THURSDAY, 13 MARCH 2003

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

PRIVILEGE

Proportionate Liability

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.31 a.m.): I rise on a matter of privilege. There is an article in today's *Financial Review* which needs a response. Today's article in the *Financial Review* details professional organisations' opposition to the $500,000 threshold on proportionate liability that my government intends to pursue. The threshold was included as a consumer protection measure.

The *Financial Review* article contains a fundamental factual error about the current operation of the law. The article states that under proportionate liability those liable to pay damages pay only for that proportion of the loss they caused. That statement is wrong. This error underpins the whole misconception about proportionate liability.

Under the current law, the potential for 100 per cent liability only arises where the damage suffered was 100 per cent attributable to the negligent conduct of the professional. The law states that a plaintiff must show that but for the negligence he or she would not have suffered the loss. This is the basic test of causation in the common law of negligence and is to be codified in a civil liability bill being pursued by the government.

Of course, separate acts of negligence can each directly cause 100 per cent of a plaintiff's loss. Take the following example: I seek advice from a solicitor to act on my behalf. The solicitor engages a barrister to advise. The advice provided by the barrister is negligent and the solicitor compounded the mistake by failing to pick up the error. But for the failure of the solicitor to pick up the error, I would not have suffered any loss. At the same time, but for the negligence of the barrister I would not have suffered any loss. I can therefore, if I choose, recover 100 per cent from either the solicitor or the barrister who then apportion liability between them.

Proportionate liability will severely disadvantage average consumers by requiring them to sue each of the professionals who have caused the loss. If one of those professionals is insolvent, the completely blameless consumer will be out of pocket. For many consumers, such as the victims of property marketeering schemes, this would make it impossible for them to recover all their losses. Professional groups have always indicated that the value of proportionate liability was in preventing major exposure to big claims, such as the collapse of HIH.

The model of proportionate liability in the civil liability bill will still provide certainty by reducing exposure for these claims. There is some rationale that for these claims involving major corporate losses the plaintiffs are likely to be more sophisticated and better resourced. There is not the disparity in bargaining power that exists between professionals and average consumers.

I want this clearly understood because I do not want any insurance company let off the hook because our reforms should bring down premiums. I am not going to allow misreporting anywhere in any national newspaper to allow insurance companies to get off the hook. It is about time insurance companies started thinking about the community and started thinking about Australians.

PETITION

The following honourable member has lodged a paper petition for presentation—

Powerlink, Millmerran

Mr Copeland from 709 petitioners requesting the House to (a) abandon the current Powerlink transmission corridor proposal through Millmerran to Middle Ridge, b) require Powerlink to extensively investigate the number of other possible alternative routes for the powerline, c) ensure that costs and ease of construction are not the sole determining factors in establishing this powerline and that proper consideration is given to potential social, environmental, land usage, aesthetic and health impacts.

MINISTERIAL STATEMENT

Trade with Brunei

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.34 a.m.): Tonight I will host a state dinner for the Crown Prince of Brunei Darrussalam, Prince Haji Al-Muhtadee Billah. Queensland and Brunei have established strong relations over the years in areas such as education, health, agriculture, aviation, and communications, for instance. It is a relationship that I believe will continue to grow.

The Smart State has developed strong two-way links in education. The University of Queensland, which currently has 94 students from Brunei, has the largest number of Brunei students of any Australian state. Since 2001, the University of Queensland has established a two-way agreement with Brunei. Griffith University is also in the final stages of formalising similar agreements for nursing students with the Brunei Nursing College. Queensland and Brunei have also established strong relations in agribusiness.

Sallyanne Atkinson, as the Queensland government's special representative for South East Asia, first visited Brunei in August last year to further develop our relationship with the Brunei government. She met with both the Minister for Health and Minister for Education, as well as other senior representatives from the departments of public works, environment and tourism.

Sallyanne is currently leading six Queensland companies on a two-week agribusiness, beef and livestock mission to South-East Asia, including Brunei. Over the past five years my government's Department of Primary Industries has undertaken an annual Queensland cattle mission to Brunei, developing strong ties with the Brunei Ministry of Industry and Primary Resources. Many Queensland organisations are also working closely with Brunei. I will be doing everything I can, as the Minister for Trade, to increase these trade opportunities because more trade means more jobs.

Let me briefly also thank Tom Burns, who is our special trade representative for China and Vietnam, for the excellent job he does. I also want to thank Mike Ahern, former National Party premier and special trade representative. Mike, Tom and Sallyanne are doing an absolutely brilliant job for this state, and I want to thank the three of them.

MINISTERIAL STATEMENT

Northbank Strategic Plan

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.37 a.m.): Members of the House would be aware that at the end of last year the state government released four options to the people of Queensland as part of the draft master plan for the proposed enhancement along the northern bank of the Brisbane River.

The Northbank draft master plan stretches from the William Jolly Bridge to the Goodwill Bridge and includes features such as new boardwalks, bike tracks, outdoor eating and entertainment facilities, with the possibility of residential and commercial space. The Northbank precinct is a highly visible, albeit not visually aesthetic, part of Brisbane. As such, any future redevelopment needs to be in keeping with the wishes of Queenslanders and of course the concerns of the local member and also the minister handling the matter, Rob Schwarten.

We called on the public, community groups and industry to comment on the four master plan options. I am pleased to report to the House today that Queenslanders did respond to our call to have their say. More than 100 individuals and 20 industry and government groups made submissions. I thank them for that. We have a clear message that Northbank is something Queenslanders want to see. Ninety per cent of respondents support future development along the Northbank area—90 per cent. Specifically, they want more public spaces. They understand the need to plan for the future growth of the city and recognise the need to attract visitors. This encouraging support from Queenslanders will now shape the way the Northbank proposal is developed. In fact, based on public comment, a combination of the draft options are now being developed, drawing on the majority support of overall medium density development and a greater emphasis on enhancing the riverscape and linking the river with the people.

The Department of Public Works and the minister, Rob Schwarten, are now working with a team of experts in urban design and planning. They will continue to consult with the public and industry groups during this process.

I have asked that, subject to cabinet approval, a draft Northbank Strategic Plan be ready for release to the public later this year. Northbank is about maximising Brisbane's liveability for today's community and tomorrow's as well. I thank the minister for his assistance in these matters.

MINISTERIAL STATEMENT

Major Projects

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.): Healthy investment in major capital projects adds to the dynamism of Queensland's economy. It creates jobs and demand for goods and services, and in turn builds more business confidence. It is a key driver of economic growth. The government works closely with the private sector to encourage and support investment, and we keep a keen eye on the progress of major projects around the state. Major projects that are under way or imminent have the potential to create thousands of construction and operational jobs.

For example, the government is contributing $100 million to the $118 million Gold Coast Convention Centre. This is an investment in jobs. It will create 3,000 jobs during construction and another 1,500 permanent direct and flow-on jobs in the region. Further, Comalco's $1.54 billion alumina refinery at Gladstone is creating 2,200 construction jobs and a further 400 operational jobs; AMC's $1.3 billion magnesium metals plant at Stanwell, delivering 1,300 engineering and construction jobs and 350 operational jobs; the $140 million Brisbane cruise ship terminal will generate 784 construction jobs and employ 468 full-time equivalent jobs when operating; and the Rolleston coal project will attract $8 billion in export sales, 600 construction jobs and 150 direct operational jobs.

In total, the above projects have the potential to create over 7,200 construction jobs and almost 3,000 jobs once operational. They are the jobs, jobs, jobs we are delivering and that is why Queensland has had the lowest level of unemployment for 13 years. I thank the Minister for State Development, Tom Barton, for the energy that he and his department are putting into these projects.

Projects with strong prospects include: a $400 million LG Chem chemical plant at Gladstone, which would create 500 construction jobs and 100 permanent positions; the $200 million first stage of the Astral calcining project in Gladstone, which would have a peak construction work force of 350 and an operational work force of 80; and the Aldoga aluminium smelter at Gladstone, which could be worth up to $3.8 billion in total and have the potential to create thousands of jobs.

On top of this, the Queensland aviation industry work force has grown by more than 4,300 jobs since 1998 in terms of: Boeing headquarters for defence and aviation-related work in Australia and the Asia Pacific, 1,066 jobs; Virgin Blue headquarters, 1,750 jobs; Smiths Industries Aerospace, Asia Pacific headquarters, 60 jobs; Qantas Catering, 230 jobs; Qantas 767 maintenance facility, 680 jobs; EADS Australian Aerospace, 130 jobs; National Jet Systems, 70 jobs; Australian Airlines, 300 jobs; and Singapore Flying College, 25 jobs. I know that the Minister for State Development and the Minister for Employment are as enthusiastic as I am about this new aviation industry and about the training and the skills that go with it.

MINISTERIAL STATEMENT

Community Cabinet

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.42 a.m.): A record has been set for this weekend's community cabinet meeting at the Gold Coast. It has set a record before we even get there. We have more than 170 formal deputations booked. We will be there to listen and again take on board what the people of the Gold Coast have to say. The Gold Coast community cabinet is the 59th for my government since election in 1998. Since 1998 more than 24,200 people will have come to our forums. At times, there have been up to 800 people at the one time. The numbers speak for themselves, and they are excellent. It shows that this process remains a significant way for the people of Queensland to communicate with the government. The next community cabinet after that will be in Townsville. I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

We are there—all the ministers and the department directors-general—to meet with people on their own patch and to listen to their concerns and to respond.

We know that 150 formal deputations indicate we are in for a busy time—but 170 is stunning.

The previous best was 160 formal deputations at the Redlands Community Cabinet meeting in November.

It shows that this is an ideal process.

This process is one where Queenslanders can turn up and talk with a minister or me—their Premier—and get a response.

This process is a huge commitment by the ministry.

Virtually once a month they give up a Sunday from their families to make sure that Queenslanders are heard.

It is hard work—but with the title of minister comes the expectation that they will work hard and be there for the people who put so much faith in them.

There is also a clear upside for the community we visit. The member for Southern Downs would well know that among the best profiling ever done for the Granite Belt's wine producers resulted from our being there and the associated wine tasting.

It was like the coffee-machine manufacturer at Browns Plains, school boat-builders at Mt Ommaney, lamb and beef producers of the central west or developing the tourism potential of the Ipswich Rail Museum—the profiling that we offer to local produce or endeavour is an excellent bonus.

The next community cabinet after this coming weekend is to be in Townsville.

On that occasion we will again return to north Queensland to listen and again take on board what people have to say.

Informal community cabinet proceedings will occur on Sunday April 6, from 1:30 p.m. to 3.30 p.m. at the Northern Beaches Community Recreation Centre, Deeragun.

On Monday April 7 cabinet will meet from 9.30 a.m. at the Townsville's Government Centre.

Deputations can be booked by filling out a request form available from the electorate office of:

Anita Phillips, Member for Thuringowa,
Mike Reynolds, Member for Townsville,
Lindy Nelson-Carr, Member for Mundingburra,
Christine Scott, Member for Charters Towers,
Steve Rodgers, the member for Burdekin,
Thuringowa City Council Customer Service Centre, Townsville City Council office,
Department of the Premier and Cabinet Townsville Regional Office,

or through the Cabinet Secretariat on 1800 448 377 or 1800 448 378.

Deputation request forms must be received by 12 noon, Wednesday 26 March 2003.

MINISTERIAL STATEMENT

Refugees

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.44 a.m.): Finally, I told the House yesterday about the way in which the Queensland government has supported people who had been given temporary protection visas by the federal government. These people have been abandoned by the federal government, which has refused to provide them with the normal services provided for other refugees. I announced yesterday that the state government will provide a further $10,000 to Lifeline to help rearrange the services provided to these visa holders through the Romero Centre.

In 2001-02 we also provided $25,000 to employ a part-time worker in Logan to help visa holders in the area. Today I advise members that I am providing a further $17,000 to the Logan City Multicultural Centre to ensure that people who have been receiving this help continue to receive help from existing service providers. I thank the local members who have lobbied strongly for this support.

MINISTERIAL STATEMENT

Somerset Drive School, Mudgeeraba

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Education) (9.45 a.m.): On 11 February I designated land at Somerset Drive, Mudgeeraba for education purposes to facilitate the construction of a new school for the families of the Bonogin-Reedy Creek area of the Gold Coast. I am pleased to advise members today that a principal has been appointed for the new school being built at Somerset Drive. Mr Stephen Loggie, currently at Dalby State School, will take up the position at the start of the second semester in July but is already actively involved in the development of the project. In fact, the new principal will be meeting with the project designers, consultants and senior staff of Education Queensland on the Gold Coast today. And shortly after Easter he will lead community consultation on curriculum, philosophies of the school, uniforms,

books and the school name. I know that the local community will make Mr Loggie very welcome. Parents will be notified of meeting times through local newspaper advertisements.

I would like to take this opportunity to thank the member for Mudgeeraba, Dianne Reilly, for her long-term commitment to the project and the families in her area who need this new school. This is the start of exciting times for this new school, which is due to open at the beginning of next year with an expected enrolment of more than 500 students. The $14.5 million for the first stage of the project, including $2.5 million for land, will provide two preschool rooms, 16 classroom spaces for students in years 1 to 3, 12 classroom spaces for students in years 4 to 7, a music centre, a visual arts centre, administration, information services, amenities and a covered area. Further stages will meet future enrolment growth, which is projected to grow to about 1,000 students by 2010.

I am aware of the concerns in some parts of the community about the location of this new school. Now that the final decision has been made and work has started on the site, I would urge the community to get together and support this new school. The birth of a new school is always an exciting time for a community. There will be numerous opportunities for locals to help it take shape. Like other schools, this new school will not only provide education to the children of the area; it will also become a focal point for their families, a place which brings people together in the interests of their children and the future of their community.

Education Queensland will work with its new neighbours at Somerset College and the Woodlands Montessori Centre to keep them informed about design and construction issues. It is vitally important that on the first day of school next year the 500 young Queenslanders who walk through the front gate of the new school know that they are a welcome part of a supportive educational neighbourhood.

MINISTERIAL STATEMENT

Arts Pathways Initiative

Hon. M. J. FOLEY (Yeerongpilly—ALP) (Minister for Employment, Training and Youth and Minister for the Arts) (9.47 a.m.): Ten thousand young Queenslanders aged 15 to 17 are out of school, out of work and out of training. This is a scandal and we mean to remedy it. Through our proposed reforms to the senior years of schooling, outlined in the white paper *Education and Training Reforms for the Future*, the Queensland government is committed to providing the very best learning opportunities for every young Queenslander. At the very foundation of this reform package are effective partnerships between government departments, along with close collaboration with industry and employers, communities, schools, parents and young people themselves.

Today I inform the House that a fresh initiative, the Arts Pathways Initiative, is being developed on these same foundations. This innovative pilot program will soon provide career guidance, skills development and mentoring within the arts sector to assist young people at risk of joining those disconnected from earning and learning. Some young people have special gifts in music or the arts but little interest in traditional studies. Consider, for example, Johnny-be-good in that old rock and roll song. He never ever learned to read or write so well but he could play a guitar just like ringing a bell. We need to give our Johnny-be-goods pathways to jobs in the music and arts industries. This program is the result of a special partnership between my two departments—Arts Queensland and the Department of Employment and Training. Linking the white paper with the government's Creative Queensland 2002 Cultural Policy, the Arts Pathways Initiative will provide at-risk young people with exciting, engaging learning and employment opportunities.

This year, Arts Queensland and the Department of Employment and Training plan to jointly contribute $215,000 to this initiative, which will fund community-based projects throughout south-east Queensland. Funding priority will be given to projects within four main catchment areas—Redcliffe-Caboolture, Logan-Gold Coast, the Ipswich western corridor, and Cooloola-Fraser Coast. The Arts Pathways Initiative is all about developing an environment in which young people can create, participate in and contribute to Queensland's identity and cultural life.

This initiative is to be delivered through the establishment of a creative industries resource centre administered by Youth Arts Queensland at the Judith Wright Centre for Contemporary Arts. Aspiring young Queensland artists will have the opportunity of being trained amongst and mentored by professional artists in some of the state's best arts companies. It is an innovative venture that will offer alternative pathways to employment for young people through the arts. The

Arts Pathways Initiative is about building skills and rebuilding lives. And that is what is at the very heart of the education and training reforms for the future, and our Smart State vision.

MINISTERIAL STATEMENT

Brisbane Cruise Ship Terminal

Hon. T. A. BARTON (Waterford—ALP) (Minister for State Development) (9.50 a.m.): I am pleased to report to the House on recent progress on the Brisbane cruise ship terminal development. Recently, on 24 February 2003, the Premier and I announced that cabinet had approved the terms of the contract with Multiplex Queensland, which will develop the terminal at Hamilton on the northern shore of the Brisbane River. Cabinet's approval of Multiplex's planned $140 million development brings in a new era in cruise shipping, which has huge growth potential for Queensland.

Ships using the Brisbane terminal will bring in up to 1,850 tourists at a time into Brisbane and south-east Queensland and Multiplex estimates that the project will create 784 jobs and $71 million in gross state product during the construction phase and an additional $53 million in gross state product and 468 full-time equivalent jobs when it is operating. This is good news because that potentially means cruise shipping in Queensland could grow from a $14 million a year industry to be worth $80 million a year.

The Brisbane cruise terminal project is the first in a series of infrastructure initiatives to promote cruise shipping in Queensland and help realise the huge growth potential. With attractions like the Great Barrier Reef, the Whitsundays and other islands, whale-watching, beaches, rainforests and the outback, Queensland is custom made for cruise ships. If cruise facilities can be provided at other ports there will be no better berth than Queensland for international cruise ships.

Construction is due to begin this year and as part of the agreement Multiplex will meet the cost of dredging directly associated with construction and maintenance of the terminal. Multiplex has indicated to the government that the terminal should be constructed on schedule for completion by the end of 2004 in readiness for the commencement of the 2005 cruising season. Multiplex's Portside Wharf will include a cruise terminal, including an upgraded wharf, which will accommodate cruise ships up to the size of the *Aurora*, a 76,000 tonne vessel carrying 1,850 passengers, Navy vessels and smaller vessels, a residential development of six buildings consisting of four towers of 10 levels and two low-rise towers of five levels, totalling 350 units, retail space to service cruise ship passengers, tourists and the residential development, public access to the river and extension of the existing boardwalk from the Brett's Wharf development.

MINISTERIAL STATEMENT

Police Resources

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (9.52 a.m.): Every day this week there have been statements and questions from members opposite in relation to comments attributed to me in a news publication on the Gold Coast. Many times in the past week I have spoken about my pride in the professionalism of the Queensland Police Service. I repeat that again today. I believe they are the most professional in the Commonwealth and equal to any in the world. For the past two years I have taken every opportunity in the media, at public gatherings and on every available occasion to defend, promote and encourage the men and women of the Queensland Police Service. There are many in this chamber who will have been present at such occasions and can testify to the accuracy of that statement.

As I have explained on many occasions this week, the comments in question were directed to an anonymous source referred to in that publication and in no way—in no way—were they directed at the men and women of the Police Service. When the publication hit the streets, I immediately drove to the Gold Coast and addressed all available police officers. In fact, following my address a number of them stood up and thanked me for coming to explain the position. If my comments did offend any of the decent hardworking police officers on the Gold Coast or indeed in any other part of the state, whose only aim is to do their job, then I am sorry. My comments were not intended for them and I hope they understand that.

I have tried, tried and tried again to build up the relationship with the leadership of the Queensland Police Union. From day one I suggested that we should have monthly meetings to

provide it with a forum to raise any industrial issues relevant to it and its members. I stated that I would be available at any time, day or place to discuss these issues. Despite this offer and despite repeated requests, the leadership of the Police Union has refused to cooperate. My invitation is still on the table today. Indeed, over the last two years the Police Union has met with me on two occasions, including the initial meeting, and at no time has it sought to meet with me.

There is an old saying that it takes two to tango. The Police Union now talks about police numbers on the Gold Coast. It has had two years to raise these issues with me but it has not. The recent EBA, which has been accepted by 88 per cent of police officers and has been publicly acknowledged by the leadership of the union as being an excellent outcome, obviously had a great deal of input from me both as the minister and as a member of the budget review committee.

I have carried out the government's commitment to increase police numbers, to increase police budgets to record levels, build more police beats than originally promised, more shopfronts, more police stations, to provide more information technology equipment, bring in new legislation to help them do their jobs better and provide new drug detection machines and drug detection dogs. This is not the work of somebody who does not care. I have travelled all around Queensland meeting police officers to give them an opportunity to discuss their concerns. This is not the action, again, of somebody who does not care.

My job is to ensure that we have a Police Service which benefits the public of Queensland. That is my No. 1 priority, and I ask the Police Union to stop its petty games and join me in that task. It has a role to play, and I urge it to join me in furthering the interests of its members and by virtue of this the Queensland community.

MINISTERIAL STATEMENT

Recycling

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Environment) (9.56 a.m.): Queenslanders are now recycling more than ever, according to the latest *State of Waste and Recycling* report for 2002. During 2002, Queenslanders recycled 150,449 tonnes of waste material through kerbside recycling bins and drop-off centres. Last year we recycled 6,140 tonnes of steel and aluminium cans, 48,855 tonnes of glass bottles and jars, 9,000 tonnes of plastic bottles and 86,413 tonnes of old newspapers and magazines.

Australia is the best country in the world at the recycling of newsprint. We are recycling more and we are recycling smarter. There is particularly good news for honourable members. The people's House is in order. My departmental officers recently conducted an audit of Parliament House practices. Mr Speaker, I am pleased to report that Parliament House has been given the green tick. I congratulate you, Mr Speaker, on your environmental achievements. Last year a total of 19,813 kilograms of paper, cardboard and other material were recycled, compared with five years earlier when 14,591 kilograms were recycled.

Queenslanders are doing well in recycling in their own homes, but that is only half the battle. Slowly but surely we are expanding our recycling strategies to public places. Last year I advised honourable members that Doomben racetrack was recycling betting slips, race guides, cans, bottles and other packaging and grass clippings. We are also looking at extending our recycling program to sporting stadiums. My department, the EPA, is involved in discussions with the Gabba administration to have a public place recycling program in operation by the first home match of the AFL season between the Lions and Essendon on 29 March. At that match between Brisbane and Essendon we will, we hope, recycle cans, bottles, packaging and, in a further exercise in environmental waste elimination, the Lions will eat the 'dons .

Mrs Edmond: Hear, hear!

Mr WELLS: I thank the honourable member. A similar program is planned for Suncorp stadium and we are continuing ongoing discussions with Queensland Rail for implementation of public place recycling at five railway stations across the city. Everyone can play their part in recycling. The figures in this report identify the best performing local government areas and offer an insight into the most efficient waste recycling systems and how they operate.

Brisbane, Redlands and Caloundra residents are to be congratulated on their enthusiastic participation in recycling last year. On average, each resident in these areas recycled more than 60 kilograms of material during the year. Also to be commended is Gatton shire for collecting the most paper and cardboard, Maroochy shire for glass, Cairns city for plastic bottles and Belyando

shire for steel cans. May I commend the mayors and councils of these shires on their achievements. These results clearly demonstrate the support for recycling and the desire to create a better environment remains strong throughout Queensland—strong and growing.

MINISTERIAL STATEMENT

Q-Build Apprenticeships and Traineeships

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (10 a.m.): I am pleased to advise that next week I will be attending the official induction for this year's intake of Q-Build apprentices. Q-Build, the minor works and maintenance arm of the Department of Public Works, is the largest direct employer of apprentices in the world. Currently, Q-Build employs around 400 apprentices throughout Queensland across 13 different trades.

This year, Q-Build will employ a further 100 apprentices and trainees bringing the total number of Q-Build training positions created by this government to 525. The 2003 intake will include 69 full-time building construction and engineering trade apprentices, 23 new school based apprenticeships—which I have reported to the House previously, and which I believe is the way forward—and eight new traineeships in the areas of construction work and horticulture.

The school based apprenticeships represent a significant expansion of the program and recognise the importance of further training for all young Queenslanders, not just those with university in their sights. By offering a mix of trade training and senior subjects, young people can find relevance in staying on at school. Student apprentices can earn while they learn and jump-start their career.

Once again, the competition for Q-Build apprenticeships was extremely tough with almost 2,000 applications received, which means that trades are indeed still a good option for young people and something that they want. I would like to take this opportunity to congratulate all the successful young Queenslanders who have secured a Q-Build apprenticeship. I think these apprentices have made a great career move as Q-Build has an outstanding reputation in the community as an employer and as a training organisation.

With 60 per cent of apprentices from regional areas in this year's intake, the state government is also making a significant investment in the future of our regions. The training provided through Q-Build benefits communities that are crying out for more tradespeople. Often Q-Build trains construction apprentices in remote communities where private contractors are not willing to work. In places like Barcaldine, Emerald, Longreach and Charleville, Q-Build workers and their families are a vital part of the local community.

At the end of their tenure most Q-Build apprentices work in the private sector. This government's top priority, the priority of the Treasurer and the Employment and Training Minister, who are listening attentively to what I have to say, is building the Smart State and creating jobs. I am pleased to report we are delivering on this commitment.

MINISTERIAL STATEMENT

National Consumer Day

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (10.03 a.m.): Tomorrow is a day of significance to every Queenslander. National Consumer Day 2003 will be celebrated around the nation. This year's theme is telecommunications, with specific emphasis on the service delivery of the mobile phone industry. Recent independent surveys and complaint statistics reveal the industry is not meeting consumer expectations and consumers should be wary when buying mobiles. The facts clearly show the industry needs to do better, with 20,434 mobile service complaints received by the telecommunications industry ombudsman in 2001-2002—nearly one-third of total telecommunications complaints.

One in four of the complaints were about contracts, including lack of clarity, failure to provide important advice and, most seriously, misleading advice provided at the point of sale. The Queensland Office of Fair Trading also received 186 mobile phone related complaints in 2002 and have received 29 already this year, with similar concerns raised by consumers. What these figures tell us is that mobile service providers are falling short of their responsibilities to fully inform consumers what they are signing up for. That is not good enough.

According to the Australian Communications Authority's latest consumer awareness survey, 68 per cent of residential respondents and more than three-quarters of small business respondents found it difficult to compare the prices and service features of different telephone companies. The same survey revealed the lowest level of satisfaction with the technical standards of mobile phones since 1998. Both households and businesses were less satisfied with the ease of finding information about mobile phones and are still disappointed at the level of competition in the mobile phone service market.

