the Caboolture shire, which comprises Narangba, Burpengary and Morayfield. I am sure there are many members whose electorates cover a number of shires.

This bill will enable local governments to cooperatively respond to cross-boundary matters. Because many of our electorates cover parts of more than one shire, cross-boundary issues become obvious to us. The obvious issue which people feel needs to be addressed relates to boundary roads. There are a number of other issues which involve a number of shires, such as sewerage and water supplies. In the end, successful management requires some level of cooperation. That these amendments enable a cooperative response goes a long way to achieving that.

I think there is a general feeling in the community that if you live on a boundary road you are the last one to get any repairs done, or if you are somehow located near boundaries—

Mr Bredhauer interjected.

Mr HAYWARD: That may be in the minister's electorate. As far as I am aware it does not occur in mine. I emphasise the level of cooperation that needs to be developed. In the end, it is about assisting ratepayers to ensure they get better services from their councils. Through those better services, people understand why they are paying their rates.

I am not sure just how far cross-boundary issues go, but I can see opportunities for cooperation on things such as shopping centre or community hall developments. It is possible that an area would be suitable for a community hall but it simply does not go ahead because it is close to a boundary. There is always the impression, as the member for Cook said, that if you live

on a boundary road it can be difficult to get repairs done. That may be just the impression rather than the reality, but certainly people do have that impression. I welcome the objective of the bill to enable local governments to work together to address cross-boundary matters. They are issues that ratepayers clearly want resolved.

I think the general community will welcome the new provisions of the Local Government (Chinatown and The Valley Malls) Act which provide express power for an authorised person to remove an abandoned vehicle where it creates a hazard within any part of the mall area. This provision expands on the current monetary penalty to allow removal of the said vehicle. Because businesses may be located within the Chinatown district, a permit will be able to be issued to authorise a particular vehicle to enter the mall, subject to laid down conditions. I imagine that those conditions would address circumstances such as the delivery of goods and so on to businesses in the area. This amendment will ensure that vehicles that are left there are able to be removed. I welcome this amendment bill, which will ensure local government is in touch with the wishes of ordinary people. I commend the bill to the House.

Ms STONE (Springwood—ALP) (5.56 p.m.): I rise to speak briefly on the Local Government Legislation Amendment Bill 2002. I acknowledge a really close friend of mine who is sitting in the gallery. Terry Gobert is here with us this afternoon. He helps me with many duties around the electorate. I hope you have a good evening listening to us, Terry.

Mrs Carryn Sullivan: Perhaps he helps around the house as well.

Ms STONE: Actually, he likes to do gardening. He is very good at it, too.

Whether it is federal, state or local government budgets, the family budget or a business operating plan, the same question is often asked: where does the money go? While this bill does not specifically answer that question, it does adjust current provisions in order to improve the accountability of local governments with regard to revenue raising and clarifies the intended purpose of the revenue. This bill is about local government developing new requirements for a revenue policy and a revenue statement, therefore creating better information to the public. It seeks to create better accountability and transparency in the local government decision making process. The revenue policy will need to provide clearly set out principles to be used by a local government in setting the revenue component of the annual budget. The revenue policy must also define principles for setting rates and charges.

This bill provides the legislative framework to raise revenue for infrastructure and services in an efficient, accountable and equitable manner. Speaking of equity, I take this opportunity to make comments on the discretionary funds used by some councils throughout Queensland. In Logan, councillors have a discretionary fund of more than $100,000 per year. When I speak to community groups, P&Cs, P&Fs, sporting clubs and other organisations and individuals in the electorate, they often ask me: why can some clubs get money from their councillor and others cannot? I inform them it is because the council does not have any accountable or transparent processes in place relating to how councillors spend their discretionary funds. There are no criteria, no guidelines and there is no independence in decision making. They are not using ratepayers' money with any accountability, nor are they giving information to the public about why they gave money to a particular cause.

When organisations ask me how they can obtain funds for their projects, I inform them of the grants they can apply for. They follow the set criteria and guidelines and provide the relevant documents to support their submission. Independent people choose worthy submissions, sometimes in extreme circumstances, as they often have more requests than they can meet. In other words, there is an accountable and transparent system in place.

I am afraid that I have to report that some councillors in Logan City just do not practise transparency. Councillor Darren Power changes his political party depending on what they have to offer him. He is a political weathervane. He joins depending on where the political winds are blowing. Today he is a National Party member, but then why would he not be when they are paying for him to be on a fact-finding tour in Papua New Guinea? He is on a tour that has nothing to do with looking after the ratepayers of division 10 or indeed Logan. He is in Papua New Guinea simply because he is a member of the National Party.

Councillor Power parades himself as an Independent because he is not really proud to be a National Party member. Can we blame him? But he will take the fact-finding tours that they send him on. Further transparency means that communities can better judge whether local governments are acting appropriately. Then again, that is probably what Councillor Power is afraid of. I commend the minister for bringing the bill to this House.

Mrs PRATT (Nanango—Ind) (5.59 p.m.): I rise to speak to the Local Government Legislation Amendment Bill 2002. This bill is the second bill that we have debated today that has not received any negative feedback from any of the local authorities in my electorate. The member for Kallangur mentioned that he deals with two shires. Since the electoral redistribution in 2001, I have had six shires located in my electorate. I am not complaining, as previously I had nine shires in my electorate.

Several components of the bill refer specifically to the Brisbane City Council, that is, dealing with unauthorised vehicles in Brisbane city malls and offences under the malls act, which are irrelevant to the electorate of Nanango. However, in saying that, with the current positive rate of growth being experienced—and if this government does not interfere with that rate of growth by reducing the water allocation to the Kingaroy shire from 16 megalitres to possibly 12 megalitres—this act may be relevant in the future. That will probably not occur in my lifetime, but I am a very optimistic person.

In the minister's second reading speech, she stated that the amendments will improve the accountability of local governments by developing new requirements for a revenue policy and a revenue statement. I can only heartily support that section of the legislation, because accountability of people's funds is essential, as I have often stated in this House in regard to this government's spending of people's money. Most rural areas do not have a sufficient rate base for local governments to increase rates other than to perhaps peg those increases in rates to increases in the CPI. Nor can those areas afford to take on greater responsibilities, which have been—or should be—state government responsibilities. I wonder if this legislation is laying the foundation stone for the state government to devolve even more responsibility to local government.

It concerns me that this legislation is based partially on the 1998 report by the Ombudsman and a discussion paper in May 1999—on information that is between three and fours years old. Many members would say that is pretty current information—which it is—but a lot has changed since then in rural communities, mostly because of legislation brought in over the past few years that has affected rural communities in ways perhaps that were not anticipated. We have had the worst drought on record, which has been mentioned by several speakers, falling commodity prices and the exit of even more people from rural areas into larger urban communities to seek work, continuing and ongoing increases in government fees affecting every facet of rural industry, business and lifestyle, and ever-increasing taxes—and it does not matter whether it is called a levy, a fee or some other name; it is still seen as a tax by the people. The minister's statement stated—

> Secondly, they—

the revenue raising measures—

> will provide greater flexibility... by providing separate heads of power for local governments to set commercial charges and regulatory changes.

I ask the minister whether she envisages that these positions will be filled by current employees or will we see new bureaucrats appointed.

I have a concern about the eviction of ratepayers, and I always have. Many are unable to afford to pay their rates because they have reached pensioner age. That is not because of any fault of their own, but because of increases in land value. Only this morning I read about how the property values in coastal communities and city suburbs have risen extraordinarily. For aged pensioners, huge increases in their rates can be very burdensome and can cause enormous stress. I suggest that perhaps such large increases be reviewed or accepted as a debt to council to be collected at the time of the winding-up of their estate. I was told that that is possible and it is occurring for residents in one of my local authority areas when that council undertakes extensive yard clearing and clean ups, the cost of which could not be met by the elderly couple. This practice at least allows them to stay in their family home.

These enormous increases in valuation on the coast do not occur in rural areas, but the costs incurred by councils cannot always be covered so easily by the rate base of a rural shire. There have even been areas in the Nanango electorate where at the time of purchase, a property was classed as a top property—a sound investment—and it commanded a high price only because of its reliable water availability. Now, because of the water regulations brought in by this government that limits the amount of water that can be harvested, these properties have actually reduced in value because the certainty to harvest water has been lost. This decrease in value is not reflected in their unimproved valuations. I notice that other members representing rural

electorates have voiced their concerns regarding this issue as well. I ask the minister to consider a cap on the size of a rates rise that may occur to these land-holders in one year. In general, having listened to the debate and, as I stated earlier, having received no negative feedback on the bill, I commend the bill to the House.

Mr CHOI (Capalaba—ALP) (6.04 p.m.): I am also pleased to rise to speak in support of the Local Government Legislation Amendment Bill. It is my understanding that this bill primarily amends four acts: the City of Brisbane Act 1924, the Local Government Act 1993, the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984.

To my understanding, the objective of this legislation is to amend the City of Brisbane Act and the Local Government Act to provide local government with the appropriate flexibility in revenue raising and to improve the accountability of local government in revenue raising through a revenue policy. It further clarifies the intended purpose of some current provisions of the act relating to revenue raising. It also amends the Local Government Act and the Local Government (Chinatown and The Valley Malls) Act to ensure that the Brisbane City Council now has sufficient authority to deal with unauthorised vehicles in Queen Street Mall and the Chinatown Mall.

As a member of the Public Accounts Committee, I am always interested in how revenue is raised and how revenue is expended by government departments and local authorities. I believe that this amendment bill greatly enhances accountability by providing greater transparency in local government decision making. A revenue policy, as required by this amending legislation, has to be adopted in advance of the budget of any local government. That policy will clearly set out the principle to be used by a local government in setting the revenue components of the annual budget and a broad strategy that it plans to use to raise revenue. I believe that this will increase transparency so that the public is better informed about the local government's general approach to revenue raising.

I read with interest part of this amending legislation that proposes to change the Chinatown and Valley Mall act to achieve two major outcomes. One is to clarify that the Brisbane City Council has the power to tow or take away illegally parked vehicles in the mall. This is an interesting problem. We need this power because, obviously, there are far too many vehicles parked illegally in the mall. There are too many vehicles parked illegally in the mall because there are too many people using the mall.

I inform the members of this House that in 1988, when I first set up my office in the Chinatown Mall, that was not the case. At that time, more often than not, people went to Chinatown Mall to run their business because the rent was very cheap and it was in close proximity to the city. The rent was very cheap because nobody wanted to go there in the first place. In those days I was told that nobody would walk their dog in the mall. They were probably right.

I moved my office into the Valley Mall in 1988, right in the midst of the Fitzgerald inquiry era. There were allegations of illegal gambling, prostitution and drugs in the area. You name it, it had it all. I will never forget one Friday night in 1988. I was at a dinner in Chinatown Mall. I was approached by a few businessmen to go to a function for the Valley Business Association. I was asked to join the association. I thought that it was a business organisation. I went there on the following Monday night at 7 o'clock. By 8.30, I was made the president of the association and I remained in that role for five years. I thought to myself, 'It cannot be that difficult being the president of a chamber of commerce, so to speak.' The following Tuesday, I turned up to work and before 12 o'clock I had a stabbing in the mall, I had drug dealers who came to my office—I had the whole works. I suddenly realised that I had more on my plate than I bargained for.

In the five years that I was the president of the Valley Business Association, I am pleased to say that, as a organisation, we transformed the mall. I looked at the drugs issue. There was a methadone centre in the mall. I had nothing against the methadone centre. In fact, I believed that it was doing a wonderful job. But there seemed to be a conflicting objective in having a methadone centre in the mall and trying to make the mall a family-oriented place. So I agreed to move that methadone centre on, and I did that. There were drug dealers in the mall and I had to try to put security cameras in the mall. Let me tell members that that was not easy. I negotiated with police and with civil libertarians to install a camera in the mall. To the credit of the police and other stakeholders, a camera was installed in the mall. Overnight, it reduced crime by 90 per cent.

Ms Keech: You should be very proud of your achievement.

Mr CHOI: I am very proud of that achievement. I also have a problem with graffiti in the mall. I was told that the indigenous community was responsible for most of the graffiti in the mall, so I had a meeting with them. They told me—and I have not checked out the story yet—that they wanted to make a mark on the mall since one of the streets around the Valley area is Boundary Street, Spring Hill, and in the old days that was the street that Aboriginal people were not allowed to cross because they simply were not welcome. In the old days the Valley Mall was the commercial precinct of Brisbane, but Aboriginal people were not welcome. Therefore, a line was drawn in the sand, so to speak, and they were not allowed to cross Boundary Street, Spring Hill. In protest, the young people painted the mall with graffiti and their marks. I negotiated with them and with a shopping centre manager to set aside a big wall for them to paint graffiti on. Since then, the mall has been a much better place.

I also found that no-one wanted to visit the mall. It is very hard to promote an area when people do not feel comfortable and safe visiting it. At the time, I negotiated with the Brisbane City Council for the first outdoor dining facility—a coffee shop—on the mall. It was very difficult negotiating with the health department of the Brisbane City Council and trying to explain to the council's officer why outdoor dining on the footpath should be allowed when it had been occurring for hundreds of years in Italy and France. To the credit of the administration of Brisbane City Council at the time, the first ever licence for an outdoor cafe was granted in the mall. Every time I go to an outdoor cafe, whether on the Gold Coast or any other suburb in Brisbane—or Queensland, for that matter—I am reminded of the fact that the first ever outdoor dining cafe was in Fortitude Valley.

When I look at this bill I also remind myself of my previous association with the Premier. He was and still is the member for Brisbane Central and I have had a lot of dealings with him. I have learned a lot from him since those days. The Premier was a great supporter of the rejuvenation of the Valley and the inner city area of Brisbane. The Valley will never be a place that everybody likes to visit. It is a colourful place. It is noisy, it is bohemian and it is alive. Although I support this legislation to give the Brisbane City Council the authority to deal with unauthorised vehicles in the mall, I hope that unauthorised vehicles in the mall are an indication that people are using the mall. I commend the bill to the House.

Mrs ATTWOOD (Mount Ommaney—ALP) (6.13 p.m.): I rise in support of this bill and commend the minister and her department for the amount of consultation involved in getting to this stage. Extensive consultation occurred after an initial discussion paper was released in 1999. In 2002 draft legislative proposals and an associated consultation paper were released and public comment was invited. Nearly 500 hard copy consultation kits comprising the consultation paper and draft bill were distributed to local government councils, members of parliament, peak representative bodies, other associated government departments and agencies and other interested people and organisations. Over 1,200 copies of the consultation paper and over 1,700 copies of the draft bill were downloaded from the department's web site. Ongoing consultation with the Local Government Association and the Brisbane City Council occurred during development of these amendments.

The bill amends the City of Brisbane Act 1924 and the Local Government Act 1993 to improve the accountability of local governments and provide them with greater flexibility when raising revenue while clarifying the intended purpose of some provisions relating to revenue raising. The bill also amends the Local Government (Queen Street Mall) Act 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984 to ensure that the Brisbane City Council can effectively deal with unauthorised vehicles in Brisbane city malls and enables the council to utilise the state penalties enforcement regime for enforcement of prescribed offences under the malls acts and local laws supplementing the acts.

The accountability of local governments will be improved by developing new requirements for a revenue policy and a revenue statement to better inform the public about the principles underlying revenue raising measures and to explain revenue measures used in forming the budget. Greater flexibility in the use of local government revenue powers will be obtained by providing separate heads of power for local governments to set commercial charges and regulatory fees and in relation to the making, levying and recovering of rates and the granting of rating concessions.

To implement the core of the bill, the minister has indicated that the department will update the department's revenue raising manual that provides guidance to local governments to reflect the proposed amendments. The department will also conduct local government information sessions throughout the state. These sessions will be eagerly sought by local governments in the

future if they are to implement the provisions in time for the start of the 2003-04 financial year. The amendments to clarify BCC's power to remove illegally parked vehicles from the Queen Street Chinatown and Valley Malls have been developed having regard to existing powers under section 100 of the Transport Operations (Road Use Management) Act 1995, which give councils power to remove vehicles from roads in certain circumstances. Under this act, where a vehicle has been removed an owner may apply to the chief executive officer of a council for its return and, if rejected, there is provision for a person dissatisfied with the decision to appeal the decision to a Magistrates Court. The town clerk must refuse to release the vehicle unless satisfied that the applicant has a legal right to possession of it and has paid any expenses relating to its removal. Also, if the town clerk refuses an application, a written notice must be given to the applicant stating the reasons for the decision and advising them that they can appeal to a Magistrates Court within 28 days. I commend the bill to the House.

Ms KEECH (Albert—ALP) (6.16 p.m.): In rising to support the Local Government Legislation Amendment Bill 2002, I focus my contribution on the provisions of the bill which improve the workability and flexibility of the current revenue powers of the Local Government Act 1993 and the City of Brisbane Act 1924. I note that the intent of the legislation is to provide local governments with a framework to raise revenue for infrastructure and services in an efficient, accountable and equitable manner. There are a range of amendments in the bill to improve the workability of the two acts in the making, levying and recovery of rates and the granting of rates concessions.

I also bring to the House's attention some of the provisions of the bill. These include requiring local governments to specify the criteria and categories for differentiating general rating as part of their revenue statement. Another provision enables local governments to offer rating concessions to a specified class of ratepayers instead of currently having individuals making their own individual applications. In addition, the provisions make it clear that a rate notice is valid if issued to the owner listed on the local government's land record at the date of issue. Also, it enables a purchaser or their agent to notify a local government of a change in ownership of rateable land; as well, it explicitly provides that rates are a charge on the land and it enables local governments to register overdue rates as a charge with the Queensland Resource Registry.

The provisions also allow a local government to initiate sale of land procedures earlier for vacant or commercial land where rates have been overdue for more than one year and a court judgment has been obtained. As well, once a court judgment has been entered for overdue rates, the provisions provide local governments with the ability to recover legal costs as an overdue rate. Regarding revenue powers, the bill makes clear the power of local governments to set commercial charges. The bill also provides a new head of power to make regulatory charges, with the clear policy intent that local governments can only recover the costs of administering regulatory regimes through such charges. Local governments will also have to include in their revenue statements the basis used to fix regulatory charges.

The bill also relates to local government roads—an issue dear to my heart. In response to the state's Damage to Roads policy, the bill contains amendments to allow local governments to cooperatively respond to cross-boundary matters. A special rate or charge may be levied on properties adjacent to other local government areas that will benefit from these services, such as roadworks. In conclusion, I commend the minister and her department for introducing the bill. In particular, I thank her for the consultation that has been provided during this process. I note that, of the 27 submissions the department has received regarding this bill, only two have opposed it. Therefore, I have much pleasure in supporting the bill.

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (6.19 p.m.), in reply: I thank all members who have participated in the debate on the Local Government Legislation Amendment Bill 2002. As members are aware, this bill seeks to achieve a number of reforms in the area of local government revenue powers. The bill follows a lengthy consultation process which commenced with the release of a discussion paper on local government revenue raising powers in May 1999. The discussion paper was released for public comment to stimulate discussion about a range of strategic and technical issues relating to the revenue powers of local governments. It also included a number of proposals for legislative change arising from the Ombudsman's 1998 report on an own motion investigation titled *Rate recovery practices of local governments in Queensland*.