Fortunately, help is at hand. The ministerial council on consumer affairs has backed Queensland's proposal for national legislation to counter unfair consumer contracts. MCCA agreed that a uniform approach was needed to outlaw a range of standard contract provisions such as those included in many mobile phone agreements which are weighted massively in favour of the service providers. Consumers complain about unfair practices at the point of sale, unclear fee structures, unfair contract terms and unfair billing practices. For instance, many contracts allow the service provider to alter any condition of the contract without notice, even where those provisions were the main selling point. Written contracts should be in easy to understand language and consumers should not be bound by unfair terms.

Long-term service contracts such as mobile phones are a major growth area in consumer spending. Getting MCCA support was the first step towards initiating another necessary consumer protection. It is time the pendulum swung back in favour of the consumer. A working group is currently putting the finishing touches to policy options, which will be considered by MCCA at its August meeting.

MINISTERIAL STATEMENT

Local Government Electoral Boundaries

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (10.06 a.m.): With 12 months to go before the local government elections in Queensland, I have so far received submissions for electoral change from 26 councils. All councils that are divided for electoral purposes had to advise me before 1 March this year as to the status of their electoral quotas. I am now in the process of referring those councils that do not meet the requirements of the Local Government Act 1993 to the Electoral Commissioner of Queensland for independent review. Any divided local government that failed to advise me by 1 March 2003 must also be referred to the Electoral Commissioner. As well, any council, whether divided or not, may submit a voluntary proposal for change to their electoral arrangements.

All councils requesting me to refer a voluntary change to the Electoral Commissioner for review must supply their reasons for seeking the change. Upon receipt of the reference, the Electoral Commissioner must constitute a local government electoral and boundaries review commission to independently review the matter. Under the statutory review process, the commission must make inquiries as it considers appropriate and then publish its proposed determination for public submissions. The commission must then consider all submissions made before finally determining the matter. The final determination of the commission must then be implemented by regulation as soon as practicable.

I am aware of some instances where a local government is considering changes to their electoral arrangements that have raised the concerns of their communities. For example, I have received a copy of a petition from 800 electors of Bowen shire opposed to a proposal to abolish electoral divisions within the shire area. I have also received many letters from electors of Banana shire expressing concern at a proposal to abolish electoral divisions in that shire. I am advised that the Esk Shire Council received a copy of a petition containing 528 signatures seeking the reintroduction of electoral divisions. That petition was tabled in this Parliament on 26 February this year.

I have since been advised that the Esk council noted the petition representing 5.5 per cent of its electors but resolved to make no changes to its electoral arrangements for the 2004 local government elections. The approach I have decided to take in referring matters where I have received submissions from the electors of a local government is that I will forward all such material to the Electoral Commissioner for consideration by the review commission constituted to determine that review. The commission is the independent review body and it is entirely appropriate that the commission should decide what relevance and weight it places on such material.

MINISTERIAL STATEMENT

Biotechnology

Hon. P. T. LUCAS (Lytton—ALP) (Minister for Innovation and Information Economy) (10.09 a.m.): I want to highlight some great news involving two Queensland biotechnology companies, news that reveals how well our industry is doing and why we are the Smart State. Queensland based Peplin Biotech has announced that another state based firm, Progen Industries, will manufacture its anticancer drug for use in human clinical trials. This anticancer compound is a topical prescription drug—that means it is put on the skin—to be used on non-melanoma skin cancers. This is great news.

This compound will be just the third locally developed new drug in Australia's history to be licensed overseas. The best news is that the drug will be manufactured here in Queensland. It will not be shipped off overseas to be done. It will be made here, which means that the jobs and the other benefits of competing in this $US1 billion industry are retained here in the Smart State. This is about jobs for the people who develop the drug. It is about jobs for the people who manufacture the drug. It is about jobs for the technical people, the people who package the drug and the people who sell the drug. Ultimately, it will mean a better quality of life for people throughout the world when it passes through the approval process.

This shows the level of collaboration that exists in our biotech industry. By forging alliances with local companies, deals like this are driving forward home-grown research and development, manufacturing and commercialisation. Full-scale clinical trials will follow later this year, and we can only hope that these too are conducted locally, for obvious reasons. Our biotechnology industry is going from strength to strength. The Queensland government is a big supporter of this industry and evidence of this can be seen in comments made yesterday by Peplin Biotech's CEO and Managing Director, Garry Redlich, who said—

Peplin Biotech recognises and highly values the assistance of the Queensland Government in this important project through programs such as the Innovation Start Up Scheme, the US BioPartnering Show, International Trade Show Assistance and the cooperation of the Queensland Government international offices, especially in the US.

I thank the Minister for State Development for the role that his department is strongly playing here.

This week we have had further good news for Queensland. A vaccine against the virus that causes cervical cancer has proven successful in an Australian trial. This vaccine has been developed with Queensland Health and Ian Frazer's team at the Centre for Immunology and Cancer Research at the University of Queensland. Cervical cancer kills 250,000 women world wide every year.

These announcements prove that the Queensland government is putting the right framework in place to promote and foster the growth of biotechnology in our state. We are seeking to build our key research competencies in niche areas such as tropical science and medicine, food science and nanotechnology. That is why we are investing in infrastructure like the Australian Tropical Forest Institute in Cairns and the Centre of Excellence in Bioengineering and Nanotechnology at the University of Queensland. We are also diversifying our traditional sectors such as agriculture, mining and construction. An example of this is the work on fibre composites at USQ, where 'Mr Toowoomba', Mr Shine, is the local member. This is a material that is lighter and stronger than concrete or steel and has amazing potential in the building industry.

PERSONAL EXPLANATION

Member for Ipswich

Mr BRISKEY (Cleveland—ALP) (10.13 a.m.): I wish to advise the House that I believed incorrectly that I was the youngest member of the House. I have since found out that today is the 29th birthday of the member for Ipswich, Rachel Nolan. Happy birthday, Rachel.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

Report on Overseas Visit

Mr COPELAND (Cunningham—NPA) (10.13 a.m.): I lay upon the table of the House a report on my participation in the Commonwealth Parliamentary Association workshop titled 'Claiming the Future: A Commonwealth Workshop on Political Participation, Voter Education and Young People' held at the National Assembly of Wales in Cardiff from 7 to 10 February 2003.

PRIVATE MEMBERS' STATEMENTS

Department of Families

Hon. K. R. LINGARD (Beaudesert—NPA) (10.13 a.m.): Figures released in December by the Australian Institute of Health and Welfare revealed that 30 per cent of the Queensland Department of Families investigations from 2001-02 remained not finalised at the end of August. This was twice the rate of investigations not finalised of any other state in Australia. The number of reports of suspected harm to children jumped 20 per cent over the last financial year. The number of children who were the subject of these notifications jumped 25 per cent and children who were the subject of more than one notification increased 20 per cent. Almost a third of all frontline Department of Families workers are employed in temporary or relief positions. Of the 456 full-time equivalent family service officers employed by the department, 130 were temporary or relief employees. On a monthly average, a staggering 14 per cent of staff left the Department of Families last year.

These are the facts for a department which talks about extra money and extra workers—extra workers who are inexperienced and do not have the ability to participate in the frontline of the problem of family services. This government has allowed the Department of Families to undergo a basic philosophical change over the last few years. When Brian Burdekin made his report on homeless children and criticised the government on the number of children under the care of the state, this government adopted the policy of trying to ensure that the government had a limited direct role in caring for children. What it did was provide ambulances at the bottom of the cliff but forgot to put the fence at the top of the cliff. Almost immediately this government moved to an organisation which provided the ambulance but not the fence. What did it do? It brought in the process of deinstitutionalisation. It closed down organisations which provided preventative care. It closed down long-term assistance from these organisations. It adopted a policy of deinstitutionalisation—

Time expired.

Fadden Electorate

Mr LAWLOR (Southport—ALP) (10.16 a.m.): There has been a change in the opposition leadership and there may even be a new coalition, although that marriage has not yet been consummated and I am not sure who is the more reluctant—the bride or the groom. I am not too sure if they know which is which! But one thing never changes, and that is the single-minded determination of the ruling Liberal Party faction to undermine its state parliamentary leader, the member for Robina.

Recently, the Liberal and National Parties carved up the seats to be contested in the next state election. Just two years after the voters of the Gold Coast ejected the sitting National Party members for Albert, Broadwater, Southport and Burleigh and after the National Party scored a miserable eight per cent of the vote in the Surfers Paradise by-election, the ruling faction in the Liberal Party is allowing the discredited National Party to run in Broadwater, Burleigh and Southport on its own. It has also given the Nationals a free run in Springwood and Redlands. As a result, every state seat located within the federal seat of Fadden, one of the Liberal's safest seats, will have only a National Party candidate.

Liberal Party voters, not to mention Liberal Party members, will be denied a vote for a Liberal candidate and they are in open revolt as a result. Who could blame them? When the Liberals and the Nationals last went head to head in Fadden it was at the last Senate election. The Liberal team scored 47 per cent of the vote and the Nationals, with their high-profile candidate Senator Ron Boswell heading the ticket, scored—wait for it—4.5 per cent of the vote, yet every Fadden seat in the state election will be contested by the Nationals.

Apart from undermining the member for Robina, there is an even more cogent reason for this situation. It just so happens that the ruling Santoro-Caltabiano faction does not have the numbers in Fadden. That is why Liberal voters are being denied a Liberal candidate and why the National Party, so overwhelming rejected just two years ago, is being allowed to contest every Fadden seat. With friends like that, Bob, you needn't worry about enemies on this side of the House.

Time expired.

Alcohol Related Deaths

Mrs PRATT (Nanango—Ind) (10.18 a.m.): I received a copy of a letter sent to managers of licensed premises from Carlton United Breweries promoting a new high-alcohol mix of beer and vodka and it brought home to me the irresponsibility of such companies prepared to make money and play Russian roulette with the lives of our youth.

Alcohol is the greatest cause of drug related deaths for Australian youth under 24 years of age as it is responsible for 71 per cent of drug-induced deaths in the 15- to 34-year age group. The greatest proportion of these alcohol related deaths result from car accidents. It is recognised by medical insurance and motoring groups that people under 25 are the main age group involved in serious accidents. CUB is targeting a product that has 'strong appeal amongst 18- to 24-year-old drinkers'. The highest driver alcohol related fatalities are in the 17- to 24-year age group with an increase from 17 per cent of all fatal accidents in 2000 up to 33 per cent in 2001. It can only be described as reprehensible that this company is targeting this particular age group with an alcoholic drink of six per cent.

With the emphasis on reducing the road toll through extensive campaigns to refrain from drink driving, aimed especially at the young, this product is the tip of the iceberg in promoting stronger, mind-impairing alcohol on our young and it must be condemned. Some 32 per cent of road deaths involved pedestrians under 17 years of age and alcohol was a contributing factor in 50 per cent of these fatalities. It has also been reported that 64 per cent of males and 42 per cent of females over 14 years of age reported that they drink alcohol one or two days per week and by the age of 16 some 50 per cent of school students claim to drink regularly. These are kids who attend schoolies week and who partake in binge drinking, the aim of which is to get off your face as quickly as possible. It was cited that binge drinking was the major factor in most instances of unruly and dangerous behaviour at schoolies week.

I do not know a lot about alcohol, but I have been told by several very heavy drinkers that mixing such a concoction is popular with alcoholics. So why, then, are we allowing mixes of beer and spirit to be sold and promoted to our young people? I believe that this House must take up the challenge and stop blatant exploitation of youth.

Time expired.

Liberal Party

Mr MICKEL (Logan—ALP) (10.20 a.m.): My hardworking fax machine has transmitted a copy of the much-lauded Liberal Party's performance agreement, introduced by the member for Robina and the Liberal Party President, Mr Caltabiano. The performance agreement will be familiar to members who have taken their family dog to an obedience school. The rules are the same; it is just that the penalty for failure is more severe.

The document states that the State Council may rescind the candidate's endorsement and select a new candidate if the performance review indicates a failure to deliver the agreed campaign, particularly due to a lack of effort in implementing the campaign program, or if candidates act contrary to the Liberal Party policy, platform or constitution or bring the party into disrepute, or if the party's professional independent research shows that the candidates would have an adverse impact on the party's standing. Members can understand why I am finding it difficult to resist the temptation to set up my own party polling company to help out the Liberal Party's state executive so that we can help it find good candidates.

I know that some members of this House will read this performance document and see it as an anti-Santoro document. This is particularly so in view of the clause that states that candidates must not comment in the media on party matters unless directed by the party's state director. If those rules applied when the former member for Clayfield was here, the Liberal Party would have removed him first, denying the good people of Clayfield their privilege of doing so. This would have taken the fun out of politics, especially for those members who have watched and enjoyed his performance on the 2001 channel 9 election night coverage video, which I have made available for Labor Party fundraisers.

Time expired.

Ambulance Levy

Mr HORAN (Toowoomba South—NPA) (10.22 a.m.): The new ambulance levy is a very unfair tax on small business. Small business will be hit two, three, four, five or more times by this tax. A well-paid professional living in their home would pay the ambulance tax once. A hardworking small business operator would pay at their home and at their business. They would pay for every electricity account associated with the business. So if someone has a small panel beating shop and a storage shop down the road, they will actually pay three times—at their home, at their panel beating shop and at their storage shed down the road. This tax is so unfair.

It is small business that provides the jobs and the opportunities in this state. The Minister for State Development, who has responsibility for small business, is uninterested in this matter. In reply to a question on notice I asked he said that he could not give an answer about how much it was going to cost small business and what the impost would be on small business. Obviously he made no representation to the cabinet meeting to discuss this and did not stand up and fight for small business.

After 1 July small businesses will finally see the dramatic effect of this tax on their businesses when the power bills start to come in and this new tax takes effect. Small businesses are even being threatened with having their power cut off by the Treasurer, who yesterday in this parliament indicated in an interjection that they would have their power cut off if they could not immediately meet their commitments.

I say to the 185,000 small business operators in Queensland: tell your customers—60 people a day, 10 people a day—that this tax is unfair. It is being delivered by a government that is broke; a government that promised something it could not deliver and did not fund. This government will hit small businesses many times over to pay for its financial mismanagement.

Time expired.

Helensvale State High School

Mr POOLE (Gaven—ALP) (10.24 a.m.): Helensvale State High School is in the centre of one of Australia's highest growth areas. This places great pressure on infrastructure, and government at all levels always seems to be in catch-up mode. At Helensvale High School this challenge is not being seen as an impediment but as an opportunity.

In the foreword to the government's white paper *Queensland the Smart State: Education and training reforms for the future* the Premier and ministers for Education and Employment, Training and Youth state—

> Education and training are at the heart of the Smart State vision and that means providing the very best learning opportunities possible for every young Queenslander regardless of their economic and social circumstances.

These are sentiments that are reflected in reality at Helensvale State High School. It goes on to say—

> A well-educated and skilled population has become a defining characteristic of a modern society with high living standards. To compete in today's world, young Queenslanders need exciting and flexible pathways from school to work, training or further education.

I hope this will illustrate the school's outstanding efforts to provide exciting and flexible pathways to work, training and further education. It is not rhetoric in Helensvale; it is reality. Helensvale High School has about 70 apprenticeships and traineeships as well as a restaurant not only operated by students but built by students. The school also offers VET certificate programs in hospitality, building and construction, retail, dance practices, horticulture and IT.

Students at this school reflect their acceptance of the challenges that are put before them with an 83 per cent satisfaction rating for school curriculum programs. There is a retention rate of 97 per cent from year 10 to year 11, one of the highest in the state. The school values its industry links so greatly that it has employed a full-time industry liaison officer.

The Helensvale story is one of effort, enthusiasm and outcomes. This is becoming evident as people talk about and reflect on the school's motto: 'Endeavour, discover, succeed'. This is happening in the wider community. People are actually talking about Helensvale High and its achievements. The Helensvale community and I are justifiably proud of the efforts of the school's faculty, industry associates—

Time expired.

Health Services, Sunshine Coast

Mrs SHELDON (Caloundra—Lib) (10.26 a.m.): I again bring to the attention of the House the lack of medical services on the Sunshine Coast. During the last sitting week of parliament the minister, Wendy Edmond, said that I was misleading the House by saying that I had misrepresented people to her and that a lot of these people had received services. I draw the attention of the minister to one of the people she mentioned, although she did not mention his name. For over two years Mr Elmer has needed closure of a colostomy bag. He was put off and put off. It was then said that his heart was not good enough so he would have to have a heart operation and then could have the colostomy bag closed. Mr Elmer has had the heart operation and is still waiting for an appointment to get his colostomy bag closed.

Mr Elmer went to the hospital and put his whole history in front of them. His doctor had also put his history in front of them. Guess what? They cannot give him an appointment for at least another six months. Anyone who knows surgical procedures knows that this is a small operation. It is a small operation to close where a colostomy bag has been attached.

Mrs Edmond: It is not. It is a complex procedure.

Mrs SHELDON: So the minister knows more than his specialist and his GP. But I guess she would. It is about time justice was done for Mr Elmer and it is about time the minister saw that it was.

Mrs EDMOND: Mr Speaker, I rise to a point of order. The surgeon involved has concerns about this surgery taking place. That is what he informed my office last year. The surgeon believes it is a far more complex operation than the member for Caloundra believes it is.

Mrs SHELDON: His surgeon had said he may need the heart operation, which he has had. He has now had it, so will the minister see that Mr Elmer has his colostomy bag closed? I would like extra time, Mr Speaker.

Mr SPEAKER: No, you cannot have extra time.

Mrs EDMOND: Mr Speaker, the member is misleading the House.

Mrs SHELDON: I am not at all misleading the House. The minister is, as usual.

Mr SPEAKER: Order!

Mr Horan interjected.

Mrs EDMOND: It should be a clinical debate because it is the clinical condition of patients that determines priority.

Mr SPEAKER: Order! That is not a point of order. This is not a debate.

Ms M. Gaudron

Mrs LAVARCH (Kurwongbah—ALP) (10.29 a.m.): Last month I was privileged to have attended a small dinner hosted by the Law Council of Australia in honour of former High Court Justice Mary Gaudron. At that dinner her Honour was presented with honorary membership of the Law Council. She is only the fourth person to have been given such an award in the council's 70-year history.

In accepting the award, Mary Gaudron was delighted to say that she had finally reached a position in life where she could declare that she was a woman with a past. And what a past it is! She was the first woman QC in New South Wales, the first woman to serve on the New South Wales Bar Council, the first woman to be a state solicitor-general and of course the first and only woman to have served on the High Court of Australia.

Mary Gaudron is a remarkable person, and her achievements bring home to all of us how it has only been in recent history that there has been recognition of the contributions of women in Australia and an ongoing opportunity for Australian women. Not only in the law but in all aspects of public life, women have only just begun to gain acceptance of their rightful entitlement to be judged and to advance according to their capacity. Mary Gaudron is an inspiration to many women. Let us ensure that her lead is not simply an aberration and that we continue to see women fill senior positions in our courts, cabinets, corporations and communities. It is essential that the next High Court appointment be one of the outstanding women who currently serve on superior courts in Australia or one of the many women in the senior ranks of the legal profession

QUESTIONS WITHOUT NOTICE

Police Minister

Mr SPRINGBORG (10.30 a.m.): My question is directed to the Minister for Police. I refer to his statements in the media and state parliament this morning that he has an open door and inclusive policy for the Queensland Police Service. Every Police Minister in living memory has had in their ministerial office a police liaison officer to facilitate communication between the minister's office and the Queensland Police Service—most recently at the rank of inspector. I ask: why has the minister done away with that position in his office? Why does the Queensland Police Service now have to come and knock on his door every time they want to communicate with his office? How does this accord with his statement this morning?

Mr MACKENROTH: Mr Speaker, I rise to a point of order. In 1990-91 I was the Police Minister. I had a police liaison officer for a short time and did not find the need for one.

Opposition members interjected.

Mr SPEAKER: Order!

Mr McGRADY: I thank the Leader of the Opposition for the question. Inspector Brent Carter, who happens to be in the gallery today, is my police ministerial liaison officer. I have 100 per cent faith in him. He is an excellent police officer, and I am very proud to have him in that role.

Police Budget

Mr SPRINGBORG: Media and liaison; big difference. My second question is directed to the Minister for Police. I refer to the Premier's commitment to the last Council of Australian Governments meeting in Canberra in December to furnish Queensland's antiterrorist personnel with chemical, biological and radiological suits, or CAR suits. Is it true that the Queensland Police Service has been forced to shoulder the half-million-dollar unfunded cost of the Premier's commitment from its own budget? Is it true that the Queensland Police Service has been advised not to even bother applying for funding with this initiative through the Cabinet Budget Review Committee? What action has the minister taken to ensure that this unfunded commitment does not impact on everyday policing activity?

Mr McGRADY: I thank the Leader of the Opposition once again for the question. It is quite amazing because this morning I was in a position to be able to brief my parliamentary committee on some of the plans that this government has for some of the points of view which have just been expressed by the Leader of the Opposition.

At the current time, we are going through budget manoeuvres. Many discussions are taking place but, as I said in this place yesterday, and I will say it again, there will be nothing done by this government that will have a detrimental effect on the Queensland Police Service.

Coming back to some of the more recent decisions which we have made and which have been publicised well and truly in the media, what we have done is set up two groups: one in the Premier's Department and one in the police department. Those groups are working extremely hard and very close together. I believe that we are leading the way in this sort of work right around the Commonwealth.

Cairns Convention Centre

Ms BOYLE: My question is directed to the Premier. Most people are aware of how well the Brisbane Convention and Exhibition Centre is doing in attracting international events to Queensland, but many people might not realise that there is a major success story in Cairns. Will the Premier inform the House about the latest news on the Cairns Convention Centre?

Mr BEATTIE: I am only too delighted to do that. When the member talks about major success stories in Cairns, I assume we are talking in addition to her. She is a wonderful success story. She is very energetic and is a fantastic member for Cairns.

Cairns is now matching the best in the global convention industry, with three major international congress events involving more than 6,500 delegates just confirmed by the Cairns Convention Centre. Well done. It is a great story. They are doing very well. The events are the 5th World Congress of Paediatric Cardiology and Cardiac Surgery in June 2009, the World Congress of the World Federation of Sleep Research Societies in September 2007 and the International Peptide Symposium in October 2007.

In 2002 the Cairns Convention Centre was ranked fourth in the world's best congress centre survey undertaken by the Association of International Congress Centres. So it is doing very well. It has a very impressive track record. Other recent international events that the centre has hosted include: the Amway Korea Leadership Seminar, 3,700 delegates; the Skal 63rd World Congress, 850 delegates; the 21st International Carbohydrate Symposium, 800 delegates; the International Herpes Virus Workshop, 650 delegates; the World Congress on Protected Aquatic Areas, 475 delegates, the International Ecotourism Conference, 400 delegates; the IEEE International Power Specialists Conference, 400 delegates; and the World Meteorological Conference, 350 delegates.

That is a very broad spread of conferences. There could not be a more diverse gathering of individuals. That shows the diversity and the flexibility of the facility. Visitors, as we all know, create jobs for Queensland. This is about tourism, which means Queensland jobs, and that is why we are interested. One job is created or maintained for every 65 international visitors. So these conferences are creating jobs for Queensland.

The centre's managing director, Jeff Donaghy, says that the recent wins represent another significant milestone in the city's development and reflects the increase in international marketing efforts by the centre over the last two years. He says that the centre is now attracting events for which only three or four of the larger Australian capital cities would previously have been considered. This is the first time that any of these three major events will have been held in Australia.

Mr Donaghy says that Cairns has won these congresses by establishing the city in a role where it is internationally attractive. Now it is a legitimate choice for such global events. If we add to this the fact that Australian Airlines is now operating out of Cairns, we realise that Cairns is going through one of the most exciting periods in its history. It is not just the Convention Centre that is working well. As the Transport Minister and the Minister for Tourism as well as the members for Barron River and Mulgrave are aware, this is a very exciting time in the history of Cairns. I want to congratulate Jeff and the Cairns Convention Centre on what it is doing. It is world class.

Ambulance Levy

Mr SEENEY: My question without notice is once again directed to the Minister for Energy. Hopefully, old mother hen will let him answer it today. I refer again to the ambulance levy that will be collected by Ergon and Energex from Queensland power consumers, with some people being required to pay three, four, five or six times depending on their number of electricity connections. Yesterday, the Treasurer, in an effort to protect the minister, told the House that the first part of people's electricity bill will be 'the ambulance part'. Has the minister agreed that Ergon and Energex will have to wear the cost out of the $5.5 million they will receive for collecting the levy if electricity consumers refuse to pay the levy more than once, or is he going to disconnect people's electricity supplies to force them to pay this unfair levy three, four, five and six times?

Mr LUCAS: It must be wonderful to have the supreme arrogance of the member who can interpret how he believes questions are answered in this place. The simple fact is that matters relating to the administration of the ambulance levy scheme are being dealt with by the Treasurer and the minister sitting next to me. That is not my ministerial responsibility. But I can say this: most small businesses have no objection to paying 24c a day so that not only do we have a comprehensive, free ambulance scheme but so they have peace of mind when people who come into their shop and might be injured or suffer misfortune have the confidence of a fully funded, well-run ambulance scheme to help them.

Opposition members interjected.

Mr SPEAKER: Order!

Mr SEENEY: I rise on a point of order. I find the minister's deliberate misrepresentation of my question offensive. My question related to the multiple payments—

Mr SPEAKER: Order! That is not a point of order.

Queensland Sport

Mr WILSON: Premier, there is great hope that 2003 will again be another great year for Queensland sport. The personal commitment of yourself and indeed the whole government to supporting our codes is unquestioned. Will the Premier continue to support the different codes?

Mr BEATTIE: The answer is yes. Today at lunchtime I will again have the privilege of addressing a lunch of the Brisbane Footy Unites, which is where all the codes get together and raise money for charity. These lunches bring together the Lions, the Broncos and the Reds in a magnificent way to show the special footy unity that exists north of the Tweed. This can only happen in Queensland. My toast for today's lunch will be simple: that this year the Lions make it three in a row, which would be fantastic; may the Broncos christen the new Suncorp Stadium with their sixth premiership, which would be fantastic; and may the Reds bounce back in the Super 12s as quickly as possible. I am looking forward to that. Really, it is a chance for these three codes to get together. This is truly a great time of year for our sports followers. This weekend the NRL season begins with Parramatta against the Roosters—Parramatta really needs a new coach—and our two Queensland teams in action. The mighty Broncos take on the Panthers at Penrith Stadium and the equally mighty North Queensland Cowboys—and I am really looking for a great year from the Cowboys—take on the Raiders at Dairy Farmers Stadium.

Mr Mackenroth interjected.

Mr BEATTIE: Yes, the Queensland Cup starts. As we all know, I hope to be present, along with the Minister for Sport, at the North Queensland Cowboys game in Townsville on 9 April. This year the Broncos have an added advantage, though. Like our first State of Origin Maroons and the Wallabies later in the year, they should be unbeatable at our Suncorp Stadium when it opens. At the same time, we have Andrew Slack's Reds striving hard to be competitive in the Super 12. They face an uphill battle but like last year should begin to turn around the early season losses. The Brisbane Lions are on the road for a trifecta, tough as that may be. Leigh Matthews' Lions begin their official season against Essendon at the Gabba on 28 March. I wish them well.

It would be remiss of me today if I did not mention the Queensland Bulls cricketers. From tomorrow the Queensland Bulls take the field at the Gabba in the Pura Cup final—again. Do members know that the Pura Cup has never left Queensland? Hopefully, it never will. They take the field as the defending premiers and as minor premiers, if you like. However, they are not the hot favourites. The New South Wales XI might be filled with international stars, but something they do not possess is the maroon spirit. It is sad that Queensland stalwart Stuart Law will not be in the side as he has been ruled out due to injury, but I am sure that Martin Love and his team, though clearly the underdogs, will lift at the Gabba, especially with a supportive home town crowd.

Since 1983-84 when a final structure was adopted to the interstate series, be it the Sheffield Shield or the Pura Cup, Queensland has played in 12 finals. Of those 12 we have won five. But since the Queensland team adopted the Bulls name in 1994 we have played in six finals and won five. It will again be tough, but we will field a side proudly wearing the maroon cap. We will need every bit of a maroon spirit to retain the cup. I urge all Queenslanders to support the team.

Mr SPEAKER: I welcome to the public gallery students and teachers from Collingwood Park State School in the electorate of Bundamba. Welcome.

Tarong Energy

Mrs PRATT: As the shareholding minister of Tarong Energy, on 25 February I asked the Minister for Innovation and Information Technology if he could enlighten the House as to why Tarong Energy had lost six top-level staff in a short time, namely, two CEOs and four general managers. To date, no answer has been received as to why these senior staff members resigned. Is the minister aware of the 15 issues raised with the chairman and the board of Tarong Energy, and has the minister been given a copy of the internal audit report associated with some of these issues from the Tarong Energy Audit Committee meeting of 6 February which Eric Muir of the Queensland Audit Office attended? Will the minister table a copy of that report for the benefit of the House?

Mr LUCAS: I am a little bit disappointed: I indicated to the member yesterday that I would be happy to provide her with a confidential briefing and we discussed that we do it today in relation to these matters.

Mrs Pratt interjected.

Mr LUCAS: No, that is fine. If that is how the member wants to conduct her business in relation to those things, that is entirely a matter for her. The member should ask other members about how they want to conduct themselves with that sort of attitude, but they may not share the same view. Having said that, I am not aware of an internal audit report in relation to Tarong Energy. I will make some inquiries in relation to that. However, it is not normal to table internal

audit reports, because they are internal audits. The Queensland Audit Office, of course, conducts independent audits in relation to all of our government-owned corporations and reports annually in relation to them. That is the process. But I remind the member, too, that these are government owned corporations. They are run by boards appointed by the government. They conduct the business of the boards. The government appoints the boards.

Sharks; Swimming Rules, Gold Coast

Mrs CROFT: I refer the Minister for Primary Industries and Rural Communities to the recent tragic deaths of two Gold Coast residents following shark attacks in canals. Will the minister detail what measures the government has taken to promote the rules for safe swimming following these tragedies?

Mr PALASZCZUK: I thank the members for Burleigh and Broadwater for joining with me and the Gold Coast City Council and the Boating and Fisheries Patrol officers last month to discuss this issue after the latest shark attack. I can inform the House that the meeting did agree to boost the education campaign on the Gold Coast, especially in relation to the nine very important rules of swimming on the Gold Coast. For the information of members, these are the nine rules: one, always swim at patrolled beaches and between the flags; two, leave the water immediately if a shark is sighted; three, never swim alone; four, never swim at dawn, dusk or at night—

Opposition members interjected

Mr PALASZCZUK: I have lost my count. Let me continue: six, do not swim in murky waters; seven, do not swim near schools of fish; eight, do not swim in canals near a river mouth; and, nine, do not swim near or interfere with shark control equipment.

Opposition members interjected

Mr SPEAKER: Order!

Mr PALASZCZUK: The two gentleman who lost their lives in the recent shark attacks were local residents. All I am trying to do is inform the House of what the government intends to do. I do not take lightly the interjections of members opposite. In order to promote these rules, the government through the Queensland Fisheries Service has produced radio and television community service announcements. The television community service announcements are due to air from Monday next week. I can also confirm to the House that the department has reached agreement with Surf Life Saving Queensland to provide education campaigns in primary schools. Being a former teacher—a long time ago—I intend to participate in some of those campaigns on the Gold Coast. I encourage all Gold Coast members to do the same thing.

Information will be provided on the shark control program and also on general awareness to complement Surf Life Saving Queensland's existing educational programs in schools. Let me just say that the Gold Coast is a good place in which to swim; it is a great place to swim. But we have to urge local residents to abide by the rules for safe swimming. These are the golden rules, and those were the nine golden rules that I did attempt to inform the House that the government is trying to promote.

Police Service, Attrition Rate

Mr JOHNSON: I refer the Minister for Police and Corrective Services to the current high vacancy rate being carried within the Queensland Police Service, and I ask: can he confirm that now up to 180 serving officers from Queensland have applied to join the Australian Federal Police, including 76 from the State Crime Operations Command, the peak crime fighting body of the Queensland Police Service? Is not this exodus of experienced officers yet another reflection of the serious dissatisfaction with his administration?

Mr McGRADY: In response to the second part of the question I will say, no, it is not. The Queensland Police Service has one of the lowest attrition rates. It is about three per cent. I am sure any person who runs a private enterprise organisation would die for those sorts of figures. That is the first point. The second point is that at present the Federal Police are undertaking a massive recruitment campaign. Anyone in the Police Service in any of the various jurisdictions who sees the federal authorities undertaking a massive recruitment campaign will obviously see whether they might be able to advance their career. To some extent, that is what the Police Service is about. Many people from New Zealand and other states have come to Queensland to work. At every graduation ceremony we have new recruits who have come to Queensland from other jurisdictions, particularly from New Zealand. This is part and parcel of professional life. Members of this parliament go to the Senate.

Mr Johnson: We don't need to lose these high profile officers. Aren't you concerned about that?

Mr SPEAKER: Order! The member for Gregory has asked the question. We will hear the answer.

Mr McGRADY: As I said before, the Queensland Police Service has the lowest attrition rate in the Commonwealth. I will repeat again that people in the private sector or other government instrumentalities would die for those low figures. The third point I want to make is that the Federal Police are undertaking a major recruiting campaign. As part of market forces, officers from Queensland will see whether or not a career change will be in their interests. Does the member want me to issue a memo saying that members of the Queensland Police Service cannot see whether they can improve their career prospects?

Mr Johnson: Don't we need to keep those people in Queensland? That is what I would have thought.

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

Mr McGRADY: This question is becoming sillier and sillier. What does the member expect a minister or a government to do? Every day this week I have detailed to the member and his colleagues the improvements we are making to the Queensland Police Service. But let me say this: if police officers want to check whether or not there are greater personal opportunities for them in some other jurisdiction, is the member proposing that we say they are not allowed to inquire? Don't be such a silly fool.

Mr JOHNSON: I rise to a point of order. I find the minister's comments offensive and I ask him to withdraw.

Mr SPEAKER: Order! The minister will withdraw.

Mr McGRADY: I withdraw.

Mr JOHNSON: You think it is funny. I don't think it is funny.

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

Mr Johnson: Stand up for the coppers for a change.

Mr SPEAKER: Order! This is my final warning to the member for Gregory. He will stop interjecting. I call the member for Stafford.

Job Creation

Mr TERRY SULLIVAN: Can the Premier please update the House on the latest information on the progress of the key Smart State objective of job creation?

Mr BEATTIE: Honourable members will know that we promised jobs, jobs, jobs. We are delivering. Today the ABS released its employment statistics for February. In trend terms, which is what we always refer to, employment in Queensland was up by 6,700 jobs in February. The comparable national figure is 33,500. In annual terms, employment in Queensland was up by 70,000 jobs. The comparable national figure was 298,000. This means that Queensland generated 23.5 per cent of the jobs nationally over the past year. That is not bad. Employment in Queensland has increased by more than 200,000 jobs since we came to office in June 1998.

The Queensland unemployment rate was 6.9 per cent in February and 6.9 per cent in January. For three months in a row we have been under seven per cent. Our participation rate in February was 65.5 per cent—over one percentage point above the national participation rate. We are the engine room of jobs in Australia.

Mr Foley: Hear, hear!

Mr BEATTIE: I take that interjection from the Minister for Employment. The unemployment rate is now the lowest since February 1990. This stands in stark contrast to the peak unemployment rate of 9.5 per cent delivered by the previous coalition government in February 1997. Let us be really clear: it is 6.9 per cent under my government. It was 9.5 per cent under the last coalition government. Heavens knows what it would be under a coalition government.

Importantly, these improvements have been delivered against the backdrop of drought—we all know what effect the drought has had—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. This is an impressive record of job creation against a difficult background.

Let us look at the employment growth rate. This is one of the key figures. The trend employment growth rate in Queensland increased by 0.4 per cent over the month, and over the year it has been four per cent. How do we compare federally? For Australia the figure has been 3.2 per cent. We get a large number of people coming here every year. Some 30,000 people come from interstate and we get a total of 50,000 when international figures are added. A large percentage of those people have no formal qualifications and skills. Queensland is training those people moving here. People are coming here, which is why our participation rate is higher. But as the Minister for Employment and Training knows, we have to skill them also. They are welcome. We have delivered jobs, jobs, jobs and, dare I say it, more jobs.

Atherton Hospital

Ms LEE LONG: I ask the Minister for Health: once she has permanently moved the maternity ward into the surgical ward of the main Atherton Hospital building, what are her future plans for the original maternity section?

Mrs EDMOND: Late last year concerns were raised about lead paint throughout the Atherton Hospital maternity unit, and work was undertaken to find a solution to this. In January of this year I directed, as a result of that investigation, an immediate $1 million upgrade of the Atherton Hospital.

I understand that not only is there lead paint in this old building; there are also a number of other problems with it. It was found that it would not be worth spending many hundreds of thousands of dollars to get rid of the lead paint only to have an old building that does not meet our current standards. I have to say that the feedback I am getting, other than from the member who sits opposite and whinges, has been incredibly positive. The doctors using the facility have said they are delighted with the outcome. A letter dated 13 December stated—

> The RDAQ extends sincere thanks to you and the department for the promise to commit these valuable funds towards the maintenance and upgrade of the Atherton Hospital Maternity Unit. We are pleased that a sound outcome was achieved and that community concerns and rural practitioners will be consulted during the process.

The Ravenshoe and District Chamber of Commerce has also written to thank the Beattie government for the allocation of these funds to the Atherton Hospital. We appreciate the community's support for the hospital and its patience while the work is being done to provide improved facilities.

The member has suggested that we should just give the hospital a lick of paint and leave it there for the future. I do not think that is good enough for the people of Atherton. We believe that they deserve a proper facility and that is what we are going to do. We are going to provide a long-term fix. But in the meantime, we are spending $30,000 or so to put on a lick of paint to protect the surfaces while the other work is being done. It is very much a short-term measure. I apologise to the people of Atherton for having to do that, but in the longer term they will be far better off.

I have also received a letter from a Mount Garnet resident saying, 'I am asking you to please let us keep our hospital at Atherton open. There are elderly people here as well as young families. It is disappointing that elderly people are being frightened by misleading statements and by the hysteria that is being whipped up by the member for Tablelands.' It is time that the local member realised that her constant attacks and claims about downgrading are very frightening to those elderly people in the community who are vulnerable and who rely on our excellent services. Last night, we all heard the member's claims about hundreds of people waiting in pain. There is one patient waiting on the elective surgery list—one patient. Yet the member stands in this place and goes out to the media, scaring people away from that public health facility by making these outrageous claims.

Tourism Marketing

Mr POOLE: I direct a question to the Minister for Tourism and Racing and Minister for Fair Trading. Queensland has long been the envy of the other states and territories in the area of tourism marketing. I ask: can the minister advise the House of the latest Tourism Queensland initiative to help operators sell their product nationally and internationally?

Ms ROSE: I thank the member for the question. As a Gold Coast based colleague, he is very understanding of the importance of tourism. Thanks to a new series of research reports, Queensland Tourism operators now have more tools to use in domestic and international marketing. Tourism Queensland has just updated the comprehensive research series on every

tourism region in Queensland and a range of international tourism markets that will greatly assist operators in their marketing efforts.

One of the greatest tools that tourism operators can use in marketing is knowledge of a particular market's characteristics and to understand their own region's tourism profile. Once operators have that understanding, they are well equipped to tailor marketing accordingly and to hit their target markets more effectively.

This series of fact sheets looks at each tourism region in Queensland and details information such as the number and origin of visitors to the region, the purpose of the travel, the accommodation, the transport and the sort of activities that are undertaken. They also give an overall breakdown of domestic versus international visitor statistics and the demand and supply of accommodation in each region. The fact sheets are really a state of the regions snapshot which allow operators to gain a good knowledge of how their region is tracking as a tourism destination.

The fact sheets for the international markets include America, China, Germany, Hong Kong, Indonesia, Japan, Korea, Malaysia, New Zealand, Canada, Singapore, Taiwan and the United Kingdom. The information provided in these fact sheets provides a great basis from which operators can work to target international markets. They contain information on the purpose of travel, activities, transport, trip characteristics, where the visitors go in Australia and visitor numbers. They also include information specific to Queensland, including the top five regions visited by the particular source market, the demographics, and what activities tourists undertake while they are on holidays.

This sort of information is invaluable when setting marketing strategies for different international markets. An understanding of the market's needs, wants and characteristics can mean the difference between a successful campaign or one that fails to hit the mark. I encourage all tourism operators to get hold of these fact sheets and to arm themselves with knowledge in order to become more effective.

Bay Haven Nursing Home

Miss SIMPSON: I direct a question to the Minister for Health. I understand that her government is planning to close Hervey Bay's Bay Haven Nursing Home. As Hervey Bay has a large elderly population, I ask: how can the minister justify closing its state-run nursing home?

Mrs EDMOND: The member is right on one aspect and that is that Hervey Bay has a growing ageing population. For that reason the district health council, which is appointed to advise on local issues to the Minister for Health, has asked permission to explore the possibility of expanding the range of services in Hervey Bay for the aged. One of the options that that service is looking at is having increased rehabilitation services. One of the points the service has made is that, although there are a lot of nursing homes in Hervey Bay, there is a very limited amount of rehabilitation services and that that is probably a more appropriate role for state government. I have given the district health council at Hervey Bay approval to explore those opportunities.

Tobacco Laws

Mr ENGLISH: I direct a question to the Minister for Health. I note that last week in this House the minister was asked a question about tobacco control. I ask the minister: have businesses been receiving on-the-spot fines for non-compliance with the tobacco legislation? If so, how many fines have been given out for non-compliance?

Mrs EDMOND: I am delighted to have this question because, in a perfect world, we would have given out no fines for breaches of the legislation as all retailers would be complying. However, it is sad to say that this is not the case. Over the past two months, environmental health officers have issued 101 on-the-spot fines for offences against the Tobacco and Other Smoking Products Act 1998. These fines total over $10,000.

Since January, blitzes have been conducted on the Sunshine Coast and the Gold Coast. So far, 46 liquor licence premises and 83 tobacco retailers, including convenience stores, service stations, newsagents, supermarkets, takeaway stores and tobacconists, have been audited. Environmental health officers across the state have the ability to give on-the-spot fines for 16 offences under the Tobacco and Other Smoking Products Act 1998. The largest proportion of notices have been issued for failing to display the approved quit smoking sign followed by a failure to show an authorised officer written evidence of employee training and having illegal retail tobacco product displays.

Employee training is an important component of the tobacco legislation. We know that there are many junior staff working in the retail sector. Employers have an obligation to train these juniors and other staff to not sell tobacco products to children. In this regard, I have been conducting meetings with the Retailers Association of Queensland, the MTAQ service station and convenience store association division, the Queensland Newsagents Federation and the Queensland Retail Traders and Shopkeepers Association to work together to address the serious issue of smoking in young people.

This latest strategy involves working with retailers to develop ways that we can work proactively to stop the practice of a minority of operators of selling cigarettes to minors. A review of the legislation will commence this year, with all elements, including enforcement models, up for review. In the meantime, I encourage concerned members of the public and parents to notify their closest public health unit if they believe that a retailer is selling tobacco products to minors or has breached the tobacco legislation in any way.

Koala Coast

Mr WELLINGTON: I direct a question to the Premier, because the matter covers a number of ministers' responsibilities. Not so long ago the Queensland government believed that the only way to provide long-term protection of the koala habitat in the Koala Coast area was to create a specific state planning policy titled Conservation of Koalas in the Koala Coast. I understand that the Department of Natural Resources and Mines is currently preparing a new state planning policy on the protection of extractive resources, which will have the potential, I understand, to threaten the survival of many koalas. I ask the Premier: how does he reconcile this proposed challenge with the existing protection of the koala habitat?

Mr BEATTIE: I thank the honourable member for Nicklin for his question. I had given up thinking that I would ever be asked a question! But I knew that the member would be on the ball. Recently, the EPA completed a report, which the Department of Natural Resources and Mines is currently examining. We intend to take into account the issues involving the Koala Coast. We intend to work this through as part of a long-term strategy. I am quite happy, bearing in mind the member's interest in this matter, for the member to be individually briefed as soon as the government has made a decision.

A little while ago—I think it was last week—I was on ABC Radio and was asked a similar question. I indicated then that we are working through our strategy and we are quite happy for people to participate in its formulation. Can I suggest that it may be appropriate for the member to have a discussion with Stephen Robertson, the Minister for Natural Resources—perhaps after question time if the minister is prepared to do that. But I will soon be announcing a koala conservation plan when it is prepared. The government will be doing that as soon as it is prepared, but we are happy for the member to have direct input into it.

Can I just digress a little and say that one of the things that Queensland has not done as well as it should, but we are now moving to do it, is protect koalas. There have been strategies in place, but we think we can do better. Like many members in this chamber, I get upset from time to time when I see koalas struck by vehicles. Koalas regularly lose their lives tragically, and over the last 30 or 40 years we could have done a lot more in protecting our koalas. We are seeking to address that issue now and I am keen to ensure that that is done as best we possibly can. As I said, I will soon be announcing a koala conservation plan after it is prepared and we are happy for the member to have input. The minister has agreed to meet him and I ask the member to talk to the minister after question time.

Public Housing

Mr LAWLOR: I refer the Minister for Public Works and Minister for Housing to the fact that there is a dramatic shortage of affordable housing across the state and particularly on the Gold Coast, and I ask: what efforts has the state government made to address the availability of affordable housing?

Mr SCHWARTEN: I thank the honourable member for the question. I also thank the member for Nicklin for that wonderful therapeutic honey that he provided me with which has enabled me to regain my voice to some extent.

Mr Beattie: That's all right. None of us are happy.

Mr SCHWARTEN: No, you are not. I understand that. I felt a bit like a three-legged racehorse there for a while. But I am on the mend and the bad news—

A government member interjected.

Mr SCHWARTEN: Dr Wellington, I presume. When you are finished here, honourable member, I am sure you will be able to set up a side stall and cure all sorts of ailments. Your property will be known as the equivalent of Lourdes as a result.

Mr Palaszczuk: Answer the question!

Mr SCHWARTEN: Yes. If the minister shuts up and lets me, I will.

Mr Foley: Stop making the Wellington point.

Mr SCHWARTEN: You are only half way there to being a full wit.

The reality is that this is a very serious question and I thank the member for his ongoing interest in housing, because his ongoing interest has yielded the part of the coast that he represents some $20 million worth of housing infrastructure through the Department of Housing. When I became minister the contribution by the state government for the budget was $330 million. It is now $475 million, which indicates our commitment in that regard. I will give the House some indication of where we have spent that money.

In Townsville, for example, we have spent $20 million; the Gold Coast itself, $45 million; Bundaberg, $15 million; Mackay, $23 million; Mount Isa, $18 million; and Gladstone, $20 million. I know that the honourable member for Gladstone does not think that that is enough. The reality is that we have recently spent $2.2 million on top of that to move 20 houses from Amberley to try to overcome the shortage that has been created by the inability of those companies that have based themselves there to provide for their workers.

The other day QCOSS had a chop at us as a government for not spending enough on housing and claimed that we had underspent by some $44 million. That is not true. In fact, it was taking a very narrow view. We have spent some $65 million on community renewal and honourable members who are involved in that program, like the honourable member who is paying such great attention to what I am saying now, would be aware that that has enormous benefits for public housing tenants and has actually created places that were not previously attractive to public housing tenants. QCOSS has been somewhat unfair in that regard. It also does not take into account our wonderful Home Assist/Home Secure Program, which every member would be aware of, which aims to keep older people in their homes so that they do not become part of our waiting lists, which are of course ballooning out. As all honourable members know, as I warned four years ago—

Mr Horan interjected.

Mr SCHWARTEN: The member opposite does not even know that nursing homes are a Commonwealth government responsibility and that public housing is a state responsibility—dimwit.

Mr SPEAKER: Order! I ask the minister to withdraw that.

Mr SCHWARTEN: I withdraw.

Vandalism in Schools

Mr COPELAND: I refer the Minister for Education to the recent spate of vandalism of seven Queensland schools in the Burnett region. The acting principal of one of those schools has stated that the school will have to pay for repairs out of school funds. The minister's education policy says that Education Queensland will, through its resource replacement scheme, compensate all educational facilities, including outside school hours care, for specified resources lost through break and enter, fire, vandalism and specified natural disasters. I ask: why isn't that policy being adhered to in this case?

Ms BLIGH: I thank the honourable member for the question. I would draw to his attention that there are almost 1,300 schools in Queensland and I do not think that he or anybody else in the House would reasonably expect me to be familiar with absolutely everything that is happening to them every day, but I am very happy to look at that particular case and get back to him with the details. Our schools do have an element of school based management and that does mean that they get the flexibility to use their own school budgets for the priorities that the school sets. So without knowing the details of the case that the honourable member raises, I am very happy

to talk to him. He can give me the name of the school, we will look into it and I will get back to him.

I am very pleased to see the member raising the issue of vandalism in schools. I am sure that he, like I and other members of the government—and indeed the whole House—holds the view that our schools are very important community assets and should be respected as such. Our government expects that communities will look after their schools. Acts of vandalism in our schools are a disgrace. I get very distressed about it, and I know that it is a very distressing occurrence in a school for both the teachers and the students. It is a terrible thing for them to turn up on Monday morning and find that someone has been there on the weekend and in any way defaced their school. In my view, it has absolutely no place in our schools.

I am pleased to say that we have a School Watch Program that is operating very well in a number of communities. It has seen a decline in some areas in both school vandalism and arson. In fact, we had no major incidents over the school holidays this year for the first time in a number of years, which I am very pleased to report to the House. There is no room for complacency. Our schools take their security very seriously. I expect that they will continue to do that. I can advise the member that I will look into the particular case and get back to him with the details.

Domestic Violence Laws

Mr MICKEL: I ask the Minister for Families: would the minister inform the House of help provided by the Queensland government to support the new domestic violence laws?

Ms SPENCE: I thank the member for the question. Members would recall that this House passed new domestic violence laws on International Women's Day last year. This brought Queensland's domestic violence laws into line with laws in other states of Australia. The laws came into effect on Monday this week and mean that the elderly, people with disabilities, and people in dating and betrothal situations now have the protection of domestic and family violence laws in this state. I was interested to note in the paper on the weekend that the Opposition Leader welcomed the new laws. I am pleased that he has had a rethink on this issue, because members will remember that when we passed this legislation last year the only members of the parliament not to support the new laws were, in fact, the members of the National Party. The disabled, the elderly and young people in dating relationships have the Labor Party, the Liberals, the Independents and One Nation members to thank for these new laws.

I was interested, though, in whether the Leader of the Opposition had anything to say in the debate, and indeed he did. He did join in the debate. In his contribution he expressed his concern that Queensland women frivolously applied for domestic violence protection orders. He was particularly worried about men who have had protection orders taken out against them being denied access to guns. He revealed only a limited understanding of the devastation that domestic violence afflicts in this state, so I am very pleased that he has had a change of heart. But he did criticise us in the weekend paper for not financing these new laws suitably.

Here are some facts. Since the Beattie government was elected, we have doubled the amount of funding we now put into domestic violence. We have allocated $3 million in additional funding to non-government agencies for new court support and counselling services to back up these new laws. The government, through the Police Service and the Department of Families, has been training police officers and the domestic violence sector for the last 12 months in preparation for these laws, which came into effect on Monday. This is the government that three years ago set up the Elder Abuse Prevention Unit. We have recently increased its annual funding and have provided increased protection to all Queenslanders with disabilities who suffer abuse.

I think this government has much to be proud of in our commitment to fighting domestic violence. All those members of parliament who supported this legislation should also be proud.

Mr SPEAKER: Order! Before calling the member for Robina, I welcome to the public gallery a second group of students and teachers from Collingwood Park State School in the electorate of Bundamba.

Police Resources

Mr QUINN: My question is directed to the Minister for Police and Corrective Services. Most calls from the public for police are answered by front-line officers from police stations, yet on the Gold Coast each station is being required to provide more of these essential officers to relieve in district functions such as district liquor licensing, district tactical crime squad, district intelligence,

district prosecutions and district supervisors in the Southport and Coolangatta watch-houses. How does the minister expect police officers rostered for patrol and response from each station to adequately respond to and investigate complaints when their numbers are being drawn away to act in relieving positions at district level?