The proposed changes to the Local Government Act 1993 and the City of Brisbane Act 1924 will achieve a number of key outcomes. First, the amendments will improve the accountability of local governments by developing new requirements for revenue policy and a revenue statement to better inform the public about the principles underlying revenue raising measures. Secondly,

they will provide greater flexibility in the use of local government revenue powers by providing separate heads of power for local governments to set commercial charges and regulatory charges, and the bill will improve the workability of the Local Government Act and the City of Brisbane Act in relation to the making, levying and recovery of rates and the granting of rating concessions.

A key principle in the legislative framework for local government is that autonomy needs to be balanced with accountability. The amendments in the bill enhance accountability by providing for greater transparency in local government decision making so that communities can better judge whether local governments are acting appropriately. While local governments can legitimately use the flexibility given in the legislation to decide how the rate burden is shared across the community, there needs to be adequate transparency in terms of how these matters are decided.

Currently, there are legislative requirements for local governments to prepare a range of planning and policy documents with opportunity for community involvement and scrutiny. One of these planning documents is the revenue policy, which provides the specific accountability and transparency measures in relation to revenue raising by local governments. The intention of the Local Government Act—the current act—is that local governments should make an explicit statement of the principles to be applied in exercising revenue powers. However, it would appear that some local governments are not meeting the intentions of the current framework. For example, the department has found that the existing legislative framework has resulted in some local governments producing financial plans, policies and reports that do not clearly document the revenue raising decisions of the local government. Therefore, in order to improve the accountability and transparency of revenue policy decisions, this bill amends the Local Government Act to replace the current provision relating to the revenue policy with two publicly available documents: a revenue policy which would be adopted in advance of the budget to clearly set out the principles to be used by a local government in setting its budget and the broad strategy it plans to use to raise revenue—principles for setting rates and charges, such as the extent to which a user pays approach is adopted would be the foundation of the revenue policy; and the revenue statement, which would be an explanatory statement to accompany the budget outlining and explaining the revenue measures adopted in the budget process. This bill provides for a similar process under the City of Brisbane Act.

This bill also improves the flexibility and workability of the legislation in relation to the setting of commercial charges and regulatory charges. Currently, there is legal uncertainty about the heads of power in the Local Government Act and the City of Brisbane Act that apply to the making of commercial charges. The Local Government Association of Queensland and the Brisbane City Council both requested that a high priority be given to clarifying this uncertainty. The bill amends the acts to clarify that local governments can set commercial charges in the same way that a private sector entity can, and clearly separates this from the power to fix regulatory charges, such as for the issuing of a permit. The bill also provides a new head of power for the fixing of regulatory charges by resolution or by local law. The policy intent is that regulatory charges should recover no more than the cost of administering a regulatory regime.

There is a range of amendments in the bill that will improve the workability of the Local Government Act and the City of Brisbane Act in relation to the making, levying and recovery of rates and the granting of rating concessions, including requiring local governments to specify the criteria and categories for differential general rating as part of their revenue statement, enabling local governments to offer rating concessions to a specified class of ratepayers instead of taking individual applications from each eligible ratepayer, making it clear that a rate notice is valid if issued to the owner listed on the local government's land record at the date of issue, by enabling a purchaser or their agent to notify a local government of a change in ownership of rateable land, by explicitly providing that rates are a charge on the land, and by enabling local governments to register overdue rates with the Queensland Resource Registry.

Currently, a rate levied on land is recoverable from the owner of land as stated in the land record notwithstanding that a change in ownership may have occurred during the rating period. The intent of the legislation is that rates are a charge on the land, that is, the rates run with the land. However, this is not currently clearly stated. These amendments will allow a local government to initiate sale of land procedures earlier for vacant or commercial land where rates have been overdue for more than one year and a court judgment has been obtained. Once a court judgment has been entered for overdue rates, this amendment will provide local governments with the ability to recover legal costs as an overdue rate.

In response to the state's Damage to Roads policy, the draft bill also contains amendments to enable local governments to cooperatively respond to cross-boundary matters. A special rate or charge may be levied on properties in another local government area that will benefit from services such as roadworks required in more than one local government area.

The review considered a range of issues raised in the ombudsman's report relating to rate recovery practices of local governments in Queensland, and a number of the ombudsman's recommendations are adopted in the proposed amendments. Examples of the recommendations being implemented include the insertion of the new section 1037A into the Local Government Act 1993 to clarify that an overdue rate is a charge on the land, and the amendment of section 1038 by inserting new subsection (4) to provide that legal costs awarded by a court are taken to be an overdue rate.

The issue of valuation increases and their effect on rates has again arisen with the news of the large increases in valuations that have occurred in Brisbane and other parts of the state. While the state provides land valuations for use in ratings, councils decide the level of rates and already have a range of tools under the existing provisions of the Local Government Act to mitigate any negative impacts of fluctuations in valuations, including the averaging of valuations, rate capping and differential rating. The autonomy provided to local government through the rating tools in the act is intended to enable councils to find the most appropriate approach to revenue raising to address their own local circumstances.

Higher unimproved valuations do not—and indeed should not—automatically mean that there must be an increase in the amount of rates levied by a council. In an overall sense the amount of revenue a council needs to raise is determined by the range of services to be provided, the quality of those services and the efficiency with which they are delivered. Indeed, councils should adjust their general rate in the dollar to take valuation increases into account.

The proposed changes to the Local Government (Queen Street Mall Act) 1981 and the Local Government (Chinatown and The Valley Malls) Act 1984 will achieve two main outcomes. Firstly, they will clarify that the Brisbane City Council has the power to tow or bump away illegally parked vehicles in its pedestrian malls and, secondly, they will repeal provisions providing for a penalty infringement notice regime for prescribed offences under the two acts and local laws supplementing those acts. This will enable the Brisbane City Council to utilise the state penalties enforcement regime instead.

The Scrutiny of Legislation Committee has considered the bill and has noted that the amendments in relation to removal of illegally parked vehicles in the Brisbane City Council's pedestrian malls will obviously impact on the rights of owners of the relevant motor vehicles. The committee has concluded that in the circumstances it would appear appropriate for Brisbane City Council to have those powers of removal and I thank the committee for its consideration of this matter.

This bill will continue to ensure that the Local Government Act remains an up-to-date legislative framework that provides for an efficient, effective and accountable local government system. The amendments in the bill relating to local government revenue raising powers are intended to be in place in time for local governments to make the necessary administrative changes in the preparation of their budgets for the 2003-04 financial year and, accordingly, these provisions will commence on assent. In order to facilitate the development of the revenue policy and revenue statement documents, which will be detailed in subordinate legislation, my department is updating its revenue raising manual used to provide practical guidance to local governments.

My department will also conduct local government information and training sessions in 12 regional centres throughout the state during March and April 2003 on the new revenue raising powers, and the amendments to the subordinate legislation prescribing the contents of the revenue policy and revenue statement will be in place to commence as soon as possible after the commencement of the provisions in the bill. I also mention that the amendments in the bill relating to the Queen Street, Chinatown and Valley malls will commence by proclamation. The council will develop operational procedures for the moving of vehicles in the malls and the Department of Transport will review the operational procedures once the council has developed them to ensure all safety issues are adequately addressed.

I will now turn to the issues raised by members during the debate. A number of members raised concerns with the use of unimproved valuations of land for rating purposes and the fact that rates could go up. I think I have covered that issue in my summary speech. I can only say

once more that land valuations for rating purposes have been looked at over a number of years. A lot of people do not think it is the fairest system, but up until now nobody has been able to find a fairer one. There is absolutely no reason why land valuation increases have to impact on rate increases, because councils have to adjust their general rate in terms of cents in the dollar to take into account the higher valuations. So there is really no reason why one has to lead to the other.

The member for Warrego was concerned about regulatory fees and the fact that they can only be set at the amount that is equal to recovering the cost of the service. That provision does not provide the head of power for archiving fees as he mentioned. It does not allow that. They are currently fixed under the Building Act 1975 but the same legal principle applies. They cannot recover more than the cost of providing the archiving service under that act. The member for Warrego was also concerned about other options and the training that will be offered by my department in March and April on the amendments to the bill. The opportunity will also be taken at the same time for departmental officers to go through the various rating options available to them to respond to problems arising from valuations. I encourage councils to send their staff to these seminars as they are held throughout the state.

The shadow minister also said that the refund of special rates and charges are not required for the original purpose if that money is left over. Those refunds can only be paid to the current owner of the property on the rate notice. Councils would not be able to go back and look for former owners. It would be paid to the holder of the rates at that time. He also asked how many councils will adopt differential general rating categories as per the examples in the bill. This is only an example. It is clearly an example. It is up to councils to decide whether they want to apply differential general rating and the categories they will use, but those categories of course now have to be set out in the policy statements. My department does not hold details of the differential general rate categories adopted by any councils. We do not hold those records.

The member for Warrego also asked about assistance to councils to implement the revenue policy and statement. I think I have covered that. There will be training sessions conducted throughout the state for that. I am sure that the councils will all want to come along. The member also raised the use of SPER. The amendments to provide the Brisbane City Council with the ability to use SPER for offences under its malls legislation have been developed at the request of the Brisbane City Council. The Brisbane City Council utilises SPER for the enforcement of all its local laws and some state legislation. The SPER system provides a streamlined process and efficiencies over the stand-alone fine system under the malls legislation. SPER enables councils to issue on-the-spot fines for certain offences which qualify under the State Penalties Enforcement Act and this assists councils with enforcement. But councils have the option of issuing a fine or taking legal action against the offender in a court if they prefer.