Mr McGRADY: I thank the Leader of the Liberal Party for the question. As I announced in the parliament yesterday, some weeks ago we set up an internal review into staffing on the Gold Coast. I announced yesterday that the police beat on Surfers Paradise would be increased by 16 officers and there would be 30 additional officers on the Gold Coast. The reason for that is there is acknowledgment by this review of the need for additional officers on the coast. I thought the Leader of the Liberal Party would have welcomed the announcement we made yesterday.

One of the problems I highlighted is the need, in my opinion, for more civilians to be employed in the Police Service who can do some of the work which currently is being done by trained officers. We have to understand that the taxpayers of Queensland, through the Queensland Police Service, spend many millions of dollars on training police officers to do police work. We have found over a long period of time—this is common in all countries—that more and more work which could be done by civilians is in fact being done by trained police officers.

I have asked the commissioner to identify to me the numbers of positions which could in fact be filled by civilians. He is in the process of getting that information to me. Off the top of the head, the ballpark figure is between 300 and 600 positions. Once those positions are filled by civilians, those police officers who have been trained at great public expense will be released to do police work—to actually be out there doing what they have been trained to do. This is part of a program which I want to see come into existence as soon as possible. What the member says is true. We gave the Gold Coast these extra police just yesterday. They will be in place by 30 September. I certainly hope this will go some way to addressing the problem.

We also now have requests coming in from all over the state. This is one of the risks we run when we identify a problem such as we did on the Gold Coast. The Gold coast is unique. It has major international events. There are major activities in the nightclubs. Many, many things happen on the Gold Coast which do not happen in other parts of the state. We have recognised that. We have given the Gold Coast extra police officers. We certainly hope that this will go some way to resolving the problem, but I cannot deny the fact that we do need more and more police officers. I hope that the civilianisation, which I am working on now, will go a great way to resolving some of the problems we have not just in the member's area but also around the state.

Bushfires

Mr HAYWARD: My question is directed to the Minister for Emergency Services. Recent rain across much of the state has downgraded this season's bushfire threat, but I ask: could the minister please tell the House what is being done to prepare for the next bushfire season?

Mr REYNOLDS: I thank the member for Kallangur for the question. Indeed, his electorate is a very important one in terms of the urban-rural interface I will discuss today. The current bushfire threat in Queensland has been downgraded thanks to some excellent rainfall in widespread areas of the state in recent weeks. Already, Queensland firefighters have begun planning for the next season.

Only last week 70 of the state's leading rural and urban fire managers, communication officers and union representatives met on the Sunshine Coast to plan for the 2003-04 fire season. Specific focus was placed on threats to property in the urban-rural interface, or 'I zone' as it has been dubbed by fire managers. A key theme of that meeting was to address strengths and weaknesses and how operational response can be improved both in the short term and in the next five to 10 years. The workshop heard about changing trends and issues that will influence Queensland Fire and Rescue Service operations in the coming years.

With the Canberra firestorm fresh in everyone's minds, this planning is taking on new importance. The Canberra tragedy and the speed and ferocity of the blaze have made all fire services across the country sit up and take notice. Previous fire spread predictions and intensity levels are being reviewed, particularly for properties that are in the urban-rural interface.

All fire services must learn from the Canberra fire tragedy. This includes better coordinated policies and procedures, improved incident management, standardised wildfire training and better communications and personal protective equipment. Of particular importance is the safety and wellbeing of the general public and the firefighters undertaking duties in this urban-rural interface.

Queensland has not been immune to bushfire threat. Only last year firefighters had to simultaneously handle four major bushfires in the Toowoomba-Darling Downs area. Debriefings from those fires focused on six main topics: communications, command and control, joint operation with other agencies, coordination, equipment, and firefighting operations.

Mr Shine: A fantastic job.

Mr REYNOLDS: It was a fantastic job. The Fire Commissioner has established a multiagency reference group to oversee the implementation of a range of initiatives aimed at improving operational response. By the start of the next fire season the QFRS aims to have a range of new initiatives in place. Already, work in a number of these key areas has commenced.

I say to all members that, given Queensland's excellent support to southern states that asked for our assistance during recent fire emergencies, they need to be aware that our operations are already at a high standard. To ensure we maintain that high standard we will be looking at the experience in other states.

Electoral System

Mr HOBBS: I refer the Premier to the report by the Electoral Commission on the conduct of preselection ballots by the Queensland ALP. The report found that the ALP failed to meet the legislative requirements of the Electoral Act by failing to advise the commissioner seven days prior to the ballots being undertaken and failing to provide copies of the model procedures to the cabinets and failing to obtain written receipt. How does the Premier expect Queenslanders to believe that ALP rorting is not still alive and well when clearly the party has failed the first very simple test of Labor's so-called antirorting legislation?

Mr BEATTIE: As the member knows, we brought in very tough reforms to clean up electoral corruption in this state. We will continue to retain our vigorous commitment to those reforms. There was a technical matter involving the Labor Party which the Electoral Commission determined was a technical matter.

My view about these things is very simple. I expect the Labor Party to comply, as I expect the National Party, the Liberal Party and everyone else to comply. My view is: if the Labor Party breaches any of these requirements it should be prosecuted. If the Electoral Commission believes that any of these matters require prosecutions then it should prosecute the Labor Party. On this determination the commission is independent. It determined not to do so. Had it decided to prosecute the Labor Party, it would have done so with my 100 per cent support.

I will not compromise on any breach of the new rules and regulations we have brought in. I put everyone on notice. I put the Labor Party on notice, I put the National Party on notice and I put the Liberal Party on notice. Comply with the rules or you will be prosecuted. I expect the Labor Party to lift its game.

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

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 12 March (see p. 550).

Mrs CHRISTINE SCOTT (Charters Towers—ALP) (11.30 a.m.): Today I wish to speak to the remediation provisions of this Natural Resources and Other Legislation Amendment Bill 2003—provisions which will ensure even if land is cleared illegally future generations of Queenslanders will not be the ones to suffer. This duty of care is not just about the permanent features of the land, the watercourses and the soil; it is about features of the land that might seem more transient to some land-holders as well—the trees and other native vegetation and all the biodiversity they support and encompass.

I emphasise the majority of land-holders take their responsibilities to the land as seriously as they approach its potential rewards. They take their obligation to maintain this community resource seriously and with an eye to the future. They comply with vegetation management laws and believe the rest of the community should, too. Unfortunately, it seems this consideration, the prosperity and wellbeing of our grandchildren and their grandchildren is not enough to deter a small minority of land-holders.

These are the people who set out quite deliberately to break the law. These are people who do not consider the impact of their actions on their neighbours, those living downstream of illegal clearing activities, those who are affected by encroaching regional salinity and land degradation. These are people with such scant regard for the wellbeing of the land that they continue to act against their children's and grandchildren's best interests, and these are the people—the only people—who will be affected by the amplified deterrents to illegal clearing.

Under the provisions of this bill, anyone who is disregarding Queensland's vegetation management laws will risk a compliance being attached to the title of the land for the first time. This means if a land-holder decides to undertake illegal clearing, that action may have a detrimental effect on the resale value of the property. It could make it difficult to sell if that compliance requirement has not been fulfilled. Even if an illegal clearer has no intention of selling the property, the act of illegal clearing may well result in a financial burden on the land-holder or their family. Any land-holders who consider clearing, thinking they will escape a harsh penalty and will come out on top financially, are simply fooling themselves. They will be caught.

Queensland's satellite technology is amongst the best in the world when it comes to detecting illegal clearing. They may be served with remediation notices which carry an implied cost of their own. These notices mean the cleared area must be returned to its state prior to clearing or as close to that state as humanly possible.

This bill allows for those same remediation notices to appear on the land title, therefore binding both the land-holder and any future purchaser of the land to the obligation to remediate the land. I would encourage honourable members to put themselves in the shoes of these land-holders for a moment. Having committed an illegal act of clearing, they believe they will not only get away with it but also profit from this illegal act.

Remediation will act as a deterrent by not only taking away any possibility of profit but also attaching a cost to illegal clearing. Remediation can be a very expensive, time-consuming process. It can take years. It is not just a matter of planting a couple of trees. It involves restoring the cleared area or a significant part of it to the state it was in before the illegal clearing. It is costly, it is complicated and can involve waiting years for natural regeneration of parts of the cleared land.

That remediation requirement will stay on the title until the remediation is complete, and that is not to mention any other penalties the land-holder might incur. Until now, if a land-holder had been issued with a remediation notice for illegal clearing they could not be prosecuted for the original offence. This bill changes that. It allows remediation orders to be served, protecting the best interests of the land, without ruling out the possibility of a prosecution as well. This means, as well as being forced to remediate the land that was vandalised through illegal and inappropriate clearing, land-holders may also face prosecution in court for the offence. If found guilty, they may face substantial fines.

There is still another aspect of the bill which emphasises the long-term cost that will need to be met by illegal clearers. On top of remediation requirements, any future proposed clearing of the areas will be classified as assessable development, meaning it will automatically require a permit for future clearing. This was a loophole in the old legislation which is firmly closed by this bill.

This bill will make sure people think twice about illegal clearing by replacing the short-term economic benefits with short-term and long-term financial costs. The Beattie government's approach to discouraging illegal clearing in Queensland will ensure we continue to maintain a balance between economic development and environmental security for the benefit of the whole community. I commend the bill to the House.

Mr HOPPER (Darling Downs—NPA) (11.36 a.m.): I rise to speak briefly to the Natural Resources and Other Legislation Amendment Bill 2003. This bill speaks of illegal land clearing and, yes, I agree that illegal land clearing still goes on. We all agree that no-one condones this and no doubt it has to stop. However, we must be extremely careful who we convict and how we convict these people. Let us take, for instance, the maps that we have of the endangered areas. These maps I know can be very hard to follow. The width of a line on a map could be equal to 100 or so metres on the ground, and on small properties this can be very, very hard to follow, especially in hilly country. I firmly believe we must have minor and major offences and laws made to deal with each accordingly.

Take, for instance, a minor offence which I believe would be someone who cuts a set of yards or fence posts. I know of one occasion where this occurred and a prosecution took place. I

know this person did not realise he was cutting in a government lane and it was unfenced at the time. We must show leniency towards these people who make honest mistakes.

Another minor offence could be a permit error or a mapping error. Even our GPS can be out by 100 metres. When offences like this occur, why not make the person involved replenish the area that is disturbed instead of being hit with a major fine to go into the government coffers. We all know there is a very small minority—and I mean minority—who choose to offend and, yes, these people must be prosecuted. However, we must get this right.

Some people who have tried to get it right have been attacked viciously by the minister's department, and the minister knows who I am referring to. I note in this bill he speaks of a criminal history check. These people are not criminals. They wonder why there is a backlash in relations. The minister is putting them in the same category as murderers and drug dealers. These are decent, law-abiding citizens who are being targeted by his government.

What about the farmers and graziers who purchase the property with a 40-year plan—

Mr ROBERTSON: I rise to a point of order. I find the comments by the honourable member that we are putting farmers and graziers in the same category as murderers and rapists grossly offensive, and I ask him to withdraw.

Mr HOPPER: I withdraw. What about the farmers and graziers who purchased their property with a 40-year plan hoping to progress by establishing a bit more country each year? Development in our rural areas must go ahead. If the development is stopped by government legislation, compensation must be put in place—and it has to be put in place. This is the livelihood of many farming families, good people who have massive input into the wealth of this state. A lot of country that has been placed in our protected areas has very fast regrowth. We must protect our areas at all times. I know that 99 per cent of our rural people are very aware of land care and the environment in which they live. This bill only helps to place a further barrier between them and the minister's department and our land users. The fact is that this government is simply demonising primary producers. How can we expect the government and the minister to take primary producers with them and work closely with them when they put all people in the category of criminals?

Mr ROBERTSON: I rise on a point of order. I find the remarks by the member that I am placing land-holders in the same category as criminals grossly offensive and incorrect. I ask him to withdraw.

Mr HOPPER: I withdraw. I have seen properties where we simply cannot even find the sticks that were placed to indicate where the water runs. These farmers are extreme environmentalists. They care about their property. They know what is going on. We are simply being too harsh in terms of implementing such laws.

Mr PITT (Mulgrave—ALP) (11.42 a.m.): I wish to focus on the changes this bill makes to compliance investigations and to the safety of officers involved, and the overall effect this will have in deterring future clearing. This bill makes it very clear how seriously this government takes the issue of illegal vegetation clearing. It strengthens the provisions of the existing legislation and adds further deterrents to those who choose to break the law. I want to mention that we are not talking about very many people. The majority of land-holders are real environmentalists; they know how important it is to look after their land. It is the few who think they can break the law who will be affected by this bill, because the impact of illegal clearing is enormous and adversely affects those law-abiding land-holders as well as those who clear illegally.

For example, if land that is cleared is part of the catchment of a major river system, it can increase the risk of salinity, erosion, and loss or water quality through increased run-off into the catchment. Without deep-rooted native vegetation to provide soil cover, the habitats of a vast range of understorey species, minute soil organisms, wallabies, lizards, insects and birds can all be put at risk.

The job of a compliance officer, a person who investigates reports of illegal clearing, is not an easy one. It is the nature of our state that when an investigator visits a property to look into a report of illegal clearing, that property is often remote and isolated. We already know that the land-holders who are clearing illegally do not have a lot of respect for the law. We already know that they believe that their activities have some legitimacy because it is happening on their property, and they can do as they please. What we do not know is just how far these land-holders will go in their disregard for the law.

I would encourage honourable members to put themselves in the investigator's place—visiting a land-holder who has cleared perhaps 1,000 hectares without checking to see if a permit is needed to clear that land. The land-holder has probably decided that there is a short-term economic benefit in clearing that land—through, say, sowing to grass and grazing cattle on that area—and for that reason the law does not matter. Even if the clearing is detected, the fine may not be high enough to outweigh the short-term financial gain.

This is the sort of situation, the sort of mindset, that an officer may have to face when investigating illegal clearing activities. That officer is working alone, unarmed, in a remote area. Under the current laws, there is no way the authorised officer can determine if his or her safety will be at risk in carrying out that investigation. Officers are literally taking their safety into their own hands when they go to investigate these offences. They have no way to determine the actual risk involved in any situation. The prospect of a dangerous confrontation is very real, particularly because those land-holders who have already broken the law become defensive and aggressive when confronted with the prospect of legal action. There is no prospect of outside assistance once that officer arrives on the land-holder's property.

Under this bill, those officers will have the opportunity to find out if their safety is likely to be compromised before they enter a property. They will be able to obtain information from the police in relation to any prior acts involving weapons or firearms on the land-holder's part. It is important to stress that the authorised officers will not be informed of the actual history but, rather, advised that, yes, that person has had a criminal conviction for some form of personal assault. This means the officer will be able to make a reasonable, informed risk assessment and, if there appears to be a real risk, request a police escort.

There is no question that this government has a responsibility to safeguard the wellbeing of its employees as far as humanly possible. And it is not pleasant to realise that there are those out there who would threaten the safety of people who are trying to do their jobs. But the fact of the matter is this: there are those who are deliberately breaking Queensland's vegetation management laws and making grave threats against the officers who are enforcing those laws. We cannot allow fear or intimidation to subvert justice. We cannot allow the threat of violence to overrule the need to investigate illegal activities.

Some of the people who have been carrying out this illegal clearing have broken the vegetation management laws more than once. This government is going to stop these cowboys, these environmental vandals. They will not be allowed to ignore their obligations to the community.

Mr MULHERIN (Mackay—ALP) (11.46 a.m.): I rise to support the bill. In particular, I will contain my comments to the second part of the bill pertaining to the use of Commonwealth procedures for dealing with native title for new mining and exploration activity. I wish to speak about some of the advantages this initiative will deliver to my constituents in the Mackay region and also to all Queenslanders. The essential criteria for judging the success of these amendments will be the rate of granting exploration permits, particularly for coal exploration in the Bowen Basin coalfields and in the Surat Basin. We all realise that there must be a regular turnover of exploration tenures to achieve mineral discoveries. Honourable members will have seen a lot of negative media on this issue and heard a lot of criticism of the process, especially from members opposite. We would think that no exploration permits had been granted in years. That is not the case. It has been slowed by a number of external factors. But there have been successes, like the completion of a number of indigenous land use agreements and a small number of right to negotiate outcomes.

The minister has said in the past that he is determined to make these successes the norm, that he is determined to achieve a consistent, concerted rate of grants. And that is what this bill is all about. This bill will be instrumental to future exploration, because it provides the mechanism for respecting and protecting native title, and at the same time unlocking our state's rich mineral resources. In one example, this piece of legislation provides the mechanism for obtaining access to land subject to native title claims at an affordable and economically sustainable level. Exploration companies, and the industries that support them, provide jobs and opportunities to our regional communities—opportunities that cannot be allowed to be stifled.

The minister has introduced these amendments so that Queensland can adopt the Commonwealth's right to negotiate process, including using the expedited procedure when it is requested by industry. The expedited procedure will remove some of the rigid and complex good faith negotiation process under the standard right to negotiate processes. We accept this

approach, just as our colleagues in the Northern Territory and Western Australia have done, to avoid the need for extensive negotiations.

This bill provides that either the minister, in the case of exploration permits and mineral development leases, or the mining registrar, in cases of prospecting permits, may impose what the bill calls native title protection conditions. When the state commences a right to negotiate process for a particular exploration tenement, it can include a statement that the mining tenement attracts the expedited procedure.

The Commonwealth Native Title Act sets out the requirements that any exploration activity needs to meet to attract the expedited procedure. There are three requirements: firstly, the exploration tenement must not be likely to interfere directly with either the community or social activities of native title holders; secondly, the exploration grant must not be likely to interfere with areas or sites of particular traditional significance; and, thirdly, exploration tenements must be unlikely to involve major disturbance to the land concerned.

By imposing these native title protection conditions on exploration tenements, the state will be able to manage and balance the interests of native title and mining exploration. I share the minister's belief that if these conditions are set at an appropriate level— a level that addresses the concerns of native title holders—and includes practical guidance and realistic, sustainable obligations for explorers, then the number of objections lodged, and the number of those objections that are successful, will be minimised.

The native title protection conditions of this bill are a positive step forward for everyone—a vital step in creating a smooth administrative process to manage native title rights alongside the grant of exploration permits in Queensland. I am sure all members join me in looking forward to the revitalisation of the exploration sector in Queensland as a result of this initiative. I commend the bill to the House.

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (11.50 a.m.): It is open to me at this point in time, if I chose to, to close the debate, given that there is only one member of the opposition left to speak in this House on such an important bill. I choose not to do so, but I do place on record that the next speaker will be a member from the government yet again and this demonstrates an absolute lack of interest by the opposition in relation to this most fundamental piece of legislation, which they decry.

Ms NOLAN (Ipswich—ALP) (11.51 a.m.): Ipswich is very much an old mining town.

Mr Cummins: And a lovely mining town.

Ms NOLAN: It is an old and lovely mining town. While the economics of underground mining of black coal means that we no longer have a viable mining industry, Ipswich retains a social and economic connection to mining. The new Acland mine at Oakey, which the Premier opened last week, is owned by an Ipswich company based at North Ipswich. We very much have a continuing interest in mining exploration and mining.

Mr Robertson: And in employing people from Ipswich as well.

Ms NOLAN: I take that interjection.

In speaking to the bill today I wish to address the native title amendments. The amendments allow Queensland to revert to the Commonwealth right to negotiate process for native title and mining exploration tenures. It will further encourage and support exploration and mining not just around my electorate but throughout Queensland. Most importantly, this bill creates new opportunities for the mining sector to thrive in exploration in greenfield areas of Queensland where minerals are undercover and require a number of geological methods to be tested. A necessary part of this is being able to repeatedly turn over exploration permits. There has to be a repeated turnover of exploration land to enable these important discoveries to be made. That is, we have to be exploring in a lot of areas to get mines in just a few. By allowing for the right to negotiate procedure this bill will increase the speed with which tenures can be granted.

Members on this side of the House know that the minister is determined to overcome the delays in negotiation processes that have been occurring. I know there has been an enormous amount of work to move this process forward. The complexity of the process coupled with legal challenges has very much hindered the industry's progress. Nevertheless, I know there have been some great wins brought about by the determination and commitment of all the parties involved. This sits at complete odds with a lot of the negative rhetoric that has come from the opposition benches, although today perhaps there has been an improvement: we are not getting negative

rhetoric; we are getting complete disinterest. Perhaps we have made a step forward, at least in terms of the opposition's opinion.

Mr Lawlor: They used to be apathetic; now they couldn't care less.

Ms NOLAN: The member for Southport is quite right. Exploration in Queensland has not stopped, although the opposition, when it was interested, might have told us that it had. Exploration in Queensland has not stopped, thanks to the dedication of people in the industry, native title parties and the minister and his department. This work that is being done should stand as an example to others as to how this right to negotiate can go ahead. We all know that the Commonwealth right to negotiate process is complex—many would say too complex—for exploration. That is why it went unused in this state and Queensland moved to develop alternative state provisions to allow for high- and low-impact exploration activities, hoping that access agreements could provide a strong mechanism for low-impact exploration at least. Success in using these provisions proved elusive, despite the eventual limited support of the Senate, and it means that realistic outcomes have not always followed through.

Another hurdle was the legal challenge the Central Queensland Land Council mounted against the alternative state provisions in 2000. It succeeded in the first instance through the Federal Court, but this government was successful in appealing that to the full Federal Court, which found that the alternative state provisions had always been good and that all grants under them were valid. The all-consuming delays were exacerbated by the Commonwealth Attorney-General's refusal to remake the determinations to overcome the problem perceived by Justice Wilcox. The Premier immediately requested new determinations on the day of the Wilcox decision—a request that was repeated by the minister last June. The Commonwealth refused to look after the interests of Queensland's mining industry or its native title parties, at a great cost to Queensland as a whole.

Frustrated by the Commonwealth's refusal to deal with this issue, the Premier sought a review of how Queensland should deal with mining and exploration in conjunction with native title—a review that involved extensive consultation with relevant stakeholders from native title groups and the mining industry. Both native title parties and the mining industry expressed a strong preference for the Commonwealth process and as a result the minister has brought this bill before the House as quickly as possible with a view to starting to use the Commonwealth's process from 1 July this year. At the same time, this government will make sure that exploration can go ahead using the alternative state provisions until 31 March—a strong signal to all the parties involved that Queensland is keeping exploration on the agenda. It has been clear in recent years that we needed a change in direction, and the minister has been driving this change in part through this bill. I commend it to the House.

Ms JARRATT (Whitsunday—ALP) (11.57 a.m.): Today I am pleased to rise in the House in support of the Natural Resources and Other Legislation Amendment Bill 2003. This bill seeks to amend five pieces of legislation in order to deal with issues related to illegal tree clearing and the processes surrounding reconciling native title and mining and exploration activity. Today I will restrict my comments to those parts of the bill that deal with vegetation management.

Nobody could pretend that the issues surrounding land clearing in this state are free of an emotional dimension. Our history is inextricably tied to the notion that native vegetation is an impediment to progress. Once cleared, land can begin to be of value through cropping and grazing activity. In the golden age of agricultural expansion vegetation cover disappeared at an alarming rate, with the absolute blessing—indeed the very support—of government. The real consequences of broadacre clearing are only now becoming painfully obvious, as topsoil disappears on the wind and with the rain, salinity destroys huge tracts of our once fertile land and an increasing number of birds and animals join the endangered list due to the disappearance of their native habitat.

All but the most shortsighted now recognise the absolute imperative of holding on to what is left of our native vegetation. Accordingly, the Beattie government has previously introduced a legislative framework in relation to vegetation management that seeks to balance sustainable economic land use with the need to protect the environment and maintain biodiversity.

Unfortunately, as revealed by the latest Statewide Land and Trees Study, it is now clear that not everyone in this state shares this government's commitment to a sustainable future. We now know that some 61,000 hectares of native vegetation has been potentially illegally cleared. That is, native vegetation in an area approximately the same size as the electorates of Mudgeeraba or Moggill have disappeared from existence through the activity of unlawful clearing. Obviously,

appealing to people to do the right thing because it is the law is simply not enough. That is why I am speaking in support of this bill, which seeks to give increased powers to investigate and prosecute tree clearing offences as well as to provide more deterrence to illegal clearing, including compulsory remediation and the possibility of a repeat offender's lease being revoked.

Sadly, the only way to send the message to some people that we will not tolerate the illegal clearing of our native vegetation is through the hip pocket nerve. That is just the target of this amendment bill. For example, should a leaseholder be found guilty of illegal tree clearing on more than one occasion, he or she may face the forfeiture of their lease. In addition, anyone found guilty of illegal clearing may be banned from applying for another in permit for five years.

An opposition member interjected.

Ms JARRATT: My father respects his environment and respects the fact that he needs to be a conservationist if he is going to survive in the long term. He would support this legislation, because he is not an environmental vandal.

I am very pleased to note that this bill also increases the likelihood that cleared land upon which a remediation order has been placed is far more likely to actually be revegetated. This is because the remediation order will now appear on the land title and it will be transferable with the sale of the land. This is a significant amendment, as in the past the threat of a fine offered no real deterrent. A land-holder could more than account for the amount of that fine in the sale of a now cleared block of land. I welcome these and other measures that will ensure that people who have blatantly flouted the law by engaging in illegal clearing of vegetation can now look forward to paying an appropriate penalty for their actions.

The other side of the vegetation management coin that provides a balance to this legislation is the development of a series of draft regional management plans. I intend to take just a few minutes to mention these documents because they will, I believe, be crucial in the development of a sense of ownership and understanding of the absolute necessity for everyone to cooperate in the sustainable management of the natural environment. The development of these documents has involved the pooling of scientific information with local knowledge and expertise to produce a management plan that is truly responsive to the local environment as well as providing a blueprint for action that is balanced, achievable and supported by local communities. The process used in the development of the plans has allowed local issues to be analysed and effective management strategies to be developed thereby providing a locally relevant solution for land managers.