The member for Surfers Paradise was concerned about the increasing number of policies that councils must adopt and asked if there is going to be any evidence on the revenue policies or pro formas. I consider that the regulation for revenue policy is an acceptable accountability mechanism, akin in fact in part to the state's Charter of Social and Fiscal Responsibility. Guidance on the development of revenue policy will be included in the training sessions run by my department and sample policies will be provided. The member for Surfers Paradise also spoke of changing charges part way through the year. Under the current law, councils can change general charges at any time. Under the new law, commercial charges and regulatory fees can still be changed at any time. Rates and water charges—and I think the member for Surfers Paradise mentioned water charges—can only be made at the budget meeting, and this has not changed under this bill. The member for Surfers Paradise also spoke of removal of vehicles in malls and asked why councils in other areas could not have similar powers. Other councils which have pedestrian malls within their areas regulate them under local laws. Brisbane City Council is the only council with pedestrian malls regulated by an act of parliament. So that is why there is a difference there.

The member for Kurwongbah raised the issue of payment of rates at time of sale and the difficulty experienced by new owners. Rates, as pointed out earlier, run with the land. The current owner of the property is responsible for the payment of rates, and the settlement of rates at the time of sale is a private matter between the vendor and purchaser. A rate search by the vendor's or purchaser's solicitor would discover any amount of rates that are owing. Also, there are changes in this legislation that will allow purchasers of properties to notify the council immediately on a change of ownership.

The member for Gladstone raised a couple of issues. She agrees that there is a balancing act for councils in setting their rates and charges at an appropriate and reasonable level. I also

note her support for the more flexible provisions in the bill dealing with the granting of rate concessions. I would also confirm that peaks and troughs of valuation rises can be smoothed out by averaging of valuations. The member for Gladstone also asked what appeal mechanisms other than the ombudsman will be made available to ratepayers. The bill does not deal with appeal mechanisms in relation to rating matters. While ratepayers can make complaints to the Ombudsman, they can also use the courts to seek redress if they believe a council has exceeded its authority.

The member for Indooroopilly asked if it would be possible for a council to decide that a ratepayer who lived at the same address for more than, say, 20 years could have their rates capped at a lower level than other ratepayers. While the rate capping provisions are wide enough to permit an approach of this kind, it may be administratively difficult to implement. A council may not have ready access to historical information about how long a ratepayer actually lived in the particular place, so other rating tools may be more effective in reaching a better conclusion in that regard.

The member for Nicklin asked what checks and balances there will be to ensure councils limit regulatory fees to the cost of providing the service. The Ombudsman will retain his role to investigate complaints about fees and charges, and fees and charges can be challenged in court as well. The member for Nanango noted no negative feedback from councils in her electorate. She also supports the accountability provisions, especially revenue policy requirements.

I thank all members who have taken part in this debate and for the support from both sides of the House and also from the LGAQ. I also thank staff of my Department of Local Government and Planning for the months of work that has been involved in bringing this bill before the House tonight, having been subject to consultation since 1999. I thank my staff for their contribution and the briefings that have been provided so readily to other members of this House.

Motion agreed to.

Committee

Clauses 1 to 87, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mrs Nita Cunningham, by leave, read a third time.

PARLIAMENT OF QUEENSLAND AMENDMENT BILL

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (6.44 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Parliament of Queensland Act 2001 to extend the protection of publication of parliamentary records, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Beattie, read a first time.

Second Reading

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (6.45 p.m.): I move—

That the bill be now read a second time.

I am pleased to introduce the Parliament of Queensland Amendment Bill 2003. The bill is a necessary part of arrangements being progressed by the government to enable the proceedings conducted in the chamber of the Legislative Assembly of Queensland to be broadcast live on the Internet.

Before I outline the objectives of the bill, I would like to touch on the significance of this legislation as it relates to the delivery of this important e-democracy initiative for the people of Queensland and beyond. The Internet broadcast of parliament is one of three e-democracy initiatives of the government to be fully delivered by 2004. The other two initiatives are e-petitioning, which I launched in 2002, and a trial of community consultation online.

The government is committed to improving the community's access to Parliament. As outlined in my plan for good government in Queensland, democracy works better if people have access to the workings of the parliament. I want to thank you, Mr Speaker, and your officers for your support in these initiatives.

Last year we took parliament to the people of north Queensland by holding the first ever regional sitting of parliament in Townsville.

Mr Terry Sullivan: A great success.

Mr BEATTIE: It was a great success. This year, through this broadcast initiative, we will take the parliament to every Queenslander who has access to the Internet, making state government even more accessible. I should mention there are libraries that provide access as well. This demonstrates once again that my government is determined to listen to Queenslanders and bring the democratic process closer to them.

The Internet broadcast of parliamentary proceedings will increase the avenues and speed of access to parliament available to Queenslanders. People everywhere who surf the net will be able to listen to live broadcasts of parliament, with text captioning to identify speakers and the stage of proceedings, where possible. This demonstrates once again that my government is determined to listen to Queenslanders and bring the democratic process closer to people.

For the people of Australia's most decentralised mainland state, this will provide a convenient alternative to physical attendance at Parliament House.

Honouring this election promise is also a momentous event for the Smart State for many reasons. This initiative presents an opportunity to enhance community and government engagement by opening up the state's decision making and democratic processes. Not only will the community have a greater ability to assess the performance of its elected officials, but the education sector will also benefit from the service which offers students a new way of learning about the workings of parliament. That is the background. I now turn to the bill.

The bill amends chapter 3, part 3 of the Parliament of Queensland Act 2001, which extends absolute parliamentary privilege to the people involved in the authorised publication of 'parliamentary papers'. That is, a person who publishes a parliamentary paper with the authority of the Legislative Assembly will not be subject to either civil or criminal liability if, for example, the publication includes defamatory comments made by a member of the parliament in the House.

The definitions of the terms 'document' and 'parliamentary document' mean that, under the current legislation in Queensland, this level of protection would not be extended to those involved in broadcasting parliamentary proceedings via the Internet. Legal action could be brought against these broadcasters simply for broadcasting the words of members of this House on the Internet and they would have to rely on another law to provide them with a defence.

For example, the Defamation Act 1889 provides a level of qualified privilege by making it lawful to publish a fair report of the proceedings of the assembly or a copy of any paper published under the authority of the assembly if the publication is in good faith and for the information of the public.

The bill proposes to replace the existing definitions that limit the scope of chapter 3, part 3 of the Parliament of Queensland Act 2001 with definitions of the terms 'parliamentary record' and 'publication' that are media and technology neutral.

Whether or not something is a parliamentary record will depend on whether it is a record of or relating to the proceedings in the assembly, regardless of the form of the record. Publication may also take any form, and is broad enough to cover the live audio broadcast of parliamentary proceedings. Importantly, the extended protection to be afforded by the bill will only be available to people authorised by the Legislative Assembly to publish parliamentary records, including the broadcast of parliamentary proceedings on the Internet within Queensland.

In a nutshell, this means that we are affording protection to those servants of this House who are participating in the broadcasting of the parliament on the Net. It is not unreasonable to protect those people who, as servants of this parliament, are facilitating the broadcasting of its proceedings. That is all we are doing.

Another important feature of these amendments is a provision to allow the Assembly to impose conditions on the publication of a parliamentary record. This provision may be used to ensure that further publication of any portion of the parliamentary proceedings by a person who has accessed the parliamentary record from the Internet is subject to appropriate restrictions and safeguards. Mr Speaker, that is broad, but it largely includes your discretion as Speaker. That applies in the federal parliament, and I do not believe that is unreasonable.

A risk associated with broadcasting the proceedings in parliament is the potential for greater damage to occur if defamatory or inappropriate comments made by a member of parliament are broadcast to a larger audience. Currently there is precedent for the parliament to resolve that comments of this nature be omitted from the *Hansard* record of proceedings. The immediacy of Internet broadcasting will not make this possible. It is a technological difficulty we have to deal with.

There is a low risk of liability under current legislation, but it is incumbent on us as legislators to protect those people who act with our authority to broadcast the proceedings of this House to the Queensland public. These amendments are necessary to extend the level of protection in Queensland against civil or criminal liability for authorised broadcasters of parliamentary proceedings. Internet broadcasting of parliamentary proceedings has the potential to disseminate defamatory or inappropriate comments to a broader audience.

This is all the more reason members must be scrupulous about standards and not abuse parliamentary privilege. I want to make this point very clear to everybody. This is a new dimension in democracy, but it comes with added responsibility. When there are enhancements there are responsibilities that go with it. This means that members of parliament have to behave themselves. They have to be acutely aware of what parliamentary privilege means. To this end I will do all I can to ensure members take part in a program to raise awareness of the implications of Internet broadcasting. Mr Speaker, I will need your assistance and the assistance of all members to ensure members are appropriately educated about the appropriate use of this House—I am talking about not just current members but also future members in terms of parliamentary privilege—and the extra responsibility and onus that goes with this piece of legislation.

Furthermore, I undertake to investigate the possibility of a 'pause button' facility to suspend the broadcast of defamatory or inappropriate comments—a pause button that you would obviously operate as Speaker. I do not know whether this is possible. I have to have discussions about it with you, Mr Speaker. This may or may not work. I am not giving a guarantee to the House that we will do this, but I need to work that through with you and other members. It may well be that we need that protection, but it may or may not work. We need to examine it, and that is what I am saying we will do. These measures will aim to prevent the broadcast of unfair comments about innocent people.