I know that many hours of work has gone into the creation of the draft vegetation management plans and I was pleased to be present with the minister in Proserpine earlier this year when several of these plans, including the central Queensland coast plan that covers my electorate, were handed to the minister for his consideration. I certainly look forward to viewing the final documents, as I know that they will be become an invaluable tool in providing guidance for vegetation management activities at the local level. It is not always easy to find the right balance between competing interests, but when the sustainability of our environment is at stake, we are right to err on the side of caution. That is why I support the content of this amendment bill and I commend it to the House.

Mr COPELAND (Cunningham—NPA) (12.03 p.m.): I rise to speak to the Natural Resources and Other Legislation Amendment Bill 2003. Specifically, I would like to pay attention to the objectives in the bill that relate to vegetation clearing. In addition to touching on some objectives of the bill, I would like to speak on some very important natural resource management issues that exist in my own electorate that relate to the management of acts being amended by this bill. Before I speak to these issues, firstly I would like to thank the Queensland Parliamentary Library for once again doing a wonderful job in compiling a comprehensive research brief on this bill. I am extremely grateful, as I know other members are, of the ability to access such professionally compiled information to assist in addressing the legislation.

I note that the bill amends the Land Act 1994, the Vegetation Management Act 1999 and other legislation about tree clearing. The objective of these amendments is to improve the ability to enforce existing tree clearing regulations and provide greater deterrence to illegal clearing. I also note that the bill provides for clarification of existing provisions and additional enforcement provisions under the Land Act 1994 and the Vegetation Management Act 1999 as well as making minor amendments to the vegetation clearing provisions in the Integrated Planning Act 1997.

I believe that every member in the chamber would support the need to protect endangered species of fauna and flora in our great state. In order to protect these species, it is important that we have laws that facilitate that protection and sufficient enforcement to ensure that those who maliciously go out and break these laws are caught and dealt with adequately. However, I believe that, in making laws to protect the environment, there must also be an emphasis on working closely and openly with all stakeholders, especially those land-holders who own and make a living off the land that possesses these tracts of native vegetation. I do not subscribe to a blanket big stick approach to conservation management. Rural land-holders are aware of the need for sustainability and management of our natural resources. To come out waving a big stick can be and is counterproductive and offends those land-holders who are genuinely open to working with the state government to guarantee the sustainability of natural resources.

The Vegetation Management Act and the associated natural resources acts have created a very confusing and complicated regulatory framework for land-holders to adhere to. Laws contained in these acts are not always evident and land-holders are often not fully aware of the full implication of areas of the law until they directly affect the operations of their property or business. Further to these problems, the Vegetation Management Act contains inherent anomalies that contradict its own objectives. For example, several land-holders in the Felton region in my electorate have a severe problem with lantana infestation. It is a problem that has spread right across the range area in the eastern downs. This lantana is so thick that it has killed off all other vegetation and is preventing any native vegetation regenerating. Land-holders would like to take action to remedy the situation. However, the current legislation permits only chemical treatment and land-holders are not allowed by law to clear or pull any of the offending areas of lantana. This creates a crazy situation, because the lantana is so thick that it cannot actually be accessed for spraying without clearing or pulling. As a result, the land-holder is caught between the proverbial rock and a hard place. Due to the inflexible and flawed nature of the legislation, the land-holder loses the land, a noxious weed is allowed to thrive and the very objectives of the legislation are defeated because no native vegetation can actually manage to grow.

I note that the minister has alluded to the current problems in effectively communicating the intricacies and the implications of the acts to people on the ground in his explanatory notes. I am pleased that he is seeking to more effectively communicate the laws to land-holders. However, it is also important that the minister realises that more than media coverage and pamphlets is required to assist land-holders to understanding the current framework. More officers on the ground are desperately needed to effectively assist and support land-holders in adhering to and working within the legislation.

The proliferation of increasingly complex laws has meant that it is incredibly difficult for land-holders to do the right thing, no matter how hard they may try. There simply must be staff on the ground to do the job of providing information, advice, and permits. There must be enough staff who are not swamped with their own workload in other areas to be able to assist and, very importantly, provide consistent and accurate information in interpreting the law to the land-holders, which I know may not always be the case at the moment.

I still believe that effective education, assistance and communication could circumvent many instances of illegal tree clearing. I do not want to see a situation where innocent land-holders are heavily punished for their genuine mistakes. Of course, I am not talking about those who flagrantly go out to illegally clear large areas of land and deliberately break the law. These people should clearly be caught and punished. I just feel that there should be a level of understanding of the complexities of the legislative framework when dealing with the due diligence exercised before clearing land.

In introducing this bill, I would also like to see the state government show a firm commitment to mutual obligation towards land management. It is imperative that there is a clear recognition of property rights and a comprehensive framework for compensating land-holders for lost property values and productivity that has been developed.

I have some concerns about the proposed legislation. I know that the member for Callide and shadow minister will be moving amendments in the committee stage to address some of those concerns. I have particular concerns about the ability that the bill gives to run criminal checks on land-holders prior to any access to property. I am also very concerned about the proposal that gives the department the ability to recover the investigation costs carried out prior to any prosecution. This does not happen for any other crime and should not apply here.

I now want to now raise some very important issues that relate to the management of natural resources and land conservation in my own electorate. Landcare groups and land-holders rely

heavily on the technical and in-kind support of regional DNR officers in conducting vital land conservation activities such as designing contour banks, conducting erosion control works and regeneration of natural vegetation. The Felton area, which I mentioned earlier, has been especially successful in doing that. Local DNR officers possess a unique knowledge of local land conservation issues as well as having a great depth of technical skills. This makes them ideally positioned to provide advice and support for land-holders and conservation groups. In the past, it has been a priority of the Department of Natural Resources to provide this vital support to land-holders and conservation groups as part of the department's core business activities. However, I have been alarmed by alleged moves by the minister to make this service to Landcare groups and land-holders a very low priority in his department and for his officers.

Mr Robertson: That's not right.

Mr COPELAND: I am very glad to take that interjection from the minister. I hope that it is not right, because it is incredibly valuable work. I have been contacted by a number of constituents who have raised this concern with me that this in-kind technical support from local DNR officers will, in the next year, be phased out. Instead, Landcare groups and land-holders seeking advice and guidance in relation to land and soil conservation works will have to source advice from private organisations and advisory groups. This advice may now come at a substantial cost which would have to be subsidised through such means as the national action plan and Natural Heritage Trust funding. This would represent a significant shift in core activities in the department. It would appear to be a move to make on-the-ground service delivery by the department a low priority and a move towards a purely regulatory role for departmental officers.

In simple terms, it would represent a move to take vital services—vital environmental services—away from the rural sector. It is a move that I would find very disappointing considering the current emphasis placed on land-holders to promote responsible and proactive land and soil conservation. Land-holders must not be left in isolation with regard to land conservation. The state government does have an obligation to actually assist farmers in promoting land conservation and sustainable land practices and not simply pay lip-service to it. It would be incomprehensible to me to think that all the good proactive work that has been done by groups like Landcare—and Landcare is one of the greatest and most successful environmental groups we have witnessed in this country—could be allowed to be thrown away. With the government having such a media focus on sustainability and conservation, I could not understand why the work that has actually been done already would be threatened with the department making this a low priority.

I have significant concerns in relation to what effect these changes will have on the quality of land and soil conservation work conducted on the ground. The ability of local DNR officers to personally inspect conservation work being conducted on the ground is of enormous benefit to Landcare groups and land-holders. The local DNR officer has a blanket understanding of works being conducted in the area and consequently can ensure that overall conservation work is being conducted effectively and correctly. I am led to believe—and the minister may correct me on this when he sums up the debate—that while this cut was going to occur immediately these services will be available for perhaps another 12 months at the most. However, after that time the proposal is to remove them. I know that the minister has said that that is not going to happen, but I would like clarification of it when the minister sums up the debate. On behalf of those Landcare groups and land-holders in my electorate, I would like that assurance that DNR offices will be allowed to provide this in-kind technical support beyond the 12-month period. It is a vital service for all land-holders, and rather than rolling back this support we should be doing all that we possibly can to place more DNR officers on the ground to actually expand this assistance.

It is also of concern to me that there may be changes in the department that could pose a threat to the future of district offices in my electorate that facilitate, amongst other things, these on-the-ground services. In question on notice No. 1103 that I directed to the minister in August last year, I requested the minister to guarantee that district DNR offices in my electorate would remain open, staffed and operational while he is minister. I was very happy that the minister confirmed that there would be no change to the service delivery arrangements from the Millmerran office and that the future of this office was secure. I would certainly hope that this will still be the case and there will be no plans to adjust this office. Land-holders need the presence of this office maintained and I urge the minister to stay committed to retaining the full services of that office.

I do, however, hold significant fears in relation to the future of a DNR presence in Pittsworth. The minister was not willing at that stage to guarantee that service provision will be retained in

Pittsworth. Following the future retirement of the officer currently in Pittsworth, it is evident that his services in Pittsworth may not be replaced. I have written to the minister urging him to ensure that DNR services are maintained in Pittsworth. I again urge the minister today to ensure that a DNR presence is maintained in that town. The officer in Millmerran, as with all DNR officers, already has a huge job and that will simply be exacerbated should the Pittsworth office be closed.

Now more than ever, with a raft of legislation that land-holders must adhere to and the sometimes bewildering maze of laws and regulations, it is imperative that there is a sufficient presence of on-the-ground support and assistance. In order to protect our natural environment, the legislation before us today seeks to extend the state government's powers to catch and reprimand those who break tree clearing laws. While it is necessary for the state government to enforce the laws that protect the environment, it is equally necessary for it to support and assist land-holders to adhere to those laws. The vast majority of farmers, graziers and land-holders are committed to sustainable agriculture and land development and to securing the future viability of the land and the environment. The state government needs to be sure that this commitment is supported in the form of open consultation, adequate on-the-ground support and a firm recognition of property rights.

Mr BRISKEY (Cleveland—ALP) (12.15 p.m.): I also rise to support the Natural Resources and Other Legislation Amendment Bill. In supporting it, I want to address the effect of this bill's provisions on corporations that attempt to break vegetation clearing laws. Under the existing legislation it has been possible for corporations to circumvent our vegetation management laws, taking advantage of loopholes in the law to profit from what is, at the end of the day, illegal activity that hurts all Queenslanders. These corporations can range from small businesses like rural producers who organise their businesses to trade as corporate entities to large companies employing many people. What we are really concerned with is not what kind of corporation it is; we must be concerned with the fact that some corporations are using their corporate status to subvert the law. The minister and his department have, I understand, seen cases where corporations have refused to provide information to officers investigating illegal clearing. Their intention would seem to be avoiding the serious offence of illegal clearing and instead being charged with a lesser matter like failure to provide information when requested. This may be less damaging to the company's reputation and would be likely to result in a lesser financial penalty. Even worse, it sends a message to the community that the law applies differently to individuals and to corporations.

Other acts place a much heavier onus on corporations to comply with the law, and this bill will introduce similar provisions for vegetation management laws. It will become very difficult for corporations and corporate entities to dodge their responsibilities and obligations under the vegetation management legislation because these amendments will force the executive officer of a corporation to ensure that the corporation is indeed complying with the act. Further, if a corporation commits a vegetation clearing offence, then each of that corporation's executive officers also commits that offence. The bill defines an executive officer as a person who is concerned with or who takes part in the corporation's management regardless of the exact title of their position. This ensures the real law-breakers do not get away with their illegal acts by hiding behind others. It also ensures that no corporate officers can refuse to answer questions knowing that they will not be charged for clearing if they have made no statements.

The bill will allow authorised officers to seek court orders that will ensure corporations and their executive officers comply with the law. This government is committed to protecting employees whenever possible. Previously it has been difficult for investigators to obtain evidence from employees who are naturally wary of the consequences of giving evidence against their employers. This bill provides safeguards which mean that a corporation's employees will be more able to give evidence in vegetation clearing investigations without fearing recriminatory actions by their employers. This is similar to provisions that already exist in trade practices legislation, and it is only right that these provisions should extend to legislation that deals with illegal clearing.

Like the provisions of this bill that will affect individuals, this bill will not affect corporations that are playing by the rules. There are no new obligations and there are no more onerous restrictions on corporations any more than there are on individual land-holders. These laws deal only with those who would seek to subvert the intent of the legislation. They are about restoring some responsibility and accountability to those who might seek to profit at the expense of Queensland's future. I take this opportunity to sincerely congratulate the minister on this bill and commend the bill to the House.

Mr JOHNSON (Gregory—NPA) (12.20 p.m.): The Natural Resources and Other Legislation Amendment Bill is a very serious piece of legislation. I endorse the very well thought through and comprehensive contribution made by the shadow minister, the member for Callide. I will touch on some of the matters raised by the member for Warrego. The issue we are canvassing here is a very serious one.

I believe that those who are the custodians of land in this country are generally very responsible. I can vouch for that, having been a member of the grazing fraternity for most of my life. There are not too many cowboys. I know that there is an element that will violate the act and do the wrong thing, but I do not believe the entire law should be changed to the effect that fear is instilled in the law-abiding people who are trying to do the right thing.

As the Deputy Leader of the Opposition said yesterday, this legislation is nothing more than a stunt by this government to try to make up for its mismanagement of these two issues that, more than any other, reflect the abject failure of the Beattie government to understand the needs of rural and regional Queensland.

Rural and regional Queensland have experienced some beautiful rain in recent times. No doubt the minister is well aware—I note the presence in the chamber of the Minister for Local Government and the Minister for Police and Corrective Services, who represents a large western electorate, as I do—that this rain is nothing but a stopgap measure. A lot of people in the media, particularly in Brisbane and along the coast, think the drought has broken and all is hunky-dory in the bush. I assure members that that is far from the case. This rain has been a stopgap. It is interim relief from what has been the worst drought in living memory. As I said in the *Longreach Leader* recently, we need 10 inches of steady rain right across this state to correct the problem we have been subjected to since before 2002. That issue is relevant to this legislation because without good seasons we do not have viable grazing or farming operations.

I know that the minister is the custodian of a very important portfolio. Here we are talking about not only the management of our rural lands but also putting measures in place to improve water facilities and infrastructure that will contribute to a more viable farming, grazing or pastoral operation for the many Queenslanders who want to take advantage of it and ultimately create a quality environment for the people of Queensland who want a quality product. I think the minister would support that concept.

I will concentrate on the enforcement and deterrent provisions relating to illegal tree clearing. I reinforce the term 'illegal' as it relates to tree clearing. Unfortunately, because of the deliberate misrepresentation of the very genuine community concern about environmental issues by this government and others who are trying to gain a political advantage, there is now a perception that the removal of any vegetation is illegal.

The member for Cunningham made a very worthwhile contribution. He spoke about what a scourge lantana is to many of the farming areas in south-east Queensland. Many good farms on class agricultural land have been rendered useless because of this overrun of vegetation. In a dry time, whether in the south-east corner or in the western part of Queensland, many of these woody weeds will run riot. They will just take over completely. When the season changes and the hot summers arrive, the seeds are all ready for rain and they take off. There are things such as turkey bush and algarroba around Quilpie, where I come from. It has rendered a lot of that good mulga country virtually useless. People say that it has been overstocked, but that is not the case. The situation has arisen because of the dry times we have been subjected to in recent times.

I believe there are a lot of people who just do not understand the lie of the land. Every area is different. Different people get up in this chamber and talk about the areas they come from. My colleague the member for Warrego comes out of that downs country around Tambo and has a sound understanding of it. I come out of that mulga and flooded country around Quilpie and have an understanding of that. The member for Callide understands the Burnett country. A lot of government people who have studied the land understand it, but we need people who understand the environmental issues and who understand what can be done and what can be derived from that country through proper management practices.

I believe this legislation is about trying to allow people to create a better, more purposeful environment in which they have a more viable operation. Deliberate misrepresentation is being reinforced by this legislation, which goes to extraordinary and totally unacceptable lengths to further demonise land-holders who are implementing normal and acceptable land management practices in an attempt to earn a living and bring up their families by undertaking the essential business of primary production to create a quality product.

Mr Terry Sullivan: What about some of the unacceptable practices you have seen?

Mr JOHNSON: I have seen people who do the wrong thing. Those people are a very minor few. We should not persecute 99.9 per cent of the population who are innocent and introduce stringent, officious measures that I do not believe are acceptable to modern day Queensland. Some of these measures have to be made fairer. Too much fear is being generated. The member for Stafford knows as well as I do that this is about being responsible, about putting purpose into the legislation and about a fairer outcome for all. It is about better management of the resources and better management of the environment.

People who engage in primary production are the first ones to acknowledge the importance of their environment and the necessity of sustainability. As well as having the same concerns as everyone else in the community about the health of our environment, primary producers have a vested interest in the continuing viability of their operations.

I believe we are all environmentalists. I believe we are all conservationists. We live in one of the driest continents on earth. If our forebears did not manage the environment and the resources in a proper manner we certainly would not have the viable agricultural industry we have today. It has been achieved through responsible management.

The opposition recognises there are some people in all walks of life who fail to meet their obligations, and primary producers are no different. I would have thought this fundamental recognition of the value and worth of an individual would be of some interest to the minister.

Mr Shine: Do you agree that there is a problem out there?

Mr JOHNSON: I said that there is a very minute problem. Nobody denies that, but why penalise everyone? That is where I am coming from. I know many members who sit on the government benches who profess to hold fundamental individual liberties quite dear. I wonder, therefore, why they are supporting this draconian legislation that is an insult to all land-holders.

Let me give the House some specific examples. Unlike almost all other legislation enacted by this House, this bill specifically removes the protection of section 24 of the Criminal Code that provides protection for mistaken belief. This is very serious. My colleague the member for Warrego highlighted in the House yesterday that interpretational differences, mapping errors and wrong identification of species can all result from mistaken belief.

Also, as the member for Warrego pointed out, even the most accurate of GPS equipment has a significant margin for error, and even a pencil line on a map could mean a difference of up to 100 metres. This is where innocent, conscientious operators can be prosecuted. I have to ask: is this fair? I do not believe it is. I say to the minister: as the responsible custodian of this department, this is one area of this legislation that he has to look very closely at. He knows as well as I do that the fair dinkum people out there are not going to openly and blatantly violate the act for their own gain. They know there will be ramifications if they do.

People make innocent mistakes. The minister knows that as well as I do. We have to make absolutely certain that these people will not be victimised, they will not be prosecuted and they will not be subjected to a fear campaign because of human error. We have all made errors in our lifetime. There is only one person who did not make any mistakes, and we know what happened to him: they nailed him to a cross. I do not believe these fair dinkum people should be nailed to a cross because of something they have not done through their own fault.

Mr Robertson: In those cases of genuine error we have a system in place whereby remediation is the accepted way to go, and there are plenty of cases out there already which—

Madam DEPUTY SPEAKER (Ms Jarratt): Order! We will leave the explanations to committee.

Mr JOHNSON: That is a fair comment, but what sort of penalty will the land-holders be subjected to? Land-holders could lose their property, including any improvements as well as any cost incurred by the government investigating the offence. How officious is this? As far as I am concerned, it is a fear tactic and in some cases victimisation.

Mr Robertson interjected.

Mr JOHNSON: Hang on a second, Minister. Inspectors can make representations to police for a criminal search on property owners before they inspect properties. This is another fear aspect of this legislation. In what other business enterprises or operations within this state or country are the custodians of those businesses subjected to such a drastic form of investigation? What the minister is doing is pre-empting that these blokes are crooks or criminals before an investigation has begun.

I believe the minister is a fair-minded citizen, but I believe this is one aspect of this legislation where he has overstepped the mark. At the end of the day, nobody on this side of the House supports anyone blatantly clearing land or doing the wrong thing. I know full well that other members on this side of the House who have spoken have canvassed that aspect. When it comes to the time of reckoning, when it comes to inspection, I believe it is absolutely paramount that the minister has in place qualified, professional people who are conversant, who are understanding and who know full well what they are looking for and understand what this act is all about.

As I said earlier, a lot of people are innocent parties and we have to be careful how we manage this. No-one disputes putting laws in place to protect people and the environment, but we do not need to create a Gestapo type situation that will install fear into good, law-abiding citizens. If tape-recordings are used and if people are not aware of this, again, these people are going to feel that they have been trapped or they have been put in a situation where whatever they say they will finish up in court anyway and be concerned for the ultimate outcome.

This brings me to some of my constituents. I know of one constituent who wanted a fodder permit before Christmas and just after Christmas. He was in a desperate situation. I know some of the trauma he was subjected to in trying to get a fodder permit. These situations are not helpful, and the minister should know that these anomalies exist. It is not helpful to the good name of his department and it is not helpful to law-abiding citizens who are trying to do the right thing.

In relation to land clearing, I have one constituent who is again about to be subjected to the courts for what the department believes is illegal land clearing. If we look at this man's record, we could not get a more honourable, decent person anywhere in the state. He is a very reputable cattleman, and he has been a custodian of the country in question for a lot of years. At the end of the day we need consultation with these types of people who understand how to develop country and who know what the outcomes are when they have developed country. Those people will not go into areas such as fragile western country and tear the guts out of it by clearing the land and leaving behind a dust bowl. They are damn good managers.

The point I am making is that we need to have a fair system in place where these people can go about their business without being subjected to this fear campaign. These people are environmentalists and conservationists, as I said, and there is only a very minute number who might do the wrong thing. Who would violate the law to do the wrong thing by the majority, anyway? Why would the majority of people draw the crabs to themselves? I do not believe they would do that.

I think the minister has to be very careful how he proceeds with this legislation. These people want to work to improve their properties in a sustainable, responsible way to give them a viable farming or grazing operation. We live in times of quality, and rural producers are at the forefront of producing quality product for a quality outcome to all.

I hear the Premier time and time again harp about the Smart State. If we are going to have a Smart State, we certainly do not need draconian laws that will subject the custodians of the state to scrutiny and fear of doing the wrong thing when just by human error they could find themselves losing their total operation. I do not think it is smart to subject people to that fear.

I would like to touch briefly on the native title issue. I know this has been a contentious issue for a long time. I know of the heartache and angst to which many people around this state have been subjected. I believe we need closer working relations with some people in the Department of Aboriginal and Torres Strait Islander Policy. I have spoken with a lot of those people and a lot of them do not want confrontation. At this point in time we need the minister's department, the Premier's department, federal bodies and the Department of Aboriginal and Torres Strait Islander Policy to have a worthwhile discussion to say enough is enough. Native title has crippled the state, it has crippled this country and it is rendering this state virtually useless.

At the end of the day, we have to live in harmony—black, white and brindle. Whether they are land-holders or the indigenous people who are the custodians of areas in question, we have to make absolutely certain that we have a policy applicable to all, that we get an outcome advantageous for all. I do not say that lightly, because the situation will not be resolved by throwing money at it. As that great American industrialist, Harvey Firestone, who invented the inner pneumatic tube said—'You don't fix a problem by throwing money at it; you've got to throw brains at it first.' That is what has not happened all along. The lawyers have been the winners out of all this. At the end of the day, it comes back to commonsense and common decency, to listening to all arguments to achieve an outcome that will advantage the cause.

Madam DEPUTY SPEAKER (Ms Jarratt): Order! I welcome to the public gallery the government business and society class from QUT—and a special acknowledgment to Kirsty.

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (12.41 p.m.): I rise to support the amendments to the bill covering five pieces of legislation: the Mineral Resources Act 1989, the Environment Protection Act 1994, the Vegetation Management Act 1999, the Land Act 1994 and the Integrated Planning Act.

Today we see not only a Smart State but a green state. I know that all members on this side of the House certainly support initiatives in that direction. Whilst the amendments deal with two specific issues, namely native title for new mining and exploration activities and illegal land clearing, I will concentrate my remarks on the latter. I represent Pumicestone, which unfortunately has very little mining activities. The object of this bill is very clear. The bill amends various acts to strengthen, provide additional enforcement to and hopefully deter illegal tree clearing. To achieve this, the bill provides for the following—one, a lease under the Land Act 1994 may be forfeited if the lessee has more than one prior conviction for illegal tree clearing; two, in determining whether to issue a tree clearing permit, the chief executive must consider whether the applicant has been convicted of a tree clearing offence within the previous five years; and three, the chief executive or any other authorised person may give someone a compliance notice if they reasonably believe a tree clearing offence is being or has been committed. This liability attaches to the land and will bind any subsequent owner or occupier. Illegal clearing is a major threat to our natural resources. The extensive range of entry and post-entry powers for the purpose of monitoring or enforcing compliance with the statutory tree clearing provisions extends the corresponding provisions of the existing Vegetation Act.

Effective enforcement of the vegetation clearing legislation is required to prevent serious and often irreversible impacts on biodiversity and land degradation. I am led to believe that two-thirds of Queensland is under leasehold. It has been estimated that through the latest State Land and Tree Study report, 36,000 hectares of this land has been illegally cleared. A member opposite suggested that the problem was not widespread. The member for Gregory spoke about a few cowboys in the industry. Well, these few are doing enormous damage.

Ms Keech: They're very busy.

Mrs CARRYN SULLIVAN: Yes. If we add the 36,000 hectares and the figure that we were given for private land that has been illegally cleared, we get a total of 61,000 hectares.

Mr Wilson: That's outrageous.

Mrs CARRYN SULLIVAN: Well, it is outrageous. If 99 per cent of people are doing the right thing, then there is one per cent out there who are very busy.

Ms Keech: Doing the wrong thing.

Mrs CARRYN SULLIVAN: Yes. It is a sizeable tract of land in anybody's terms. If allowed to continue, what will happen? This figure could easily double in a few short years. There have been some prosecutions over the last two-and-a-half years—and I am pleased to see that—since the government introduced the Vegetation Management Act. This bill reflects more improvements to the powers to investigate and prosecute any illegal tree clearing. There is also a provision to issue compliance notices that require remediation, that is, to return the environment to the way it was before the offence occurred. An amendment to the Integrated Planning Act 1997 will provide that areas illegally cleared cannot be re-cleared without a development approval.

Tree clearing is unlawful without a permit or unless an exemption applies. It therefore is reasonable for anyone who is authorised to be able to check to see if that person is complying with a permit. In the past, some landowners have pleaded that they knew nothing of the existence of tree clearing regulations. However, after an exhaustive campaign by the Department of Natural Resources, including a direct mail to landowners, ignorance can no longer be accepted as an excuse to avoid prosecution if illegal tree clearing has been proven. The bill has been drafted with due regard to the fundamental legislative principles as outlined in section 4 of the Legislative Standard Acts 1992. It is noted that, for effective enforcement of the vegetation management legislation, a balance between the rights of individuals and the need for the community to be able to provide an effective deterrent to illegal tree clearing is necessary.

The existing provisions in the Vegetation Management Act currently provide for the power to require information and the power to require a document to be produced. However, they also provide an excuse for failure to provide the information or the document on the basis that it might incriminate the person. The amendments will remove this excuse. However, the personal

protection in this safeguard provides that the information or document may not then be used to prosecute the person who was required to provide it.

The Beattie government has led the way with regard to vegetation management. It was instrumental in the very first comprehensive vegetation management framework in 1999. Today's amendments will further restrict and tighten tree clearing activities. By introducing this bill, the government has recognised the need to adjust the legislative framework surrounding vegetation management to meet the state's changing needs. We must come to terms with the fact that it is impossible to protect the environment and achieve 100 per cent yield on economic return to land-holders. The member for Gregory, as I said before, has suggested that there might be 99 per cent of people doing the right thing. Therefore, these landowners doing the right thing will not be affected by these changes.

Ms Keech: They shouldn't be worried.

Mrs CARRYN SULLIVAN: Yes. However, those who continue to illegally clear land will be held accountable. The potential cost of land degradation to the community as a whole is just far too high. There has to be a balance, and to achieve any long-term benefit governments must implement sustainable land practices now. I congratulate the minister and his staff on continuing to work towards reducing illegal tree clearing and having the fortitude and foresight to protect the environment for future generations. I commend the bill to the House.

Ms KEECH (Albert—ALP) (12.48 p.m.): Two thousand one hundred and fifty cases of suspected of illegal tree clearing; 61,000 hectares of freehold vegetation razed and exposed to potential degradation, salinity and loss of biodiversity. This is why I will be supporting the Natural Resources and Other Legislation Amendment Bill and why I expect all members of this House to support this bill.

Mrs Carryn Sullivan: Sixty-one thousand hectares is a lot of trees.

Ms KEECH: It certainly is—too many trees. Clearly, despite the large majority of land-holders who do the right thing, the current fines for illegal tree clearing are not nearly strong enough to act as a deterrent. Despite the pleas of ignorance and innocence from the member for Gregory, we are not all environmentalists and conservationists.

Mrs Carryn Sullivan: I think they get the word mixed up with 'conversationalists'.

Ms KEECH: If only that were the case! Otherwise, why are we faced with the position now where 61,000 hectares of trees were illegally cleared from 1999 to 2001?The fact that we are not all environmentalists and conservationists has led to amendments to the existing legislation to improve the ability to enforce existing tree clearing regulations and provide greater deterrence to illegal clearing.

In Queensland, vegetation is valuable. But some vegetation, I agree, is considered more valuable than others. I agree with the member for Gregory's statement that land management issues vary across regions. For example, in south-east Queensland land management issues are vastly different from those in south-western Queensland. Some tracts of land that are subject to applications for land clearing may have no ecological significance, no native vegetation, no water catchment resources and be covered mainly with noxious weeds.

On the Gold Coast, the fastest growing area in Australia, 450 hectares of vegetation is cleared each year for residential and infrastructure purposes. Since I am advised that these areas do not cover remnant native vegetation and remnant regional ecosystems, the penalties for illegal clearing would be significantly less than those, for example, for clearing a virgin rainforest. Importantly, the need to balance sustainable economic land use with the need to protect the environment and maintain biodiversity must be the major consideration.

Whilst the southern states of Australia have been extensively cleared over the past 150 years, Queensland still has 32 per cent of Australia's native vegetation cover, and this needs to be protected and maintained. This gives our state a unique opportunity to maintain its productive land while avoiding the environmental degradation and subsequent loss of productivity that has occurred elsewhere in Australia. The provisions of the bill to clamp down on illegal tree clearing are the toughest in Australia. I am proud to be part of a government that has brought in this legislation, and I congratulate the minister.

Mrs Carryn Sullivan: We are the only ones tackling the issue.

Ms KEECH: We are indeed, and we should be very proud, as the member for Pumicestone said. The 2,150 cases tell us that the provisions, though tough, are timely, justified and fair. The provisions include a five-year ban on clearing permits for anyone convicted of illegal clearing. In

addition, there is a requirement for anyone caught illegally clearing leasehold land more than once to show cause why their lease should not be cancelled. New ways for determining penalties, such as multiplying the number of hectares illegally cleared by the amount per hectare by which the cleared land has increased in value, have been proposed.

Imposing heavier penalties on people who clear endangered or threatened vegetation than on those who clear not of concern areas is one of the provisions that I welcome. The proposals also make illegal clearers remediate the cleared land at their own expense and link remediation orders to the land's title. In addition, it requires the holders of land that has been illegally cleared to obtain a permit before clearing regrowth.

Overclearing can be enormously expensive for producers, the wider community and for our future generations. It can lead to salinity, soil erosion, loss of agricultural productivity, a decrease in catchment water quality and loss of biodiversity. In addition, we have seen a loss of cultural, scenic and landscape values. The bill sends a strong message to the small minority of land-holders—and I do agree that they are small, but there are still plenty of them; they are a significant although small group—who may consider illegally clearing their freehold or leasehold land.

Mrs Carryn Sullivan: The one per cent that the member for Gregory mentioned.

Ms KEECH: The message we are sending to that one per cent is this: if you continue, you will be in trouble. You will be caught and you will pay.

I welcome the provisions that allow for an increase in fines. Some unscrupulous operators abide by the adage that it is easier to ask for forgiveness than permission. A very small minority of land-holders have in the past considered fines a poor deterrent to illegal clearing, as the returns from clearing significantly outweigh the fines.

The Beattie government's actions in taking a strong stance on illegal land clearing are fully supported by the majority of land-holders, who know full well that their long-term future for themselves and for their future generations depends on environmentally sustainable land management practices. These families are keen to be informed and educated about new methods of managing their land in the most sustainable and cost-effective methods. In doing this they are supported by the dedicated and hardworking officers of the Department of Natural Resources and Mines in rural and regional offices as well as officers from the Department of Primary Industries.

I would now like to comment on the provisions regarding criminal history checks. I am aware that officers work in remote and isolated areas of our state and frequently alone. There is little chance of immediate help if they are faced with a dangerous situation with an unhappy or aggressive landowner. If in their considered opinion they feel their safety may be compromised by entering a place alone, they may obtain a police escort. Limited information about a person's criminal history concerning violence or firearm offences may be sought from the Commissioner of Police. However, privacy will be safeguarded while protecting the right of compliance officers to a safe, secure working environment.

In conclusion, I have a question for the minister. As I said, I welcome the criminal history checks. My question is: do these criminal history check provisions refer only to officers who are inspecting land where there is suspected illegal land clearing? For example, Department of Natural Resources officers often have a variety of reasons why they might need to enter a person's property—irrigation, use of artesian bores and so on. Could the provisions ensuring the safety of their workplace also refer to these activities that the departmental officers regularly undertake?

Also, I wish to comment on the amendments circulated by the Deputy Leader of the Opposition, the member for Callide. I welcome the early distribution of the amendments, but I ask him, in his role as a former member of the Scrutiny of Legislation Committee: where are the explanatory notes? He would be aware, as a member of that committee, that the Scrutiny of Legislation Committee strongly encourages the distribution of explanatory notes. I am very disappointed that no explanatory notes have accompanied the amendments. I would rate the Deputy Leader of the Opposition's first distribution of amendments as very poor; it would be classed as a 'could do better'.

Mrs Carryn Sullivan: Would you say a five out of 10?

Mr Robertson: You are being too generous.

Ms KEECH: Is that too generous? Perhaps he should stay in and do some extra work after school. We would have expected the explanatory notes to have been distributed as well.

Mr Seeney: Don't worry, I'll explain them to you.

Ms KEECH: The member is a former member of the Scrutiny of Legislation Committee.

Mrs Carryn Sullivan: We would have liked them in writing.

Ms KEECH: Yes, we would have liked them in writing.

The Beattie Labor government is committed to ensuring a high quality of life for future generations of Queenslanders by maintaining the state's land, water and vegetation management and protection facilities. I commend the bill to the House.

Sitting suspended from 12.59 p.m. to 2.30 p.m.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (2.30 p.m.): I concur with previous speakers to say that my belief is that the majority of landowners are good managers—that is landowners of freehold title as well as leasehold title. There are a very small number who would act irresponsibly. The member for Pumicestone said, 'If they do the right thing, they do not need to be concerned.' As a statement, I agree with that. However, there are elements in this bill that are overtly intimidating. I would like to comment on a couple of those later.

I would also like to commend the Landcare group in my electorate. They have worked very hard over a lot of years. They have been a very stable group of people, very reasonable, and there are many examples, both on private land and public open space, of their good work. Again, I would like to acknowledge them, acknowledge the work that they do, and the attitude with which they do that work.

There has been a question raised by, I believe, the member for Callide about the accuracy of the amount of alleged illegal land clearing. It is my understanding that the process, particularly at the beginning stage, is that the maps are determined by satellite and are posted out to the various landowners. I have had incidents in my electorate where landowners have received their maps after requesting that they be sent. They have then queried the accuracy of the assessment that quite significant areas of their land have been identified as at risk or sensitive vegetation. The next step has been to organise a herbarium representative to visit the area. On the basis of that visit, the designation that has been placed on their land is re-evaluated.

I have raised this issue in this House once before, but I want to raise it again because it is a significant issue. This bill does not contain any options for compensation. In discussions with the government, it has always been the line that compensation, if there is to be any paid, is the responsibility of the federal government. I believe that it is a shared responsibility and that irrespective of whether the federal government or the state government is responsible for compensation, at the moment the losers are landowners. The last time that we debated the Vegetation Management Act and made some amendments to it, I raised the issue of a farmer in my electorate who has over 70 per cent of his land unusable. It has been designated as at risk vegetation. It has been coloured pink. He cannot clear it, he cannot use anything. Yet he purchased that land with the intention of grazing. This gentleman, his wife and his family can get no effective revenue from the property. They cannot get compensation even though that land is being kept for the good of the broader community.

I believe that there is an obligation on state and federal governments to address the issue of compensation. I do not believe—and I hold this view very strongly—that the Queensland government can continue to hold the federal government 100 per cent responsible. It has been stated in this debate so far that Queensland has the toughest vegetation management laws in Australia. When the vegetation management legislation was passed, the issue of compensation was flicked completely to the federal government, because it was stated that they had required the Queensland government to institute some of the matters that were contained in the original Vegetation Management Act. The statement today that Queensland has the toughest laws in Australia indicates that, of this state's own initiative, it has increased the impact or possible impact of vegetation management on private landowners. Therefore, the Queensland government must own a degree, and a significant degree, of the responsibility for compensation. We cannot say to people, particularly on freehold land, 'You must lock up this area because it is of a sensitive nature' and then give them nothing in return. Most landowners will acknowledge, if they have an endangered or at risk vegetation group, 'Okay. We will hold it. We will manage it for the broader community, but the broader community must compensate us for the loss of revenue that we have incurred.'

There remains, and I think that it is a growing nexus because of the new laws that are being brought in by this amendment—

Mr Robertson: Do you believe in the private right to destroy biodiversity?

Mrs LIZ CUNNINGHAM: The minister was not listening. He must have been talking. What I said was that if the government is going to obligate landowners to lock up land for the broader community benefit, then the state and federal governments must compensate them for the loss that they have incurred.

Mr Robertson: You do not have an inalienable right to destroy biodiversity as of right. You have a responsibility—

Mrs LIZ CUNNINGHAM: If people have freehold land, over time they have had an opportunity to do with that land what they wish. The government has introduced laws that say that they do not have that right. I think that most landowners will hold and will support the retention of biodiversity, but they need to be compensated for the loss that they have incurred. In some instances, people bought the land expecting to be able to get a particular rate of return from it. They will protect the environment, but they need to have something to actually live on.

There remains a nexus between obligations and restrictions in relation to land clearing. Private landowners and landowners with leasehold land are required to keep under control or clear noxious weeds. The Vegetation Management Act poses problems in that land management—and I have raised with the minister's office through letters and phone calls to the department some of the problems that individual landowners have faced. I will acknowledge in this chamber that not everybody who comes to their local member with problems about noxious weeds are being aboveboard. There are those who will push the boundaries and use the control or eradication of noxious weeds as an excuse to be able to manage their land inappropriately. I reiterate that the vast majority of people want to do the right thing, but they have this conflicting responsibility to abide by the Vegetation Management Act and also to abide by their obligations to control noxious weeds on their property.

The conflict has occurred in my electorate where a landowner has a significant problem with particular noxious weeds. Places in Queensland experience various problems. In my area, the problem weeds are parthenium, rubber vine, some lantana and mother of millions, but over the range the problem weeds are different. They are the sort of weeds that we on the coast have to control. If it is a significant infestation of rubber vine, then clearing, poisoning and burning are some of the management tools that are used. This landowner who came to speak to me wished to clear the area so that he could poison the noxious weeds that he had on this property. I think he had parthenium weed on his land. The department would not give them an approval to clear. In one particular incident—not the one that I am referring to now, but another one—a landowner wanted to use a dozer. When I contacted the local council to see if the council's weeds officer had inspected, I was told that he had and that the weeds officer felt that the noxious weed infestation could be contained and managed by hand.

There are other areas in the shire where that is not possible and the property owner can be placed in a position where, if their application to be able to manage the weeds through mechanical purposes is refused, they may have a problem where they are in conflict with their noxious weed management obligations to comply with the Vegetation Management Act. Whether the minister likes to accept it or not, it is a nexus that he has to come to terms with and has to provide a solution for.

The other area where there may be a conflict—and this has occurred and the information has been passed on to the minister's office—is where a landowner applied to clear firebreaks. My electorate has had 10 years of drought and there has been very little in terms of growth in a problematic way. The area has recently had very good rain and if follow-up rain continues the build up of fire fuel will continue. Landowners again are obligated to manage their properties for fire. Most rural property owners in my electorate are frustrated because they are surrounded by a significant amount of forestry and national parks. It is historic that the departments do not have the resources or do not allocate the resources to properly manage their potential fire risk and many private landowners suffer because fires get out of control from either forestry or national parks areas. That does not, however, have any landowners resiling from the fact that they must manage their properties for fire.

The particular landowner that I am referring to applied to have firebreaks put in place on their property. I believe that there is a designation within the department that says that in rural-

residential areas it is four to six metres but in rural areas it is up to 10 metres. He was in a rural area and the department approved 1.5 metres as his firebreak and it is not appropriate.

Mrs Carryn Sullivan: It doesn't allow access.

Mrs LIZ CUNNINGHAM: No, it does not, especially if we take the recent fires in Victoria, New South Wales and South Australia. I am not actually sure what fire management would have been effective with some of the firestorms those regions experienced. Some of them were horrendous, but a 1.5 metre firebreak—and I have sent the letters to the department—in a rural area is worthless. It is useless. There has to be a marrying together between the desire of government and the community to protect at-risk vulnerable vegetation to maintain, as the minister said, biodiversity but there also needs to be a recognition that without proper fire management and weed management all of that will be lost because a fire will go through the area and it will take everything out. It is a very unforgiving problem.

I have not been to Victoria and New South Wales this year after the fires, but I did go south of Sydney after another lot of fires and it was just devastating. The place was denuded and it was thousands and thousands of hectares. I do implore the minister and the department to ensure that people are able to put in place not only appropriate but also effective firebreaks. In saying that, I am not espousing the loss of biodiversity and I am not espousing vandalism as far as the management of the ecosystem is concerned. What I am saying is that if we do not put those breaks in place we will not have any biodiversity; it will be gone altogether and it will happen, particularly after the good rain we have had allows the build-up of a body of fuel.

A member who spoke previously in this debate talked about the fact that people in the community cannot say that they are not informed because there was a mail-out to landowners. My only query about that is which landowners have been advised, because somebody made a comment to me in my office. They are an ordinary working person who lives in an urban community. Like a great many people in Queensland and Australia, particularly if they read *Warm Earth*, *Earth Garden* and other such magazines, there is a huge number of letters from people saying that they are finally going to their perfect lifestyle—that is, self-sufficient and move into the country. All power to them; I cannot think of a better way to live.

However, the lady who made the comment to me is looking for a rural block—she currently lives in town—and she said to me, 'I had no idea that there was the extent of restriction on clearing that there is,' after I had given her a copy of the vegetation management legislation because of a comment she had made. She said that she would have bought a property and started to cut some of the trees down straightaway because she wanted to build stables and get some horse training areas in place. So I wonder how well informed our communities are. We had a debate in here once before—it was fairly emotive—and when members on this side said that the community was not being informed, those opposite responded by saying, 'It's your job to tell your community everything.'

At the risk of being criticised, I certainly would not say that I tell my community—that is, everybody in the community—every piece of information. There are just not enough hours in the day. We rely on people getting their information from our offices, brochures, press releases that the media has picked up on and printed information, mail-outs, newsletters and those sorts of things. But there will always be people who do not know, and that is what worries me about the severity of some of the penalties in this bill. I acknowledge that the harshest penalties are for repeat offenders. Frankly, if they are repeat offenders in a vindictive non-caring way, then I do not have a huge problem about that. I am worried, however, about people who are inadvertently caught.

I also want to express a concern about the new power both in the Natural Resource Act and the Mineral Resources Act with regard to criminal history checks. I understand—and the minister no doubt will correct me if I am wrong—that the criminal history check power has been given to officers whose intention it is to enter a property without consent to check whether the property owner has any history of violence, particularly violence with weapons. I understand the logic in that. I know that a lot of inspectors are vulnerable, as are police, when they respond to a report or have to carry out their obligations in their job—in this case, to inspect property. However, I want to express my concern about the extent of power that is being granted in this legislation.

The reality is—this is the reality on the ground—that most DPI officers and Natural Resources officers know people in the region. They know the sort of personalities that they are dealing with. They know the sorts of problems that they may face. Realistically, if they are going to a property owner's place where the owner is known to be toey, they take a police officer with them. They act

proactively. I would much rather see that occur than this criminal history check power, which is intrusive to say the least. I also have to express some concern about the power to recoup the cost of the investigation and court costs. I believe that issue will come up during the committee stage during debate on the amendments, and I will make some comments on that at that time. If it was reasonable costs, it would possibly be more palatable. However, history shows—not in this minister's department but just generically—that it is possible to disadvantage landowners by inflating the cost of the action that the department has legally taken.

The other part of the bill deals with the Mineral Resources Act. I want to put on the record again—and I am sure the minister is aware of it—the concerns of a group in my electorate, East End Mine Action Group. The properties of members of that group have been affected by dewatering from an extraction plant. For some time they have wanted the permit renewals for QCL to be held in abeyance to allow them to get some redress as far as their concerns go. The minister has proceeded now and granted the permit renewals, and that denies the residents whose land has been denied water reserves—that is, underground water aquifer reserves—a significant window of opportunity to get some redress in relation to their concerns.

The management of our land is an important issue. We live in a wonderful country. It is a land that stretches from the most arid—and we are the most arid in terms of rainfall—to some of the most intense beauty. We do have a huge responsibility to be custodians of that land in a responsible and caring way. I am thankful for the area that I live in. It is very beautiful. It is almost an oasis in terms of the beauty that surrounds it as well as the opportunity it provides to get away from the office.

In holding that responsibility, we also have to be even handed and recognise the diversity of this state. We need to recognise that what may be appropriate management on the coast will not work on the plains or in western Queensland. I have no experience in that area, but I do know that different management techniques have to be applied to different areas of the state. I wish the minister well. It is a diverse responsibility. More importantly, I wish the landowners well, because as legislation grows their need to understand the paperwork and understand its implications for them grows. I wish them every success.

Mr NEIL ROBERTS (Nudgee—ALP) (2.50 p.m.): I rise to speak on the issue of illegal land clearing, which is regulated in Queensland under the Land Act and the Vegetation Management Act. It has been interesting to listen to the opposition, particularly the National Party, seek to discredit this legislation. In all the time I have been a member of parliament it has seemed that every time we discuss the issue of vegetation management, whereas its representatives get up and say they support it the National Party continually attacks the government for the measures it is putting in place to control what is a very serious environmental and economic problem in our state.

Over the past few years the Labor government has taken a number of very significant steps towards controlling illegal and unwarranted land clearing. I think back to November 1997, when the Borbidge government signed a partnership agreement with the Commonwealth government so that it could access some funding from the Natural Heritage Trust. Whereas the National Party government acknowledged that there was a problem and agreed to commit to putting in place measures to retain and manage vegetation, including controls on clearing, on every occasion that the Labor government has put forward legislation to manage this problem the opposition has endeavoured to discredit it.

The legislation we have put in place really has endeavoured to control abuses that are going on in a lot of parts of Queensland—activities which in the long run really damage significantly the future business prospects and sustainability of a lot of the properties of people the National Party purports to represent. Its response to today's legislation as well as to other legislation the government has put forward in my mind has been quite disappointing. The Labor government has taken some hard and significant decisions that were necessary to ensure the long-term sustainability of much of our productive land.

The Vegetation Management Act was passed in December 1999. In its original form the act sought to control clearing on freehold land. That worked in conjunction with those provisions already in the Land Act, which had controls over leasehold land. Subsequent amendments have been made to the Vegetation Management Act, but the rationale for its establishment remains as strong as ever, that is, excessive clearing of trees in environmentally sensitive areas does contribute to major problems such as salinity, a loss of water quality, an increase in greenhouse gases and a loss of our biodiversity.

The legislation we have today does not provide for a complete ban on tree clearing. It recognises that appropriate clearing is necessary to economically develop and make the best use of our land resource. However, whereas there are some exemptions, in the main land-holders will need to get approval from the Department of Natural Resources before native vegetation can be cleared.

This legislation has been supported by the majority of land-holders because they recognise that their future depends on properly managing their land resource and the vegetation contained on it. A number of family members on my father's side work on the land. They have been on the land in western Queensland for a couple of generations. I have spoken to them on occasions about this issue. I know from their practices that they respect the land. They respect the fact that it needs to be managed in a sustainable way in order to secure not just a future for their current activities but also a future for the generations that follow that will need to use that land to generate a livelihood and economic product for Queensland.

I would agree with all speakers on both sides of this House who said that the majority of land-holders fit into that category. We recognise the significant contribution those people make to our current and future economies. However, illegal land clearing is a major threat to the viability of our productive land. This bill seeks to strengthen the government's ability to enforce the intent of the original legislation.

The minister has indicated that in recent times over 61,000 hectares of land may have been illegally cleared in breach of both the Vegetation Management Act and the Land Act. That is of great concern. It has occurred despite the successful prosecution of many people who have committed offences. The bill will enhance the deterrence factor of the legislation in a way which sends a clear message that the government is deadly serious about the importance of this issue to the community and our economy.

The bill contains a number of improvements and enhancement to existing penalties. In the most serious cases land-holders may have their leases cancelled. Of course, a proper show cause process would be gone through prior to such drastic action being taken. People found guilty of illegal land clearing may also be banned from applying for legal permits for a period of five years. Where an order has been made for illegally cleared land to be remediated, the remediation order will be assigned to the title of the land and will be binding on both the current owner and any future owner of that land.

The bill contains a number of other amendments which significantly improve the scope of prosecution offences and the ability of enforcement officers to intervene where illegal clearing is occurring. It improves our ability to rein in those elements—admittedly, they are in the minority—who are treating the existing laws with contempt. Future prosecutions and penalties will send a very clear message to these people that there is a price to pay for abrogating the responsibilities they have to the people of Queensland and appropriate vegetation management practices. I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (2.57 p.m.): I rise to speak on the Natural Resources and Other Legislation Amendment Bill 2003, especially as it relates to illegal tree clearing, and endorse what previous speakers have said in relation to the integrity of the majority of land-holders. We were promised that this government would get tough on illegal tree clearing. It certainly is living up to that promise.

It is interesting to note the time line leading up to this legislation. It begins during the ALP Goss government days in 1992 with the national greenhouse response strategy. The Land Act passed in 1994, with the Statewide Landcover and Trees Study beginning to gather satellite imagery to compare vegetation cover between 1988 and 2001. December 1995 saw the Goss government produce policy regarding the issuing of permits under the Land Act 1994. This remained in place when the Borbidge government came to power in 1996, and in 1997 the Borbidge government signed an agreement with the Commonwealth committing Queensland to reverse the long-term decline in quality and extent of Australia's native vegetation cover and have effective measures in place to retain and manage vegetation, including controls on clearing, covering both leasehold and freehold land. That government convened a task force to consider such issues.

In March 1999 the Beattie government established the Vegetation Management Advisory Committee to guide policy development as a continuation of the Borbidge government's commitment to the Commonwealth. In December of that year the Vegetation Management Bill 1999 was passed in its original form. It dealt with freehold land and aimed at protecting remnant,

endangered and of-concern regional ecosystems and native vegetation. Less than a year later it was replaced by the Vegetation Management Act 2000, which removed the proposed controls on clearing of of-concern vegetation on freehold land. The Land Act 1994 remained the relevant legislation for leasehold land. On this issue the path from 1992 to 2003 has gone on, regardless of which government has been in power.

Among the aims of the bill before us is the vast strengthening of the powers of investigation and prosecution of tree clearing offences. I am concerned that clause 27—which amends section 431F of the act—declares clearing of trees on land in contravention of a tree clearing provision is taken to have been done by an occupier of the land and in the absence of evidence to the contrary. In company with other aspects of this bill, I believe it essentially means that a satellite photograph is all that is necessary for an offence to be levelled against someone who happens to be occupying a property. It does not talk about the owner of the land or anyone who may have authority over the land or have access to it for any number of reasons.

I have just spoken about the focus in clause 27 on the occupier of the land. However, elsewhere in this legislation it is proposed to attach any vegetation remediation orders to the title of the land. So, on the one hand, the occupier is deemed responsible but, on the other hand, the owner or titleholder is penalised.