Let us not lose sight of the importance of this legislation. I have talked about some of the downsides and some of the qualifications that we need to protect people, to protect individual reputations. What we are seeing here today is an exciting piece of legislation that will take this parliament to the people. It will provide unparalleled access to the deliberations of this chamber. This is an exciting piece of legislation which I believe will make the parliament more accountable and enhance democracy in this state. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

CLONING OF HUMANS (PROHIBITION) BILL 2002

Withdrawal

On the order of the day being discharged, the bill was withdrawn.

RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING BILL

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (6.54 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to regulate certain activities involving the use of human embryos, to prohibit human cloning and other unacceptable practices associated with reproductive technology, and for related purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Beattie, read a first time.

Second Reading

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (6.55 p.m.): I move—

That the bill be now read a second time.

I am pleased to bring this bill to the House to implement the government's commitment to ban human cloning and certain practices associated with reproductive technology. I am equally pleased that the bill strikes a sensible balance in regulating research involving human embryos.

The bill forms part of a national scheme to reflect the decisions of the Council of Australian Governments, known as COAG, in April last year to ban human cloning, and certain practices involving reproductive technology that raise safety and ethical concerns. The bill also addresses the commitment by COAG to a nationally consistent approach to regulate research involving human embryos, such as embryonic stem cell research, which has the potential to prevent or cure disease and save lives.

One of humanity's defining characteristics is our continuing quest to overcome diseases and injuries that diminish quality of life. This bill will allow researchers under strict licensing conditions to make potentially life-saving breakthroughs while addressing public disquiet about the possibility of unethical experimentation that does not assist humanity.

Promoting innovation that advances quality of life is a fundamental quality of the Smart State, which is why I have been such a strong advocate of biotechnology. The bill complements the Commonwealth Prohibition of Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002. This legislation was introduced into the federal parliament by the Prime Minister, John Howard, and passed by the House of Representatives on 11 December 2002 with the support of opposition leader Simon Crean. That is why this legislation is now before us and why I had to withdraw the previous bill. This bill reflects what has been endorsed in the federal parliament.

A single Commonwealth bill was introduced to the House of Representatives, then split during debate and passed as two acts. The Queensland bill is presented as a single bill. I believe the prohibition of human cloning and certain reproductive technology practices and the regulation of research on excess embryos are all issues requiring equal moral and ethical consideration and can be dealt with effectively in one bill. That allows people to state their position on the particular clauses and to have on the parliamentary record their views on the different aspects of the various parts of the bill.

Our single bill incorporates COAG agreements in a clear and unambiguous way. The national regime agreed by COAG addresses sensitive and difficult ethical and scientific issues. It is inevitable that people will have varied and strong views on these issues, especially in areas involving excess assisted reproductive technology embryos. For that reason, the government will provide a conscience vote on the bill as a whole and on all of its provisions. I made that clear to caucus at our meeting on Monday, as I have done on previous occasions. I am allowing members of the government to have a conscience vote on this bill. I fully expect that some government members will oppose some parts of the bill, according to their conscience. It is their right, and I will respect their views and beliefs and I will respect their right to oppose this legislation, even though I strongly and passionately support it.

The government has shown leadership in being the only state to adopt a code of ethics for biotechnology—the Code of Ethical Practice for Biotechnology in Queensland—and to confront the difficult ethical issues relating to new and emerging technologies. There is a strong scientific view that human embryonic stem cell research could lead to treatments that have so far eluded medical technology. I subscribe to that view. I believe in that vision for the future of humanity. I do not want to shut down inquiry into this potential medical application in Australia, which is why when this matter went before COAG I, on behalf of Queenslanders, took a strong view pursuing a national approach in relation to stem cell research and strongly advocated that view at COAG.

To do so—and I go back to what I said before: I do not want to shut down inquiry into this potential medical application in Australia—would shut down humane possibilities for the thousands of Australians whose lives are shortened and made painful by diseases and injuries such as juvenile diabetes, Alzheimer's, Parkinson's, liver and other organ failure, a variety of

cancers, spinal cord injury, inherited conditions such as cystic fibrosis and nerve cell damage caused by stroke and heart disease. That is a long list of not just diseases but soul-destroying diseases that could possibly be cured by the use of stem cell research.

Other jurisdictions such as Canada have accepted the challenges of balancing the ethical oversight of research on surplus embryos created for fertility treatment programs and the exploration of therapeutic and life-extending technologies. The ethical and scientific complexities necessitate the strict regulatory regime proposed by COAG. I stress again that this is a strict regulatory regime. In balancing these complex issues, my ministerial colleagues Minister Edmond, Minister Lucas and I have listened to community opinion leaders on ethical matters and scientists with expertise in this area of research. I would like to thank the many Queenslanders and community organisations, regardless of their views, who took the time to write to me on this issue. I would like to particularly thank those church leaders who spoke to me and also had a number of meetings with Health Minister, Wendy Edmond, and Paul Lucas, the Minister for Innovation, on this legislation. In particular, I want to thank Wendy and Paul. This has been a difficult and complex issue to deal with and they have handled it with sensitivity. I also want to thank my caucus for the way in which they have dealt with this complex issue. A caucus as broad as the one that I have the honour of leading has a variety of views. The members of my caucus have handled this issue in a mature and sensible way, and I want to thank them very sincerely. This is in addition to the federal consultation and inquiry that took place prior to the federal parliament passing the bills. That was also taken into account by the Queensland government. I have done what I am asking every member today to do. I made up my own mind according to my own conscience, and my conscience is clear in supporting this legislation.

An important point in shaping my view and the view of COAG was that excess assisted reproductive technology—or ART—embryos are currently disposed of in consultation with the donor, wherever possible, largely through exposure to room temperature. We are talking about surplus embryos from the IVF program that would die anyway. They are simply put in room temperature and they die. We are talking about taking those surplus embryos, which would die anyway, to be used in stem cell research. That is all we are talking about. We are not talking about the creation of one additional embryo out of any IVF program to be used for stem cell research. I want to make that very clear to every member. Let there be no doubt in anybody's mind that the strict regime that has been supported by the Prime Minister and the premiers of every other state in Australia is about ensuring that what I spelled out happens.

I would much rather that early-stage embryos, which would otherwise be allowed to succumb—which is the terminology used and I respect that terminology; succumb simply means that they die—could be used in research that might advance life-saving and life-enhancing therapies and tackle the diseases that I spelt out before, those life threatening diseases that destroy people's lives and often lead to death.

I believe that human embryos should not be created for any purpose other than assisted reproductive technology treatment—the IVF program. I also believe that any research conducted on excess assisted reproductive technology embryos warrants the informed consent of the donors. So this is being done in consultation with the donors. The only embryos used for stem cell research under this bill will be excess assisted reproductive technology embryos created prior to 5 April 2002 that donors have consented can be used. There is even a cut-off date. The scientists—the researchers—have indicated that there are enough to adequately support appropriate stem cell research in this country.

There was some concern about that date. There were some in the scientific community who preferred not to have a date, but to ensure that there is an appropriate restrictive regime it was felt appropriate to have a date. I want to be quite clear on this. The source of the excess embryos capable of donation is the IVF program. That is all we are talking about. As a result of this bill, not a single extra embryo will be created, nor will a single further embryo die. So not only will not a single extra embryo be created, no extra embryo will die, either. This is to benefit the human race—or humanity—by appropriate research. This research will be strictly regulated.

Having conscientiously applied myself to this issue, I understand and respect that others in good conscience may come to a different conclusion. That is why, as I have said, government members will have a conscience vote. I want to make sure that the facts are understood. Those members who participate in this debate, whatever their views may be—which I respect—need to make sure that the debate is based on facts and that the restrictive regime in place ensures the protections that I have spelt out.

During the Commonwealth debate, the Commonwealth bills were referred to the Senate Community Affairs Committee inquiry. The Queensland government made a submission to the Senate inquiry to reinforce the importance of a nationally consistent approach to provide certainty and clarity for the medical and research communities across Australia. I table that submission for the information of the House. Members may wish to see exactly what I said on behalf of the government and members now have an opportunity to do so.

The Premiers of New South Wales, Victoria and I, on behalf of the Queensland, also wrote to the Prime Minister to remind him of the COAG agreement for a nationally consistent approach. A nationally consistent scheme based on principles agreed at COAG will ensure that there are no loopholes for practices universally considered abhorrent and unacceptable, such as human reproduction cloning, which I am totally opposed to. This bill provides the Queensland component of this national scheme and relies to a great extent on the Commonwealth acts to ensure national consistency.

This bill replaces the Cloning of Humans (Prohibition) Bill 2001, which was introduced in the Legislative Assembly in November 2001 as an interim measure. It responds to concerns that the Cloning of Humans (Prohibition) Bill did not go far enough to address safety and ethical issues in medical and research developments involving reproductive material. This bill forms part of a national scheme to effectively ban human cloning. It also prohibits a range of other practices, including the creation of hybrid embryos and commercial trading in human reproductive material not considered safe or ethical.

Like most Australians, I am opposed to any form of human cloning, be it reproductive or therapeutic, and believe that now is the time to prohibit those practices from occurring in Australia. That is included in the bill. The bill, therefore, makes it an offence, with a maximum prison term of 15 years, for a person to create a human embryo clone. The corresponding Commonwealth Prohibition of Human Cloning Act 2002 provides the same penalty for importing a human embryo clone into Australia. So we are not only banning it; we are preventing imports. This is a severe penalty to indicate the seriousness of the crime.