I come now to the provisions on evidence of instruments and equipment and evidence of remotely sensed imagery. I stood here last year and spoke about the traumatic experience constituents in my electorate had to endure at the hands of a Natural Resources and Mines inspector based on the supposed evidence contained in satellite imagery. In that case, the Natural Resources and Mines officer contacted the constituents and requested a meeting with them at their property. The officer refused to say why. The meeting took place, and the constituents unlocked gates and assisted the officer to access their property even though the officer was still refusing to say what his interest was. Once on the property he then produced a warrant relating to tree clearing based on satellite imagery. The clearing was appropriate and of regrowth, and the constituents were able to prove this.

I believe the conduct of inspectors on the ground needs to be well monitored. Nonetheless, this is the reality of relying on satellite imagery. It is not accurate, it is not complete and it is subject to interpretation. Yet this government declares such equipment is accurate and precise and that it is up to the accused to prove otherwise—a reversal of onus of proof we see so often in legislation these days.

Another feature of this bill is the removal of the defence of honest and reasonable but mistaken belief, a defence provided in section 24 of the Criminal Code. The explanatory notes explain that this defence is removed because it seems it is raised in many prosecutions but difficult to negate conclusively. That is a very interesting reason for removing a defence—because it is used too often for the government's liking and is hard for the government to overcome. However, during the second reading speech we were told this government enjoyed a 100 per cent success rate for prosecutions that made it to the court. Even with a 100 per cent success rate for prosecutions, this government still wants to remove the defence of honest and mistaken belief.

I also have concerns about the expanded powers of entry. In particular, I am very concerned that these expanded powers are so similar to what is already in so many other pieces of legislation brought before this place. The fact that the trampling of citizens' rights is endemic does not make it acceptable. Similarly, I am very concerned about the level of penalties which are contained in this bill, especially clause 60B, which provides a guide for courts and nominated per hectare rates: for remnant endangered regional ecosystems or declared areas 30 penalty units per hectare, and for remnant of-concern regional ecosystems 24 penalty units.

I am concerned for two reasons. The first is that the nature of what we are talking about often involves large areas. Coupled with the removal of the defence of reasonable and honest mistake, this legislation creates a situation where really enormous penalties could be imposed on someone who honestly believed their actions were correct. The second is that this per hectare process creates a situation where a single breach could attract multiple penalties. A robbery is a robbery. It is a single event and essentially is treated as such, no matter how many individual items are stolen. I believe this piece rate penalty system is not appropriate.

I am very concerned that this legislation has been drawn up without complete consideration of the effect it could have, especially when some of the provisions are applied in combination.

Mrs REILLY (Mudgeeraba—ALP) (3.03 p.m.): I am pleased to speak in support of the Natural Resources and Other Legislation Amendment Bill 2003, because I feel very strongly about the issue which is under debate here, and that is land clearing. Because a number of people may have had some questions in recent times regarding my commitment to and my sympathy with what they call the green lobby, I want to make it perfectly clear at the start that on this issue I am unashamedly and unmistakenly green.

I am indebted to the Queensland Conservation Council, the World Wildlife Fund for Nature and other web sites and other local sources for much of the information that I have. The amendments to five pieces of legislation which this bill will achieve address an issue of vital importance, one that is of the utmost importance to this state, and that is the scourge of illegal land clearing.

The second part of the bill fulfils the commitment made by this government last year to use the Commonwealth procedures for dealing with native title for new mining and exploration activity. I will be restricting my comments to the first aim of this bill, and that is the illegal land clearing issue. The measures which we are about to introduce in an effort to clamp down on illegal clearing of native and endangered vegetation are tough, and they need to be because there are a small number of landowners, farmers, graziers and corporations which have been and still are deliberately thumbing their noses at the law and clearing land without permit and without regard for the future generations and future land users.

I am sure that these measures have been described in full by other speakers so I will just go over them briefly. They include five-year bans on clearing permits for anyone convicted of illegal clearing, remediation notices attached to the land title and greater flexibility for magistrates to impose more substantial fines.

These measures, along with others, have been introduced because the current enforcement provisions of the Vegetation Management Act and the Land Act are not doing the job of deterring people from illegal clearing as well as they should be. Some land-holders simply have more to gain financially through clearing than conserving, and that is why we need both punitive measures and incentives to tackle the problem totally. That is why we as a government are still talking with the Commonwealth about due compensation for land-holders who do the right thing, which is the majority of them.

I believe any compensation package should be federally funded, because the issue of land clearing and its long-term effects on our environment is a nationally and regionally geographic one, and the land that we save will be for the benefit of all future Australians. There are many options and examples for the Commonwealth to follow if it has the will. We can consider tax concessions, grants or direct payments for land-holders or leaseholders who show a commitment to conservation and set aside land for future preservation.

Much of the research I undertook in Europe last year when I attended the third world congress of women in agriculture considered not only farming practices in Spain and France and throughout Europe but also the effects of inappropriate practices like unchecked land clearing in many parts of the world. While some European jurisdictions are now prescribing sections of land to be put aside for preservation or subsidising, providing grants to farmers who cooperate or undertake conservation practices themselves, it is hard not to wonder if the horse has already bolted. There is not a lot of native forest left in Europe, where once there were magnificent tracts of ancient trees and wildlife, including lions and bears.

What became clear to me was that, despite the current commitment over there and the almost sudden realisation that what is left is precious and needs to be preserved, the processes and programs are not prescriptive enough or coordinated across the continent sufficiently to make a consistent and real difference. That is why I advocate a national approach in Australia, particularly to compensation incentives and support for land-holders who not only do the right thing by the law but also demonstrate a personal commitment to conservation and employ environmentally friendly farming practices.

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. What it will do is make it inconvenient and uneconomic to illegally cut down native forest. This must be done, and must be done now, if we are to preserve Queensland's natural beauty and biodiversity for future generations to enjoy and if we are to maintain and manage our rich and yielding agricultural lands for generations of primary producers in the years to come.

Shamefully, Queensland clears more vegetation than any other developed nation—almost 500,000 hectares a year. To give honourable members an idea of what that might be, that is an area three times the size of Fraser Island or more than 10 suburban house blocks every minute. With massive land clearing comes the devastation of our unique and fragile wildlife, something that Australia and Queensland is known for and that attracts tourists and boosts our economy in the millions every year. Every year in Queensland 68,000 long-nosed bandicoots, 22,400 sugar gliders, 17,000 brush-tail possums and 7,500 greater gliders are killed through land clearing, according to a Queensland Conservation Council report. The 1997 *New South Wales state of the environment report* also estimates that between 1,000 and 2,000 birds are killed for every 100 hectares of land. Given the rate at which we are clearing in Queensland, that means between four million and eight million birds killed every year.

Mrs Carryn Sullivan: Five hundred species become extinct.

Mrs REILLY: Too many species are becoming extinct at too rapid a rate. At least 1,000 koalas are likely to die each year as a result of loss of habitat and the clearing of bushland. Destruction of native bush has risen by seven per cent in the past year, making Australia the sixth worst nation behind only Brazil, Indonesia, Sudan, Zambia and Mexico. I do not think there is any question that these countries and the unchecked environmental vandalism which they have allowed to unfold have devastated their local and regional environments, their air quality, their standard and quality of life, their health and their agricultural viability. So let us not go down that track. Let us put an end to it here and now while we still can.

In the two years between 1999 and 2001, one million hectares of land was cleared in Queensland, an increase of 33 per cent on the previous two years. Much of this was bulldozed in 1999-2000, when panic clearing was at its peak. Panic clearing—and let us be very clear about what that is—is bulldozing land now even if you do not need it. You do not know if you ever will need it for grazing or farming, but just in case you do and just in case you will not be allowed to use it later or clear it later, you bulldoze it. That is the worst and most reprehensible form of environmental vandalism. It is nothing more than selfish and greedy. To defend it by claiming, 'Well, it wouldn't happen if landowners were paid ahead of time not to do it,' is tantamount to saying that we should be paying people not to break the law. It is unacceptable and there is no logical reason nor defence for it.

Queensland is a megadiverse state. We have more biodiversity than any state of Australia. Professor Ian Lowe, the former chair of the federal state of the environment report, said that land clearing is without a doubt the greatest threat to biodiversity in Australia, and most of it is happening on our doorstep. Over 80 per cent of all land clearing in Queensland is to make way for new cattle grazing paddocks. The rest is for sugarcane and other crops as well as houses, roads, factories and tourist developments. The latest Statewide Landcover and Trees Study, which uses satellite technology—which we have already talked about—identified 61,000 hectares of land that potentially has been illegally cleared. I just wanted to repeat that, because that amount of land is about equal to the size of my electorate of Mudgeeraba. I find that pretty scary.

On the Gold Coast, and particularly in an area which is growing rapidly like Mudgeeraba, land is mostly cleared for housing development. In the Gold Coast hinterland there is much to be proud of and much to protect for future generations—not just the notable World Heritage listed Springbrook National Park, but also surrounding forests and bushland in Numinbah, Austinville, Lamington and right through the south-east ranges. I firmly advocate a position of sensible, sustainable economic growth and development and I support real ecotourism opportunities, because they are the ones that showcase and highlight these environmental jewels to others right around the world and help preserve them for future generations to enjoy. But these things must be carefully balanced with a recognition of the importance of conservation of our environment.

There is a clear and scientific link between land clearing and water quality, soil erosion, salinity and the increase of harmful nutrients such as nitrogen and phosphorus in our river systems. Some of these feed into the Great Barrier Reef, a jewel that we cannot afford to lose if we are to maintain the economic viability of our state in which tourism has a great part to play. Native vegetation provides a filter to keep rivers, lakes and streams healthy and productive and reduces salinity in waterways. The removal of native vegetation, particularly along river banks, has profoundly damaged our rivers and the aquatic life within them. Salinity threatens land and water quality.

In Queensland, current land use conditions threaten to affect $3.1 million hectares with salinity by 2050. The area already affected in Queensland has increased by more than 500 per cent in the past 15 years—to 48,000 hectares in 2001. Research by CSIRO and leading scientists

has clearly highlighted the link between salinity and the nature of underlying ground water systems. It is very simple. Tree clearing causes water tables to rise. Trees act as natural pumps taking water out of the ground and lowering water tables. A rise in water tables leads to a rise in salt nearer the surface soil. Two-thirds of all land clearing in Queensland is happening in catchments that the federal government has identified as priority areas for action to prevent salinity—areas like the Condamine-Balonne catchment which has one of the highest rates of land clearing in the whole country. What does this mean? This means that it is not just a greenie's argument; it is about securing the future of our grazing and agricultural land so that generations of farmers will be able to continue to produce the diverse range of primary produce we are so fortunate to be able to enjoy locally and harvest for international export.

We need to promote vegetation management practices that will help land-holders, communities and governments better manage native vegetation across the landscape. Already farmers throughout Australia have successfully turned to new farm products and enterprises, such as the cultivation of native crops for oils, flowers, fruits and seeds, in response to land degradation and salinity. Just last year we passed legislation in this House that will allow the production of hemp crops, a move which I hope many Queensland farmers will embrace for the economic and environmental benefits that this crop potentially can offer. I firmly believe that there is a point at which the green lobby and the agricultural lobby meet and should agree. That point is that if we do not do something now to preserve the land that we have, we will have nothing to pass on to our grandchildren either to walk through and enjoy, to farm, to breathe or to drink, because it will all be gone or poisoned beyond repair. We know how much the air and water quality that we enjoy depends upon a healthy environment.

I heard the member for Callide saying yesterday that the government has sought to demonise land-holders. I know that I have been passionate—and I am—about this issue. The member probably wants to accuse me of the same thing. I can see the member for Hinchinbrook champing at the bit to accuse me of something similar, but nothing could be further from the truth. This government is serious about balancing sustainable economic land use with the need to protect the environment and maintain biodiversity. The majority of land-holders recognise that their long-term future depends on environmentally sustainable land management now. I will repeat that for the benefit of the member for Hinchinbrook, who is being too rude to listen. The majority of land-holders recognise that their long-term future—

Mr ROWELL: I rise to a point of order. The member did recognise me earlier and then when I had something to say she did not want to take me on.

Mr DEPUTY SPEAKER (Mr Poole): Order! There is no point of order.

Mrs REILLY: The majority of land-holders recognise that their long-term future depends on environmentally sustainable land management now—and they must be commended for that. It is only a very small minority of law-breakers who illegally clear native vegetation and kill, threaten and endanger species out of pure spite or sheer bloody-mindedness or fear or ignorance—whatever it might be, because that is what panic clearing is—who will be affected by this legislation and the new provisions it introduces. Law-abiding, insightful and intelligent land-holders have nothing to fear from this legislation, nor should the opposition. I am pleased to commend the bill to the House.

Mrs ATTWOOD (Mount Ommaney—ALP) (3.18 p.m.): This bill is of immense interest to those of my constituents interested in land clearing and environmental degradation. It is also a passionate issue for me as my interest in environmental concerns in my electorate of Mount Ommaney has led to my ongoing membership of the Centenary Riverfront Advisory Committee and taking part in working bees with the West Lakes-River Hills Bushcare Group. The bill primarily amends vegetation protection legislation to increase deterrence and enforcement of that legislation.

As far as the groups including Shealagh Savage from the Centenary Riverfront Advisory Committee, Ed Parker from the Save our Riverfront Bushland Group and Noel and Claire Wilson from the Jindalee Bushcare Group are concerned, this legislation is most welcome. Last week, the minister, the Hon. Stephen Robertson, kindly visited Mount Ommaney to hear the views of these and other concerned environmentalists. Their main concerns related to the devastation to our environment in Queensland caused by illegal land clearing over many years. The groups were very appreciative of the minister's visit and attendance, and seemed to think that the government is on the right track on this issue.

Mr Flynn: It is hardly farm or bushland, your electorate, is it?

Mrs ATTWOOD: It is not, but they are very concerned about it. They look forward to meeting with the minister in the future to complete the discussions on other natural resources issues.

The Land Act 1994, the Vegetation Management Act 1999 and other relevant pieces of legislation about tree and vegetation clearing are amended by this bill. The bill will improve the ability to enforce existing tree clearing regulations and provide greater deterrence to illegal clearing, as it provides clarification of existing provisions and enables additional enforcement provisions to be enacted. I congratulate the minister and his staff at the land centre on their work in identifying areas subject to protection orders and for the efforts they made in attempting to raise community awareness of the major problems that salinity will force upon us in the near future.

Queensland's ecosystem is fragile, and disruption on a large scale can cause widely felt consequences. Various crucial facets of our magnificent wildlife, our remarkable biodiversity and our abundance of flora are all in danger of extinction by indiscriminate clearing of vegetation. I am disgusted and appalled by the amount of illegal clearing threatening our natural resources. However, it is important to recognise that many property owners and lessees are doing the right thing and should be acknowledged for their magnificent preservation efforts.

Rod Goldsworthy and Friends of the Sherwood Arboretum Association are also concerned about the loss of different tree species. Recently, the Statewide Landcover and Trees Study report identified 61,000 hectares of potential illegal clearing, including 25,000 hectares on freehold and 36,000 hectares on leasehold property. Trevor Harrison from the Sinnamon Park Progress Association and I fear that physical inspection will verify these dismal figures. The serious and often irreversible impacts of illegal clearing include the loss of significant areas of vegetation, loss of associated critical habitat and species and land degradation. It is absolutely essential that clearing occurs only in accordance with the provisions of the legislation.

The bill also introduces some minor amendments to the vegetation clearing provisions within the Integrated Planning Act 1977. Effective enforcement and severe punitive measures relating to vegetation-clearing legislation are required to prevent salinity, loss of flora and fauna biodiversity and general land degradation. The current enforcement powers must be strengthened appropriately, and I am pleased that conglomerates such as pastoral company chief executive officers and station managers will be held accountable.

Provisions within the bill will also provide greater deterrence to illegal clearing by enabling authorised DNR officers to issue compliance notices that require remediation of particular sites. Authorised officers will also be able to refuse applications for clearing permits from applicants found guilty of illegal clearing, and they may require a lessee to show cause why their lease should not be forfeited if they have been successfully prosecuted for illegal clearing on more than one occasion. The government is serious about environmental protection. The introduction of more stringent enforcement provisions may ensure that rogue land-holders take illegal clearing more seriously.

The environmental groups in my area and the minister believe that although much good is being done there is more to do to manage, preserve and secure our state's diverse natural resources. I commend the bill to the House.

Mr ROWELL (Hinchinbrook—NPA) (3.23 p.m.): I wish to address a couple of very important issues in relation to this bill. Over time there has been a fair degree of ambivalence about the direction in which mining was headed. I wish to relate some of the problems experienced by people in the northern part of the state. They have had a great deal of difficulty in obtaining exploration permits. A lot of them are very small operators who do not have the ability to become involved in ILUA. It is only the big operators that are able to do that. I have visited those people on a number of occasions. There are quite a number of them and they are spread across the northern and western sectors of the state. Sapphire and tin mining, for example, are very important to the survival of some small towns. These people have invested a considerable amount of money.

Once a lease or a resource runs out, exploration must take place. For example, in Charters Towers the Mount Lyle mine closed down and further exploration was needed. I believe the legislation instigated by the state government some time ago—probably at the end of 1998—was detrimental to further exploration.

I wish to relate to the House some of the history of this issue. The Commonwealth Native Title Act 1993 provides that the responsible minister must determine by legislation, known as the 'determination', that the proposed state scheme complies with the requirements set out in the

Commonwealth Native Title Act 1993. On 31 May 2000 Queensland obtained 13 determinations from the Commonwealth Attorney-General under the Commonwealth act providing alternative state provisions contained in the Mineral Resources Act 1989, the Land and Resources Tribunal Act 1999 and the Supreme Court of Queensland Act 1991 for rights to mine granted by the Mineral Resources Act 1989 over land subject to native title.

Quite a plethora of things happened in the nineties and into the 2000s. On 30 August 2000, the Senate disallowed six of the 13 determinations, being those approved under section 26B and section 43A of the Commonwealth Native Title Act 1993. The effect of this was that the remaining seven determinations would have applied to some Queensland mining tenements, and the Commonwealth right to negotiate would have applied to the remainder. The alternative state provisions were amended to extend the section 93 schemes to all lands and waters in Queensland where the right to negotiate would otherwise have applied, and repealed the section 26B and section 43A schemes that had been disallowed by the Senate.

On 18 September 2000 Queensland commenced using the alternative state provisions. I would like to read a few excerpts from *Hansard* of what the Premier had to say about mining exploration when answering a question of the member for Robina. On 8 August he said—

We did get it through the Senate. We succeeded where no other state has succeeded. We got it through the Senate because we had a good model and we consulted widely.

He might have consulted widely, but it did not work. That is the problem we have now. On 7 August he made a ministerial statement, saying—

Honourable members can be confident, however, that Queensland is leading the way in creating effective native title processes that will allow Queensland to get on with business.

It did anything but get on with business. We saw massive disruption of exploration and small miners facing difficulties. They had substantial quantities of equipment out there rusting as they experienced enormous difficulties getting mining exploration permits.

On 8 February 2002, Justice Wilcox of the Federal Court found that the Commonwealth Attorney-General's section 43 determinations were invalid on the basis of a technical point. Justice Wilcox found the section 26A determinations were valid. The consequences are that the section 26A schemes had replaced the Commonwealth right to negotiate process and had operated since 18 September 2000 but the state section 43 schemes had not operated from the above time and the Commonwealth right to negotiate process had instead continued to apply. Because there had been no compliance with the Commonwealth process, any process undertaken and grants made under section 43 schemes would not be valid as against native title.

That was a major problem. During the estimates hearing last year, the Minister for Natural Resources, Stephen Robertson, announced that the Premier had requested DNRM to review the state's native title process for future grants of exploration mining tenements. The state government made it clear that the use of alternative state provisions as the state's preferred policy had become compromised by the Senate's disallowance of part of the original package.

It was interesting to note that the Premier virtually then flicked the issue to the Minister for Natural Resources because it was not working quite in the manner that the Premier had hoped. On 27 November 2002, the full Federal Court delivered its decision on the appeals, reversing the earlier decision of invalidity and finding that the Attorney-General's section 43 determinations were valid. Therefore, the state's section 43 schemes for high-impact exploration and mining production had, in fact, always been operative since their commencement on 18 September 2000 and the process undertaken and the grants made under the scheme were valid as against native title.

On 28 November 2002, the Premier and the Minister for Natural Resources and Minister for Mines announced that their review concluded that, in 2003, the state would move away from using the alternative provisions and instead adopt the Commonwealth's right to negotiate process. I think that was particularly important and very relevant.

In relation to how the objectives of the bill will be achieved, the class of mining tenement applications to which the alternative state provisions apply—to those made in the period between 18 September 2000 and 31 March 2003—will close. The Commonwealth right to negotiate process will instead apply to mining tenement applications made after that period. Mining tenement applications that are in the backlog, that is to say, pre 18 September, will instead be progressed under the Commonwealth's right to negotiate process. The state's Land and Resources Tribunal, as the arbitral body under the alternative state provisions, will as a result of

the bill have a definite and finite number of matters for which it continues to have jurisdiction. The bill does not otherwise impact on other jurisdictions of the tribunal.

The minister must be able to impose conditions on exploration permits and mineral development licences and a mining registrar will be able to impose conditions on the prospective exploration activities under those permits. Tenements need to meet the requirements of the expedient procedures under section 237 of the Commonwealth act, the Native Title Act 1993. This will allow the state, when issuing a notice to commence the right to negotiate process, to include the statement that the state considers the exploration tenement attracts the expedient procedures. For the expedient procedures to apply, the mining activity can involve major disturbances to land or interference with community life, or sites of particular significance to native title holders. When the mining act attracts the expedited procedures, in no way is there a requirement to negotiate in good faith. Under the expedited procedure, the procedural rights are instead limited to a notification and a right to object. If an objection is made, the Native Title Tribunal must then determine whether the act does or does not attract the expedited procedures. If the mining act does not attract the expedited procedures in good faith, no negotiations are required.

I refer to the consultation process, because it is quite important. As part of the state government's review of the native title process for future grants of exploration of mining tenements, the Queensland Mining Council, the Queensland Indigenous Working Group and the seven Aboriginal and Torres Strait Islander group representative bodies in Queensland were consulted. At a meeting held with the QMC in December 2002, the recently retired CEO, Michael Pinnock, gave his support to the principal amendments that the state government had agreed to draft into this bill adopting the Commonwealth's right to negotiate procedures.

A plethora of things have happened in relation to native title. There has been a considerable hold-up in the state in terms of mining, in terms of getting exploration rights for drilling, and a range of issues that are so critical to carrying out operations in an industry that returns Queensland many billions of dollars. In fact, it is the state's principal export industry.

I would like to turn now to land clearing, which is quite important. This bill is upping the ante, not so much in terms of the maximum penalty that applies but certainly in relation to the position of some people who have bought property with trees on it. I want to talk about the impact of tree clearing laws on the sugar industry, because I have growers coming to me raising issues that are quite important. At the end of 1996-97, there was a great determination for the sugar industry to expand. It did not matter which party was in government; that was going on. So land was bought with trees on it and those who did not knock down all the trees were caught by the tree clearing legislation. It is as simple as that. That was particularly the case when the vegetation was considered to be remnant vegetation.

A producer in my electorate had been involved in another business, but because his father was getting old he decided to come back onto the farm and give him a hand, so he bought a piece of land. He went through the process with the EPA people—looking at streams, gullies and that sort of thing—to ascertain what should be cleared and what should not be cleared so that he could get a permit to carry out clearing. He went through that process and very clearly the EPA said, 'If we preserve these areas that are very important, there should not be a problem.' After spending the money and hoping that, with the purchase of the land, he and his family could go back onto the farm to assist his father and make it a viable operation, the application put forward was knocked back. He was not able to clear that land and, consequently, with no compensation—and I will refer to compensation very shortly—that enterprise suffered very, very badly. So really, who makes the rules? The environmental considerations were going to be adhered to. There was not a problem with that. This man certainly made a clear determination to seek the support of the EPA. He did that and when he made his application, the application was refused.

In many parts of north Queensland, particularly around the coastal areas, we are seeing the regrowth of species of wattle. Very often, the rate of growth of wattle in those areas reaches 70 per cent of its full potential within a very short period. It can do that within five to six years. That means that what is classed as regrowth in those areas really does not become regrowth because of the size of the species.

I know of people who have been caught up in this process, and it is very alarming. Because they thought it was all about regrowth and because of the massive growth that occurred over a short period, it is totally unreasonable for them to be denied the opportunity of clearing those areas. That is exactly what happened to that person. He was refused the right to farm that land.

He thought that by doing the right thing and applying to the EPA he would be successful in his application. What we are seeing now is the triggering off of a process where some 61,000 hectares have been defined. There is some doubt, however, because I do not think that the mapping process has been absolutely finished at the present time. We have reached a point where something like 2,150 people have been involved in incidents. What I am not certain about is whether some of that 61,000 hectares is entirely remnant-type vegetation that is worthy of retaining.

Mr Robertson: That's why we've said that—because they're all subject to further investigation.

Mr ROWELL: The minister has made the point that there is some 61,000 hectares, but still to complete the process of the mapping and certainly putting the overlays of the—

Mr Robertson: That has been done.

Mr ROWELL: All the mapping has been done and all the overlays are there, yet there are 61,000 hectares, some of which is in doubt as to whether it is remnant vegetation. Is that right?

Mr Robertson: We always said 'potentially'.

Mr ROWELL: Potentially. What—

Mr Robertson interjected.

Mr ROWELL: Why not wait to do the groundtruthing before bringing this legislation in? Was it not appropriate to do that? Nobody is going to clear many of the areas at the present time, but that is the decision that has been made. Is it just a political decision made at the present time—that is, the government is absolutely determined to nail people because of some political innuendo in terms of people who clear land? I am not going to support those—I will be quite clear with the minister—who clear illegally. There is no question about that. But I have seen instances where people have done minor clearing and have been dobbed in by others and it has cost quite a bit for them to prove their bona fides and that the reasons for the clearing were legitimate. This sort of thing is going on at the present time and I do not think it is a good thing that we go through that process.

One issue I want to raise with the minister relates to compensation. We would reduce non-compliance if there were compensation measures in place. Very often when people do acquire land they get into a position of having to clear some of it to maintain their presence on their properties. It is difficult to go through the process of complying with everything that needs to be done. If they knew that at the end of the day there was some compensation factor they could turn to, the instance of non-compliance would reduce considerably. It is very difficult for people who have territory not to use it. Yes, they can go through the process. I have reiterated to the minister over and over again that some have tried to do this with all the best intentions in mind and found it extremely difficult.