The bill that I put before members today also supports the establishment of a comprehensive national regulatory system to govern the use of excess assisted reproductive technology embryos. All states and territories have committed to enacting complementary legislation to ensure that all Australian researchers working in both public and private sectors are covered by the national regulatory scheme. Researchers and scientists proposing to undertake work on excess assisted reproductive technology embryos will be required to meet strict criteria and obtain a licence.

I consider that this regulatory system is a responsible approach that strikes the right balance between ethical considerations and embracing the possibilities of research for potential future therapeutic application. The regulatory regime will cover all uses of excess assisted reproductive technology embryos except for specified activities in existing fertility treatment services.

Current fertility treatment services will continue to be regulated through existing state legislation and the Reproductive Technology Accreditation Committee of the Fertility Society of Australia. Observation, transport and storage of embryos by fertility treatment clinics will be exempt from requiring a licence. Importantly, any research will only be allowed on excess assisted reproductive technology embryos, and if the research may damage or destroy, it will only be allowed to occur if the embryo to be used was in existence at 5 April 2002.

COAG established an ethics committee to report within 12 months on protocols to ensure embryos are not created specifically for research purposes. That is a very important matter. Following finalisation of this report, COAG will review the necessity for retaining the restrictions on embryos created after 5 April 2002. That is when it will be looked at. It also agreed to ask the National Health and Medical Research Council, known as the NHMRC, to report within 12 months on the adequacy of supply of excess assisted reproductive technology embryos.

The bill supports the establishment of a national licensing body within the NHMRC to be known as the NHMRC licensing committee. The licensing committee, to be established in consultation with the states and territories, will be comprised of experts in a range of fields including ethics, research and law. The committee will also include two representatives with expertise in consumer health issues: one as they relate to disability and disease and the other as they relate to fertility treatment services. The committee will be tasked with scrutinising applications to use excess assisted reproductive technology embryos. Each application will be examined on a case by case basis to ensure that the use of each embryo is fully justified and that

the embryos are donated with informed consent. Consenting donors will also be able to specify research restrictions on the use of their embryos. So, they are empowered after their donation. They set the criteria which will be followed.

In granting a licence, the licensing committee will have regard to whether the outcomes of the project will be likely to provide a significant advance in knowledge or improvement in technologies for treatment that could not reasonably be achieved by other means. The use of adult stem cells for research, which I very strongly support, is outside the scope of the legislation and will therefore not require a licence in order to continue. There is no argument about that. The Vatican, as I understand it, supports adult stem cell research. I am not aware that there is any argument about adult stem cell research.

Valuable research on adult stem cells will continue in accordance with National Health and Medical Research Council guidelines. The Queensland government will continue to recognise and support the significant work being undertaken using human adult stem cells. While there have been enormous developments in medical research involving adult stem cells, this does not replace the need for embryonic stem cell research. That is an important point that needs to be understood. I firmly believe that we should responsibly pursue both avenues of research simultaneously to maximise our chances of discoveries to cure diseases that create human suffering.

The proposed new regulatory regime will not regulate research on existing embryonic stem cell lines. Australian scientists will continue to work with the limited stem cell lines in existence worldwide. The new regulatory scheme will also open the door to create genetically diverse stem cell lines which may hold the potential for wider therapeutic application. Given the public interest in this issue, I am very pleased that the national regulatory scheme also includes detailed provisions for public reporting. The licensing committee will be required to maintain a comprehensive, publicly available database of all licences issued, including the number of embryos used in relation to each project. Information about projects being carried out in Queensland will be held on this database. That is very comprehensive.

The licensing committee is required by the Commonwealth legislation to report to the Commonwealth parliament twice a year on its operations. This will provide transparency and accountability within the system and also inform governments' future decision making on these issues. This is a rapidly developing area of technology and we have to keep pace with the potential therapeutic applications of research, as well as changes in community attitudes and standards. That is why together with other Australian governments we have also committed to review the research components of this legislation by 2005.

The Commonwealth has met its legislative commitments to COAG. Each state and territory has put great effort into the development of this national scheme. Queensland is one of the first states to introduce legislation in support of the COAG agreement. It is an excellent example of Australian governments working collectively to address very difficult ethical issues and to ensure that Australia remains at the forefront of medical research—the dawn of the Knowledge Nation. I do not underestimate the sensitive nature of the subject matter addressed in the legislation, nor the strength of views that many have on these issues. However, I believe that what we have before us is a bill which provides for Queensland's contribution to a national regulatory scheme that strikes an appropriate balance. It respects human dignity while ensuring community standards and ethical values are upheld. It also enables the enormous potential for embryonic stem cell research to be explored within legislated parameters and subject to close scrutiny.

I am happy to arrange for a briefing for any member who wants more detail in relation to this bill. I advise the House that both the Health Minister, Wendy Edmond, and Paul Lucas, the Minister for Innovation and Information Technology, are well briefed on it. Perhaps members might take the opportunity while the House is sitting this week, and on the informal occasions that exist, to speak to either one of those ministers who are well informed on this bill. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

ADJOURNMENT

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (7.16 p.m.): I move—

That the House do now adjourn.

Ambulance Levy

Ms LEE LONG (Tablelands—ONP) (7.16 p.m.): I rise to address this government's fumbling attempts to save our ambulance service. We are all well aware of the tremendous value our community rightly places on the ambulance service and the staff who man it. We are also quite aware of the funding hole into which this government has driven that same service. It is not for the Emergency Services Minister to blame anyone else. His department and the Beattie government are in the driving seat on this and they have fallen asleep at the wheel. The result is that the Ambulance Service is grossly underfunded and in need of desperate resuscitation. Even this blinkered government was able to see that, although finding a solution was obviously beyond them because the first thing they wanted to do was slam an unfair, inequitable and unworkable tax on land-holders. Local councils that were going to be forced into administering this new tax mutineered and they were supported by the wider community. The Emergency Services Minister and this government were forced to tuck their tails between their legs and run away yelping from that idea. They say that you can't teach an old dog new tricks and this government has proved that with this latest proposal. After getting a good kicking for a tax that was unfair, inequitable and unworkable, what do they do? They come up with a shiny new tax that is, guess what, unfair, inequitable and unworkable. Their first try was going to have some people paying many times and others not at all. Their latest try is going to have some people paying many times and others paying not at all. They have not been able to learn from their mistakes. Clearly, we are looking at a government devoid of imagination, without any interest in fairness and, let me add, unable to keep a promise as simple as no new taxes.

How unfair is this proposal? Well, for example, a property with three, four or more occupants will be levied once on its electricity bill. A small business operator with an electricity account on their home and another on their business will have to pay twice. Queenslanders who have multiple accounts will have to pay on each and every account. And if that is 10, 20 or 30 accounts, their tax hit will be enormous.

Suggestions that there may be some way for electricity corporations to control this is to argue for not only a greater administration burden but also raises serious questions as regards privacy. There are many more issues surrounding this proposal to couple ambulance taxes to electricity bills. One is that the power authorities are privatised. Is it proper that a government imposed tax be collected as part of the operations of a privatised corporation? What will the impact be on the corporation of administration and other expenses? Will those costs be added to the electricity bill or will some of the ambulance tax be consumed in meeting those costs? The difficulties are obvious.

This has all the hallmarks of a Beattie special—'I want it. I'm going to get it and if it nails a few more Queenslander to the wall along the way, that's just their bad luck.' For a government with enough money to fund a $280 million footie field there is no good reason for this carry-on over funding of our statewide Ambulance Service.

Funding Achievements, Aspley Electorate

Ms BARRY (Aspley—ALP) (7.20 p.m.): Mr Deputy Speaker, they say time flies when you're having fun, but I can also tell you that when you are working hard it flies even faster. It has been two years since I was elected as the state member for Aspley. In my first speech to this House I said it was important that I work hard for the entire three years of my first term to ensure that the people of Aspley knew that I was the right choice as their elected representative.

In my last two years as a member of the Beattie Labor government I am pleased to have announced the following funding achievements for the Aspley electorate.

Mr Wellington: And the Scrutiny of Legislation Committee.

Ms BARRY: That is true. The achievements include: over $3 million for the Pine Rivers State High School for a school building renewal program, including a state-of-the-art multimedia and information technology facility; over $1.2 million to Strathpine Streetscape Project to renew the local business precinct; $111,768 for school maintenance and repair and $36,286 for computer and technology funding at Strathpine State School; $335,000 to build a new Dohles Rocks Boat ramp; $1.3 million for the Strathpine Road resurfacing, road safety and home access improvement; $70,000 for land acquisition for a car park and $38,000 for computer and technology funding at the Bald Hills State School; Northside Singers received nearly $2,000 for a digital piano and sound equipment; over $26,000 to the Guide for the Blind Association of Queensland Incorporated for the purchase of aids and mobility equipment; over $29,996 has

been allocated to Catalyst Youth Arts Organisation; $8,100 to the Holy Spirit Home Auxiliary for computer equipment purchases for resident training and use; $38,000 towards installing field lighting at the Aspley Hornets AFL Club; over $3 million to the Aspley State High School for school building renewal and a new information centre; over $416,000 in capital works and enhanced computer systems and $175,000 for a new building for outside school hours child care for Aspley East State School; over $286,500 for repainting, reroofing and airconditioning for Aspley State School, and $56,100 for computer technology; $25,000 for Landscaping at Aspley preschool; $20,000 for the Nicklin Adolescent Centre for facility and computer improvements; over $392,000 for capital and maintenance works and computer technology for Craigslea State High School; $150,700 for maintenance works and computer technology for the Craigslea State School; and, after 20 years, $30,000 for the Craigslea Aquatics Club for a pool grandstand.

These achievements are only a snapshot of the results in Aspley. The achievements of my first two years in office are too many to mention here tonight. But I can say that if you live in my electorate I have ensured that community facilities are improving, I am working hard with local community groups and businesses, and I intend to keep getting positive results for the people I represent.

Natural Disaster Relief, Tambo Shire

Mr HOBBS (Warrego—NPA) (7.23 p.m.): I wish to report to the House on the declaration of natural disaster relief arrangements in the Tambo shire last week. Australia has a harsh climate and our primary producers do a magnificent job to survive and produce products for our domestic and export markets. Primary producers want to be self-sufficient and do not want to receive government assistance unless it is absolutely necessary. All Australians have become aware of the significant economic impact of the drought on our economy, with less than satisfactory terms of trade figures. Governments, however, need to be responsive when an industry or area is in trouble or there will be a slow economic and community recovery after an event.

In the instance of the Tambo natural disaster event a satisfactory outcome was achieved. However, some obstacles delayed a more timely natural disaster declaration. It became evident that an extraordinary event was developing by Monday, 9 February when six to eight inches of rain had fallen and by noon other areas of the district that had missed out on the earlier heavy rain had received a deluge of two to five inches on top of the previous six to eight inches that had fallen on the region. The district had been in severe drought and all livestock were in poor condition and were being supplementary fed in some way. It was clear that livestock that were being fed every two or three days would not get fed for several more days due to the extreme conditions and had already gone without feed for several days previously and would soon die due to the boggy and cold conditions unless fodder could be got to them.

I contacted the local coordinator of emergency services, Scott Walsh, at Roma to alert them to the situation. He was most helpful and advised that the process was for the local council to request a state natural disaster coordinator—the district police inspector in Charleville—to assess and declare the event. The Tambo Shire Council requested declaration of a natural disaster event so that fodder drops could be carried out. All systems were working well and the district police inspector, Tony Rann, had been alerted to the situation in the first instance by the emergency services officer, Mr Walsh, and the Mayor of the Tambo Shire, Councillor Dougal Davidson, and CEO Ken Timms were responding to the needs of their shire.

The trouble started when I was advised that the fodder drops were no longer in the natural disaster relief plan and maybe DPI could help. I could immediately feel the cold hand of bureaucracy and knew well that we were in trouble and livestock would die. I rang the Director-General of DPI, Dr Warren Hoey, who was at a meeting. Mr Tony Rayner, District Manager, Longreach, responded and he was very helpful. However, it was clear that there was no process in place for the DPI to take over fodder drops. It was becoming clear that other avenues had to be pursued and late that night I was able to contact the federal member, Bruce Scott, who was able to make contact with the Ministry of Defence. We were advised to make application for assistance, which was done by Mayor Davidson first thing the next morning, Tuesday, 10 February. I understand that we could not get military assistance until we had an official disaster event. However, we could not get a declaration because it did not involve humanity, and the value of assets damaged or something like that did not quite meet the criteria. Dr Hoey quickly got on the job—

Time expired.

Lilley Australia Day Awards; Hamilton Citizenship Ceremony

Ms LIDDY CLARK (Clayfield—ALP) (7.26 p.m.): Two significant 2003 Australia Day awards ceremonies were held in the electorate of Clayfield. The first was the Lilley Australia Day Awards for 2003, marking its seventh successful year. The Lilley Awards' aim is to recognise the hardworking and well respected volunteers in our community. A new award, the Lilley Community Business Award, was introduced this year which recognises the enormous contribution many businesses, small and large, make to our community organisations and collectives.

The awards ceremony took place at the Kedron-Wavell Services Club and was well attended by various members of the local community. There were 46 recipients with over 500 guests attending the significant event. I wish also to acknowledge my parliamentary colleagues who attended—Neil Roberts, member for Nudgee; Bonnie Barry, member for Aspley; and Terry Sullivan, member for Stafford. Guests and entertainers for the day included Allan Wright, the Grand Master of the United Grand Lodge of Queensland; Toni O'Leary, Brisbane Airports Corporation; the Nundah and Districts Youth Group; bush poet Chad Sherrin; and the fabulous vocal duet Lisa and Jessica Origlasso. The BAC Lilley Business Award, presented by Tony O'Leary, went to the *Northern News* for its outstanding contribution to community organisations and specifically for providing free space for community organisations every week. The Ted Tremayne Shield was presented to Jim Whalan on behalf of the Kedron-Wavell RSL.

I congratulate the following Clayfield electorate recipients of the 2003 Lilley Australia Day Awards. Their tireless volunteer work is vital to the ongoing survival and support of many organisations and people who are very fortunate to receive it. They include Myra Carter, Reginald and Dulcie Cosgrove, Elizabeth Francis, Sharon Gavioli, Elizabeth Grace, Kathleen Halcroft, David and Lurelle Jones, Sister Janet McDougall, Sister Mary Sellen, Peter and Lorraine Swan, Timothy Weiland and Thomas Hannah, who is 10 years old and won the award for the poetry competition with a fantastic work titled *Ode to the Australian Explorers*.

The second event I was honoured to attend was the Hamilton citizenship ceremony at the Hamilton Town Hall, proudly hosted by the Rotary Club of Hamilton. Guests and supporters welcomed 29 new citizens to our community. Julie and John Goodwin provided music for the ceremony, while Paul Hannah from our local theatre company, Front Row, assisted with the lighting. Becoming a citizen of another country is a major step and I was honoured to be part of this significant event. I acknowledge and admire their bravery and courage in making the decision to become an Australian citizen. It was a wonderful morning celebration where we welcomed their smiles and their cultural delights into our dynamic country. I congratulate the Rotary Club of Hamilton on hosting this momentous occasion.

Energex

Mr WELLINGTON (Nicklin—Ind) (7.29 p.m.): I rise to share with members of parliament the frustration many Sunshine Coast residents have with Energex management and the allocation of Energex staff to respond to electricity supply failures on the Sunshine Coast. At the outset I say thank you to all the Energex workers who risked their lives reconnecting damaged electricity wires during storm conditions so that we could have power in our homes. Thank you to all the State Emergency Service volunteers, the police, the fire services and the ambulance men and women who also respond to calls for help when it is called for. To neighbours and friends in our community who also lend a hand during times of storms and electricity failure, your assistance is very much appreciated.

On the other hand, I offer no congratulations or words of encouragement to Energex senior management staff, who are only focused on making money and not on genuinely improving the delivery of reliable and safe electricity to Queenslanders. In this regard, I take this opportunity to ask the Minister for Innovation and Information Economy to use the power and resources at his disposal to make Energex senior management staff lift their game and allocate appropriate staff where they are required in the delivery of safe and reliable electricity. The first issue I want to raise is the operation of the Energex call centre, which people have to call for information when there is an emergency. The call centre is simply not operating at a level acceptable to many of my constituents.

I take this opportunity to ask the Minister for Innovation and Information Economy as the minister responsible to investigate the following questions on my constituents' behalf with Energex senior management. Firstly, does Energex still conduct foot patrols to look for maintenance problems on its overhead network? Secondly, have foot patrols ever been suspended? Thirdly, I

understand the time turnaround for patrolling every 11 kV feeder is every two years. Is this to be extended? I understand that 33 kV feeders are patrolled on an annual basis. Is this turnaround time to be lengthened? Are all the items collected by foot patrols entered into the computer maintenance program? Are there any exceptions to maintenance not inputted into computer maintenance programs? Has Energex management ever deleted or asked employees to delete gathered maintenance information from computer maintenance programs? Have all the items entered into the maintenance programs for three months from, say, tonight been rectified? Has Energex at any time had an item in the maintenance program that has been in the system for more than three months and then failed before it was acted upon? Has Energex ever failed to act on an item of maintenance after being given a length of time that the patrolling linesman said it would last—that is, it was said that it would have to be repaired in 24 hours and it was not acted upon in that time and then that item of maintenance failed? Finally, have any of the patrolmen come across an item of maintenance that was not acted upon from the last patrol?

I also take this opportunity to table a copy of a letter from one of my constituents from Montville and also a copy of a response from Energex dated 11 February 2003. In particular, I quote for the benefit of members where Energex acknowledges that '12 of the 19 interruptions that occurred from 3 February 2002 to 2 February 2003 were caused by vegetation'. Quite clearly, Energex is not providing the appropriate resources—

Time expired.

Whitsunday Region

Ms JARRATT (Whitsunday—ALP) (7.32 p.m.): In talking to people in my electorate and watching the vision of massive peace marches and rallies across the nation and the world and in listening to the passionate speeches made by colleagues in this House today, it is patently clear that John Howard's unconscionable push to involve our nation in illegal unilateral military action in Iraq has caused a pall of uncertainty and stress to fall on our community. So tonight I have deliberately chosen to speak of positive events that have occurred in my electorate in order to highlight the great things that can and do happen when energies are positively focused.

I turn first to the National Tourism Awards held in Adelaide last Friday night. Two of those awards found their way home to the Whitsundays. Hayman Island received the award for luxury accommodation and was inducted into the Hall of Fame. I congratulate it for that fantastic honour. A second recipient was Tourism Whitsunday, which won the national award for destination promotion. Tourism Whitsunday is a great team. It works as a team effort and consists of people who refuse to be defeated by the effects of September 11 and the Ansett demise. It has worked hard to ensure that the Whitsunday region is a great tourism destination well known around the country and indeed the world.

There was more good news for the tourism industry with the recent announcement that Virgin Blue will commence flights into the Whitsundays on 12 April. This will initially comprise one flight per week from Sydney every Saturday. The executive director of Virgin Blue, Brett Godfrey, said—

> The Whitsundays are clearly one of Australia's post popular tourist destinations but up until now it has also been one of the most expensive for people to fly directly to. We are confident that Virgin Blue's low fares will mean more people will be tempted to set sail simply because it's more affordable.

This is great news for families and budget travellers who want to holiday in our fabulous part of the world. I send my congratulations to the Whitsunday Shire Council's mayor, Councillor Mario Demartini, and local tourism operators who worked tirelessly over many months to achieve this great result.

The good news just goes on. On 16 January this year I was very pleased to have the then Acting Premier in the electorate of Whitsunday to open the Flagstaff Hill Lookout and Interpretive Centre in Bowen. This is a new $750,000 centre. It has attractions that include modern restaurants, historical displays and amenities and one of the best views in the whole of the state. I am pleased to say that the Queensland government contributed $350,000 to the cost of funding, which came from the Local Government Department Queensland Rail. In addition, the state government-owned Ports Corporation contributed $30,000, the federal government $100,000 and Ergon Energy $4,000. The Bowen council itself provided the balance of more than $260,000. This is really good news for Bowen and puts it clearly on the tourist map in the Whitsundays.

Jondaryan State School

Mr HOPPER (Darling Downs—NPA) (7.35 p.m.): Tonight I want to speak about the plight of another small community school in my electorate, namely Jondaryan. Jondaryan is a school of some 75 to 77 pupils. Jondaryan is situated on the Warrego Highway between Toowoomba and Dalby and is a small mostly rural community, although the development of coal loading facilities adjacent to the town will partly alter the community make-up. The school is established on cracking black soil clays common to the area and this of course results in structural stresses on buildings and other facilities. The main problem the school is experiencing at the moment is with the school toilet block. I have inspected this building on a number of occasions and am very concerned for the health and safety of the school community because of the continued deterioration of the building.

I do thank the minister for her recent letter to me regarding the school and for her promise to have Q-Build inspectors report on the school facilities and I am aware that Q-Build staff did look at the toilet block. However, I consider that funds need to be allocated urgently to have the toilet blocks replaced as a matter of absolute priority. My most recent inspections revealed that the exterior brick walls are deteriorating and bulging due to corrosion of bolts and the floors are cracked and dangerous, with some cracks so large that they could harbour snakes and other reptiles as well as vermin. The roof guttering is rotted and drains are cracked and broken, thus allowing water to permeate under the building. The concrete surrounds of the urinal is cracked and loose in parts. In other words, the whole building is in a bad state of repair.

The principal, whilst he has a budget to carry out some repairs, would need to save up his present budget allocation far in excess of five years to repair this building. In the meantime, the cost of the work escalates as the building further deteriorates and the other buildings and facilities deteriorate because of no maintenance. The school's Parents and Citizens Association has worked very hard around this school to establish facilities for its children and is appalled at the way the school's facilities are being allowed to deteriorate. I implore the Minister for Education to have funds allocated urgently to this project. I could suggest that perhaps the Premier call in at the school to look at the problem first-hand when he travels to the area next week to open the Acland coal mine as it is Acland coal that is loaded at the rail facility at Jondaryan. He will drive right past the school at that very moment and it will only take him five minutes.

Southport Meals on Wheels

Mr LAWLOR (Southport—ALP) (7.38 p.m.): Tonight I rise to speak about a most worthwhile and important community organisation, Meals on Wheels. This is a community service organised to help the frail aged and younger disabled and their carers to live in the community where they are happiest—in their own homes. Meals on Wheels commenced in 1969 in Southport where the late Lionel Perry was elected as president. His son, also Lionel, is the current president. Lionel's late mother, Olive, was elected kitchen director and they commenced the service by preparing and delivering 29 meals under Mrs Perry's supervision. Some 33 years later they average 235 meals per day. The coordinator at Southport is Ann Frentz, who is assisted by 150 volunteers who provide their own vehicles and give their time freely. Since commencing Meals on Wheels in Southport, they have prepared and served almost 1.4 million meals. Meals on Wheels is not a free service and patients pay a charge of between $3 and $4 for their meal, which is delivered to their door usually in the middle of the day Mondays to Fridays.

Meals on Wheels are assisted by the largest volunteer work force of any voluntary organisation in Queensland. Those wishing to inspect local services or undertake voluntary assistance should consult their local telephone directory under Meals on Wheels. A telephone call to the kitchen supervisor or coordinator is suggested, and you can undertake an inspection of the facilities, assist in preparation of the meals or in deliveries or, indeed, in washing up. That is not my area of expertise, but maybe someone in your household has a couple of hours to spare once a month to assist this wonderful community organisation.

I am involved in the Southport Meals on Wheels and I can assure everyone that, although they are assisting the community and many deserving and needy people, it is also a very rewarding experience for all volunteers. Also, the social contact is vitally important for these housebound individuals. I congratulate all those involved with Meals on Wheels throughout Queensland, but particularly those in the Southport Meals on Wheels organisation.

Ambulance Levy

Dr WATSON (Moggill—Lib) (7.40 p.m.): When the Premier introduced his latest tax on Queenslanders, the new ambulance levy, he did his usual trick of trying to blame other people. He started off by saying there were 10,500 bludgers who had not paid a total of $8.1 million in bills for the Ambulance Service they had used in the last year.

He also tried to shift the blame to the federal government by blaming a fall in subscriber numbers as more people took on health insurance. He indicated there is a $30 million shortfall in the cost of providing the Ambulance Service. What he has not explained to the people of Queensland and the people of my electorate is why he had to slug Queenslanders a levy which is going to raise $110 million. He has identified a couple of shortfalls: $8.1 million, a total of $30 million, but the question is why the $110 million in extra taxes.

Everybody in my electorate is concerned about this issue. I have had more phone calls and letters and emails on this particular issue than any issue for a long period of time. I have time for only a couple of examples tonight. One lady who rang me reflects what I think is a fairly broadly held opinion in the community, and that is she does not object to paying for the ambulance but she already pays for the ambulance through her private health fund. This means that she and others like her will be slugged twice for the same service.

Another gentleman called me and sent me a more extensive email. He said this—

Further to my brief contact with your office today I confirm my concern at the apparent lack of consideration on the part of the Queensland Government in developing the 'latest' solution to the funding of the Ambulance Service. This is the second time they have indicated a scheme which will be surrounded by anomalies.

That is what runs through it: plenty of anomalies—

As far as I recall, my wife and I have subscribed as a family member to the Ambulance Service in the three states of Australia we have lived in since our wedding forty one years ago. If our membership of an Ambulance Service hasn't been for the full forty one years it has been very close to that period. Our principal residence for the last seventeen years has been in Brisbane and for all of that time we have subscribed to the Queensland Ambulance Service.

...

As I understand it, under the proposed arrangement, families in the same situation as ourselves—

And he owns another unit—

will now be required to make two subscriptions to the Queensland Ambulance Service. I believe there are a lot of similar anomalous situations such as families who also have a business premise. I am fully supportive of the concept that funding of this wonderful service is an important issue and it makes a lot of sense that the cost should be shared throughout the community. However, it seems a bit over the top that we who have stood up for so many years should now be slugged twice because there has been a large proportion of the community who have not accepted their responsibility.

Rather than continue to ignore the realities facing genuine subscribers in a petty and offhanded manner, I consider it is truly time that those in government put their thinking caps on and come up with a scheme that gives recognition to those who have done the right thing for years and is fair to all. If they can't, then they shouldn't be given the responsibility.

That I agree with.

Passenger Rail Services, North Queensland

Mr PITT (Mulgrave—ALP) (7.43 p.m.): I recently had the pleasure of opening three refurbished rail stations in far-north Queensland; namely, Gordonvale, Babinda and Cardwell. The extensive works carried out at a cost of $850,000 will see these facilities now capable of accepting bookings for the tilt train as the platforms have been raised to the standard 810 centimetres. This follows a major upgrading of the Innisfail station two years ago. The recent works see all stations in my electorate brought up to the standard.

It is particularly pleasing for me that Gordonvale and Babinda have an assured future. Since my election in 1989, they have been faced with threats of imminent closure. Such a step would have been a devastating blow to local communities. As well, a slice of history would have been lost. The Gordonvale station was built in 1897 and called Mulgrave. It served the sugar industry and the track was further extended to Aloomba in 1898 and Harvey Creek in 1903. Babinda was opened in 1910.

It is a credit to Queensland Rail that it has been able to integrate all that history into meeting the requirements of passengers on Australia's most modern train, the Cairns tilt train. The station upgrades include an addition to platform height, such improvements as upgraded security

lighting, disabled access ramps to platforms, a sealed car park, beautification of the grounds, painting and conservation work on station buildings and new disability accessible toilets. The station upgrades have the seal of approval of my local communities.

In addition, the modernisation of these stations places them in an excellent position if an urban rail motor system is introduced into the future. As residential growth expands to the south of Cairns, population demands will increase on the public transport sector. At some point the bus service will reach its optimum and rail will become a viable option.

The Cairns tilt train improves in features currently seen on the tilt train service between Brisbane and Rockhampton. Its maroon, gold and silver livery as well as its aerodynamic design are matched by the incorporation of modern technology. These features are matched by a level of comfort and service usually only experienced through air travel. Reaching speeds of 165 kilometres per hour, the tilt train makes a measurable difference to travel time. Provided the pricing structure is competitive, the new service when in operation should win its share of the travel market.

The Beattie government has delivered on its commitments to regional Queensland. It is providing the state with a modern transport passenger rail service. It is paying due attention to small communities by providing them with the same service available to larger centres.

Motion agreed to.

The House adjourned at 7.47 p.m.