Time expired.

Dr LESLEY CLARK (Barron River—ALP) (3.43 p.m.): Today I rise to put on the record my absolute support for the Natural Resources and Other Legislation Amendment Bill because there does need to be the strongest possible deterrence to illegal land clearing in Queensland as part of an overall regime for sustainable land use. There is no avoiding the fact that excessive land clearing is a major problem in Australia and here in Queensland, with potential serious implications for salinity, soil erosion, water quality, climate change and biodiversity.

I refer to the Wentworth Group of Concerned Scientists and its document *Blueprint for a living continent* which outlines very succinctly the extent of this problem. In the section on land clearing, the document notes that by 2050 some 17 million hectares of Australian farmland and remnant bushland will be at risk from salinity, the equivalent in area to three-quarters of Victoria. The paper also notes that one in five native bird species is threatened with extinction and most of our woodland bird species are in rapid decline, about 50,000 kilometres of streams have been degraded by sand deposition, and sediments are moving off hillslopes much faster than soil is formed. The paper also notes that in recent decades the rate of land clearing has accelerated with as much land cleared during the last 50 years as in the 150 years previously. Finally, the paper notes that in 2001 an estimated 687,800 hectares of bushland was cleared across Australia, approximately two-thirds of which was remnant bushland. This is equivalent to 50 football fields being cleared every hour.

On a personal note, I have been tree planting with various groups since the mid-1980s. I would imagine that those trees I have planted over the years are probably the equivalent of what

is cleared in an hour and I give this example to express my frustration. Quite clearly, all of the efforts that so many people, including myself, go to in order to repair our landscape could be seen to be quite futile in some ways when we see these sorts of statistics. They are not futile; obviously they are very valuable. It is very important that we repair the landscape and habitats. It is something that I do obviously feel passionately about and I feel very frustrated when I read those sorts of statistics and witness what is happening.

In Queensland the Statewide Landcover and Trees Study report released in January this year found that the statewide average annual clearing rate from 1999 to 2001 was 577,000 hectares. However—and this is very significant—the rate fell by 50 per cent between 1999-2000 and 2000-2002, when the annual rate was 378,000 hectares per year, reflecting the effect of the first year of the implementation of the Vegetation Management Act. Whilst this level of land clearing is still far too high, significant improvement is unlikely to occur until the current negotiation with the Commonwealth is satisfactorily concluded and the issue of compensation for farmers is addressed. I notice that that issue has been discussed here today. It is important for us to remember the statements that our Premier has made in relation to this, because the Premier indicated in this House yesterday that these negotiations with the Commonwealth are progressing well and I, like him, look forward to a positive outcome sooner rather than later. I recall that in the House he said that he was keen to meet personally with the Prime Minister. He said that he wanted to keep the discussions on track so that we can give Queensland an agreement that addresses the needs of land-holders and delivers the imperative of sustainable land use and not to do so would be irresponsible government. I can only but agree with those sentiments.

Furthermore, Minister Robertson in a recent media statement made reference to regional vegetation management committees, which are progressing the 24 management plans across the state and which will play a very important part in resolving this issue, the first of which has actually been made available for public comment—that is, the southern desert uplands draft plan. Minister Robertson had this to say—

Each of the draft plans recommends that the government expedite negotiations for the provision of incentives and adjustment arrangements for land-holders disproportionately affected by controls applied or required by the plans.

That is exactly what is happening with the Commonwealth. In some ways I am actually disappointed, though, to find that with the amendments that the Deputy Leader of the Opposition has put forward to this legislation he is proposing to insert a whole section 71A in relation to compensation, knowing very well that this process is under way with the Commonwealth government. I am afraid it really smacks of some grandstanding. He is trying to get brownie points, just like those opposite did with the ethanol issue. Rather than working with their colleagues in Canberra and making sure that those Commonwealth negotiations—

Mr Rowell: Put some money up. How much are you going to put up?

Dr LESLEY CLARK: It is absolutely understood that this will be a joint approach. We will not allow the Commonwealth to avoid its responsibility for this important issue. That is why we have been waiting so long for the Commonwealth to come to the table. It is finally coming to the table. I urge the member for Hinchinbrook to make sure that his federal colleagues ensure there is actually a commitment from the Commonwealth.

I think it is important to consider the words of the Premier, when he appealed to all of the stakeholders to work together for a positive outcome. We are certainly doing that. I trust that we will see an outcome for this in the not-too-distant future. We obviously need this for Queensland's sustainable use and for the farmers themselves.

It is the intention that of-concern native vegetation on freehold land, which was removed from the ambit of the Vegetation Management Act by amendment in 2000, will in fact be protected within those plans. That is another reason we need those plans. In the absence of regional vegetation management plans, applications for land clearing are assessed against codes in state policies.

It is clear—I do not think anyone will deny this—that numbers of landowners are not bothering to make applications to clear land and are simply going out with their bulldozers and pushing over the bush on their land. I will not buy into the argument about how many hectares have been cleared. SLATS says that it is 61,000. The minister has said that it was always understood that that figure would have to be groundtruthed. That is absolutely right, but we do need further legislation to ensure that those people who are illegally clearing are adequately dealt with.

The Deputy Leader of the Opposition has questioned the extent of this illegal clearing, but he cannot avoid the issue of how people should be treated if they do clear land illegally. He knows that it is occurring. I just hope he will support us in this legislation. I have my doubts, however. Members might recall that the National and Liberal parties, in the Clayton's coalition deal we heard about recently, set out their position on the issue of land clearing. They have in fact rejected the use of punitive measures in favour of incentives. It was made publicly available for all to see that their approach is all carrot and no stick, which to our mind as a government is simply not acceptable because there will always be people who will do the wrong thing, regardless of how many incentives are offered.

It is also ironic that, whilst it clamours for tougher penalties for just about every criminal offence, the opposition would apparently allow those who destroy the economic and environmental values of our land, impoverishing future generations and denying them the opportunity for sustainable development, to go scot-free. We do not share that view. We believe in a balance of carrot and stick to get the outcomes we need. We consider illegal clearing to be a serious offence that must be punished and that the perpetrators must be required to make reparation by way of fines and revegetating the land.

The legislation provides for a number of additional deterrents to be inserted into both the Land Act and the Vegetation Management Act to cover illegal clearing on both leasehold and freehold land. The first of these is forfeiture to the minister of a lease for repeat offenders. Under this legislation the minister has a new power to actually cancel a lease where the lessee has more than one conviction for tree clearing offences. The legislation also allows the chief executive to reject applications for tree clearing for a period of five years when made by persons who have been convicted for unlawful clearing of land.

With regard to penalties, whilst the size of the maximum fine remains at approximately $104,000, the bill does insert new guiding provisions so that the size of the fines actually reflects the seriousness of the offence, with clearing of remnant endangered regional ecosystems attracting the greatest penalty. The person convicted of an offence may also be ordered to pay the department's reasonable costs of investigation and prosecution.

In the past, landowners have cleared land and happily paid fines knowing that they will still benefit financially because they can use the land that has been illegally cleared by keeping it cleared. This bill amends the Integrated Planning Act so that cleared vegetation will now be regarded as remnant vegetation and an application will be required to reclear that land. Of course, that application may well indeed be refused, as it should be in my mind. In cases where the landowner has been required to remediate the illegally cleared land, this provision will run with the land, applying equally to a new owner if the land is sold, thereby effectively decreasing the value of the land.

All of these new provisions are designed to stop financially rewarding people who illegally clear their land, as has been happening up to now. They also recognise that it can be difficult to practically stop illegal clearing, and the bill gives additional powers to officials to enter land without a warrant and act quickly if they suspect that illegal clearing is occurring and to use reasonable force to stop the offence if it is taking place.

In the past, people have avoided prosecution by claiming that they did not know the vegetation was protected from clearing and had made an honest mistake. That may be the case for some people. It may not be. This bill removes this defence, and people must now exercise due diligence before acting to clear trees on land. They need to go and check the maps. That is not such a hard thing to do. If someone is thinking about clearing their land, all they have to do is pick up the phone, contact the Department of Natural Resources and find out the status of that land. At other times people have tried to claim that the clearing was carried out by somebody else. They would say, 'I knew nothing about that. Somebody else has done that and I did not give them permission. It wasn't me.'

Mr English: If it doesn't work for Bart Simpson, it shouldn't work for them.

Dr LESLEY CLARK: Indeed. This bill assumes that the owner is responsible, in a similar way to red-light camera and speeding offences. That is, we presume the car owner to be responsible unless they can prove otherwise.

I have described the provisions of the bill in some detail in order to demonstrate the determination of this government to stop illegal land clearing. However, I acknowledge that the major problem remains. Too many applications for land clearing are approved and clearing is continuing at a totally unacceptable rate in Queensland. This current rate cannot go on.

Sustainable farming practices must be adopted. The present environmental degradation simply cannot continue. Habitat loss, species extinction, salinity and soil erosion, with subsequent impact on water quality, will only increase if land clearing continues to occur at the present rates.

As I said at the outset, the negotiations with the Commonwealth for an integrated package of structural adjustment arrangements that are fair to farmers and lead to sustainable land management practices must be successfully concluded. I commend the Premier for his efforts in this regard. I, like him, hope that negotiations will be successfully concluded sooner rather than later.

I hope that, as part of this package, we will recognise that we in Queensland need to change the way we actually farm our land. I again refer members to the document of the Wentworth Group of Concerned Scientists, particularly the section entitled 'Farming without harming'. In that section the scientists set out very clearly the kinds of changes that need to occur. They state—

The essential design criterion of sustainable farming is to ensure that present-day flows of water, nutrient, carbon and energy match the magnitude of these flows that evolved to suit the way our landscape functions. This will require radical change to land use, incorporating the following features:

They then set out a number of new practices. They continue—

Farm forestry, new agricultural production systems, and restoring native vegetation present opportunities to restructure the landscape with vegetation that has a similar water use pattern to the original native vegetation, with the potential for substantial amelioration of the impending problems.

Substantial research is needed if we are to do that. These are the challenges for government, primary producers and organisations such as Agforce and the Australian Farmers Federation that we must face as a matter of urgency. I commend this bill to the House.

Ms MALE (Glass House—ALP) (4.00 p.m.): It is with great pleasure that I rise in support of the Natural Resources and Other Legislation Amendment Bill. This is a vitally important piece of legislation for a number of reasons. Mainly, it is important because it tackles illegal tree clearing by imposing tough measures on those people caught clearing land without a permit.

The bill is also important because it is the first real test for new National Party Leader, Lawrence Springborg, and his born-again opposition. The member for Southern Downs said when he won the opposition leadership that one of his priorities was land clearing. Naturally, the Beattie government would therefore welcome the opposition leader's fulsome and wholehearted support for this bill.

The new opposition leader has been to visit all the old National Party hacks to get advice, including his mentor Rob Borbidge, which is surprising as Rob Borbidge has never won a state election. Hopefully, as shadow minister for the environment, the member for Southern Downs will not employ the same cynical strategies Borbidge employed when in opposition. I remember the empty promises that the Borbidge opposition made to the Greens to get their support before the 1996 Mundingburra by-election. It came as no surprise to me that after their by-election win the Borbidge government neatly ignored all of their promises to the Greens, and the Environment portfolio languished for two and half years.

The Greens and the other conservation groups have not forgotten this deception, I have not forgotten this deception and neither should this parliament. However, today the member for Southern Downs can show his alleged true green colours by embracing this legislation. He should put aside his talking tough on law and order and start talking tough on flora and fauna protection. His 100 per cent support for this bill would be a step in the right direction and show that the National Party is more than a single issue, single constituency party.

I know that in my own electorate of Glass House people feel strongly about issues of conservation and land management. Farmers have embraced the need for sustainable farming practices in Glass House and they know that indiscriminate land clearing does more harm to their resources than any short-term benefits it might bring. In fact, a lot of land-holders are working closely with DNR and various landcare groups to ensure that they use the most sustainable practices and have also embarked on numerous revegetation projects to ensure this end. It is encouraging to see the number of 'land for wildlife' signs that have been going up around my electorate, as they also work in closely with the council and the vegetation officers there.

These land-holders have nothing to fear from this legislation because it is purely aimed at those people who clear land without permission. It is imperative that we control land clearing. We all know that excessive land clearing, especially in sensitive areas, can lead to major problems such as salinity, loss of water quality and a loss of biodiversity. This has huge implications for a sustainable agricultural industry as well as for the viability of the landscape itself.

Currently the vegetation management framework consists of the Vegetation Management Act, which controls clearing of native vegetation on freehold land and works in hand with the Integrated Planning Act 1997, the Land Act 1994, which controls clearing of native vegetation on leasehold land, the state policy for vegetation management on freehold land, the broadscale tree clearing policy for state lands and the new regional vegetation management plans which are well and truly being developed. These RVMPs are being prepared by 27 community based planning groups throughout the state, and they have allowed land-holders, community and industry groups the chance to contribute their expertise to the preparation of these plans.

If land-holders wish to clear land, they need to ensure that they apply to the Department of Natural Resources and Mines, which will assess their applications against the code to ensure that it is suitable for the area and the environment. But this legislation today is designed to capture those people who do not follow the rules set down for sustainable management of the land. It is designed to heavily penalise those who would break the law and endanger the viability of our natural environment.

It was disappointing to hear the member for Callide and the member for Gregory twist the facts and put a rather confused spin on why we should not be putting this tough legislation into place. Innocent people are not going to be caught up in these penalties, only land-holders who are guilty of illegal clearing and guilty of environmental vandalism.

If everyone in Queensland was an environmentalist and a conservationist, as the member for Gregory stated, then we would not need to have this framework and this new lot of penalties in place. Of course we are not demonising all land-holders. We have made it quite clear that this legislation is needed to punish those land-holders who illegally clear vegetation and make sure that they do not receive an economic reward for that illegal clearing.

Let us look at what these penalties are. There are certainly heavy financial penalties. There is a possibility of compulsory remediation at land-holders' cost. This is an important step forward because illegal clearers in the past have been quite happy to cop a fine and then simply proceed with their plans for the cleared land. There could be forfeiture of their lease or a five-year ban on clearing permits for anyone with illegal clearing convictions. There is also the ability for the court to take into account additional factors when determining the severity of the offence, such as the amount of land cleared, whether the vegetation was considered to be endangered or threatened or not-of-concern vegetation and the sensitivity of the ecosystem. There is also the ability to link the land title to remediation orders so that the land-holder cannot benefit financially from illegal clearing. The bill also ensures that illegally cleared land cannot be re-cleared without obtaining a permit.

The penalties outlined in this bill should be a sufficient deterrent to stop people from illegally clearing land. Once these laws are enacted, I would urge the minister's departmental officers to step up inspections, and if any breaches are detected then penalties should be rigidly enforced. Hopefully through this bill and continuing discussions with the federal government, the Howard regime will finally come on board to reduce land clearing in Queensland and provide the necessary monetary incentives for people to reduce the need for continued land clearing. I call on Lawrence and Bob to lobby their federal counterparts in Canberra to put in place a compensation fund for land-holders.

Illegal land clearing is totally unacceptable, and I have heard many members during this debate mention this point. This legislation will hit offenders where it hurts most by ensuring that they cannot benefit economically from illegal clearing activities. They will not only be heavily fined but also be unable to utilise the land that they have illegally cleared. The present rate of land clearing is not sustainable, and we should all learn from the errors of the past. This bill will go a very long way to reducing illegal land clearing, and I commend the bill to the House.

Mrs PRATT (Nanango—Ind) (4.05 p.m.): I rise to speak briefly to the Natural Resources and Other Legislation Bill 2003, which 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. The minister's second reading speech stated that the legislation would deal with two issues. The first is 'the scourge of illegal clearing'.

I would like to congratulate the government on this part of the bill because it is about time the government recognised that it is, in the main, totally responsible for the current situation regarding land clearing problems in Queensland. This government has been unable to

understand the real issues of land management in rural areas and has not been prepared to converse with those who could help.

The government must take a lot of responsibility for tree clearing because the government did not make it very clear in the beginning as to what was expected of property owners. I am not sure whether at the time the government knew exactly what it was asking of them, either. If it did, it failed dismally to convey it to landowners. At the time, it was stated that a person could not clear designated areas on their properties if they were identified as designated endangered areas containing certain species or land subject to possible erosion or salinity.

The difficulty for many land-holders at the time was that they were unable to access any definitive maps because groundtruthing had not taken place. I still have doubts about how much groundtruthing has been done, and I will be interested to know from the minister how far that has gone. When seeking information from councils, land-holders very much prepared to do the right thing were left in the dark because the councils could not supply relevant information because they could not get the relevant information from DNR. Worse still, the staff of the Department of Natural Resources did not even know themselves, or, if they said they did, as occurred in a couple of cases, different departmental staff gave conflicting information. So there is no doubt that people were very, very confused.

People who had selectively cleared land over long periods of time to conform to a long-term strategy to manage their resource panicked. Government stampeded these land-holders because it did not take the time to consult properly or explain properly what it had in mind and why it had it in mind. The government just took a blanket approach and said, 'This is what we are going to do and basically you will accept it.' There was no consultation. In fact, the government by its very actions went out of its way to offend land-holders by implying that they were inefficient and environmental vandals when these land-holders are predominantly good managers and would have backed the government to the hilt if they had been included and not excluded as if they were uneducated imbeciles.

These land-holders could and would have helped to mark out vulnerable areas on their properties. In fact, many were actively working on preserving certain areas of their properties long before this bit of legislation was passed. In the beginning, many actually assisted DNR officers, only to find themselves under suspicion and facing penalties. There is not a single land-holder who does not understand that in their field, just as in parliament and in every other industry, there are 'cowboys', people who give the industry a bad name. Most land-holders would love to help the government expel them from the land. Most people realise that the directions given to their grandparents by governments to 'clear the land or lose it' were incorrect and over time have strived to replant trees to ensure that erosion is halted and that further erosion does not occur. As I said, this action started long before it became popular. A member stated that she and others had planted an awful lot of trees and felt that their efforts were wasted. I assure that member that in the Kingaroy area there are plenty of land-holders who have re-treed their entire properties. Maps from only 30 years ago show the hills barren of any trees whatsoever. But if we look at photos today, these areas are beautiful and green and covered in trees.

Unfortunately, many people were told that large sections of their properties consisted of endangered vegetation zones. This did in fact render their properties useless in terms of the purpose for which they had purchased them. Therefore, what they saw for their monetary future was a pretty poor outcome, because these people had actually purchased these timbered areas for their retirement. Although many understood and supported the issue the Vegetation Management Act was hoping to address, it did not ease the feeling that they had just been robbed of their future. Naturally, they wanted to avoid that kind of future or be compensated for it, but at the time that was not on the government's agenda. No compensation that I have heard of was offered. I was pleased to read in the second reading speech that—

> 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.

I hope time will prove that that is in fact true. Many people are still unsure of their positions under the Vegetation Management Act, and at the time of the passage of the tree clearing legislation many were reassured that the treed properties they had purchased would not be affected. I now find that some of these same people are receiving a letter saying that they can no longer harvest these trees. To them, it appears the government just moves the goalposts at every turn.

I agree that we should not clear indiscriminately and that a harsh penalty should apply to those who do. The point is that every case must be looked at individually and realistically and perhaps the time should be taken to really show them why that clearing should not take place.

The government's approach to proper land management has, at times, been misguided and ill-informed. In other cases, perhaps knee-jerk reactions have compounded what has caused the current dilemma. For instance, the government issued a map of restricted areas in south-east Queensland where vegetation was at risk. If it had actually taken the time to look at these areas of concern, it would have realised that a lot of those protected areas were in fact regrowth areas. To date, there are areas in many parts of Queensland that I know nobody has actually looked at at all. There are many areas that have been classed as at risk. I ask the minister to please ensure that these at-risk areas are properly designated.

The incompetent way the government has approached the subject has sometimes been really quite appalling and, as I stated before, led to panic clearing. It is just like a rumour involving a bank nearing bankruptcy. The first reaction is to take our money out of the bank and protect ourselves at all costs. For some people, that is their exact attitude to land clearing: 'We will get it done now and sneak it in.' They do not realise that, with the satellite mapping and everything else, a tiny flame can be pinpointed. As much as we try to tell them that that can happen, without the actual visual aid on a computer screen they are not convinced at all.

Under modern farming practices, a property owner is more aware than ever of the importance of not abusing the land. In today's modern farming community, land management is an important part of any successful property management. I believe that most of them do it very well. I say 'most' because there are cowboys and renegades. Erosion, soil degradation and salinity problems are part of the management of any property.

When we consider tree clearing, I ask the government to look along the coast and at the urban backyard. To me, the ultimate vandalism occurs in those areas. I travel the coast quite often and I see hectare after hectare of scrub and coastal tree areas being 'vandalised' by property developers with an eye for the almighty dollar but no regard for erosion and other issues addressed in this bill. These areas just become irrelevant because they can be hidden under tar and cement. When we look at the coast, these areas are under a lot of pressure. We continually hear people saying, 'Our resources are becoming more limited.' One area where I grew up was lush and beautiful. Never in my lifetime or that of my parents were there water restrictions or such issues. Now, they continually take place. The resources on the coastal strip are just as badly affected as those out west. Unfortunately, the actions of developers attract very few detractors and seem to be okay with governments. A huge increase in land taxes and associated developmental costs soothes political palms, it would seem.

The Gold Coast and Sunshine Coast are just typical examples of the continual destruction of coastal vegetation areas. I really would like to see more protests against such situations. How are these areas ever going to compensate for the massive tree clearing taking place here, with the housing developments on such small blocks of land that there is very little land left even to plant a tree? Who is to blame for excess clearing? I know. I am told all the time in this House and in media reports—the bush vandals. I do not agree. We all are responsible—every single individual.

I also question the figure of 61,000 hectares that is identified as illegal clearing. Over the last few years with the drought I have seen a lot of trees suffer dieback. It was quite oppressive. I had never seen it before and I hope to heavens I never see it again—trees dying one by one, totally denuded of any leaf structure at all. A lot of bush was trimmed to feed stock. Lots of fires took out a number of hectares of scrub.

I do question that figure of 61,000 hectares. I am sure there are many more farmers and land-holders complying with the VMA since its introduction than the government thinks. Again, I believe this piece of legislation is aimed at the bush and perhaps unintentionally is another kick for rural property owners. I do believe, along with the government, that we now know the effects of salinity, of indiscriminate clearing. I also admit that we have to be very careful in terms of how we handle our resources. I am in two minds about this bill. I will continue to listen to the debate and shall make my final decision at the end of the debate.

Mr ENGLISH (Redlands—ALP) (4.18 p.m.): I rise to join this debate and stand here proudly before members to say that this government is tough on crime and tough on the causes of crime. Does it matter whether the offence we are talking about is breaking and entering a house, dealing in drugs, sexual assault against a child or raping and pillaging our land? To me there is no difference; a crime is a crime. In my opinion, the better guidance in relation to penalties given by this bill will make the time fit the crime—nothing more, nothing less.

We have heard many members of the opposition rabbit on ad nauseam about the government causing panic clearing by introducing tree clearing laws. The member for Nanango

said that in a bid to protect themselves against the government's laws farmers went out and cleared the land. Members who raise this argument also, in the same speech, rabbit on about the concern these land-holders have for their land. However, the two positions are diametrically opposed. They do not stand together.

If the government is going to bring in laws to prevent tree clearing and we value our land, the reaction cannot logically be to run out and clear it. Members of the opposition are running an inconsistent lie to the people of Queensland. The two positions cannot stand together. If we value our land, the reaction to tree clearing laws cannot be to go out and hack it all down. Whilst they are trying to take a buck each way, I ask them to stand up today for the environment of Queensland. They should take a position, not engage in this two-bob-each-way con job they are trying to sell to the people of Queensland. If we are keen to protect our land there is very little justification for running out and panic clearing it because the government is bringing in laws to protect the environment, which we allegedly value so highly.

I have some other words of wisdom for members of the opposition, and I hope they listen clearly. As a police officer who lived through the Fitzgerald inquiry and the post-Fitzgerald Queensland Police Service I know that accountability is very painful. I hope they remember that. I have been investigated on a number of occasions by the CJC as a serving police officer and I have been cleared on all occasions. I do not back away from that, because for the Queensland Police Service to be an accountable organisation people must be free to make complaints that are subsequently investigated. If found guilty, offenders should be convicted. The member for Gladstone said that people are complaining about the intimidatory nature of this bill. If the science shows that there is suspected tree clearing, it is quite proper for an investigation to be conducted to determine the facts. Is it pleasant being investigated? No! Is it fun? No! Is it necessary? Yes! We need to make everyone accountable for their actions. If people have not cleared trees illegally, they have nothing to fear from this bill. I say to those people who accuse this bill of being intimidatory and who are upset at the prospect of being investigated: welcome to the world post-2000. As I said before, accountability is painful.

Some concern has been raised over the accuracy of the SLATS data. I do not think any honourable member disagrees that there is a percentage error in the SLATS data.

Ms Keech: Only a small percentage error.

Mr ENGLISH: There may be a small percentage error or perhaps a large percentage error. The issue is that no-one is denying that there might be an error. That is what the process of groundtruthing and an investigation will find out. If we are not engaging in illegal tree clearing we have nothing to fear from an investigation.

Recently, in my electorate of Redlands we have had a significant environmental incident. An article in the *Bayside Bulletin* from Tuesday, 25 February states—

The proprietor of Redland Shire's biggest quarry, Dick Karreman, has admitted to accidentally bulldozing four hectares of koala protected bushland at West Mount Cotton in order to mine it for gravel.

Mr Karreman was quoted in the article as saying—

We are clearly guilty, I know that and there is no excuse, we're not trying to cover up.

I hope the department will investigate the actions of Mr Karreman and perhaps use the provisions of this bill to make sure that the environmental vandalism undertaken by Mr Karreman is met with a tough financial penalty. Hopefully, the court will order him to rehabilitate the four hectares of land that he has raped and pillaged and taken from the people of Queensland. I commend this bill to the House.

Ms MOLLOY (Noosa—ALP) (4.25 p.m.): The Natural Resources and Other Legislation Amendment Bill 2003 has been introduced to amend five pieces of legislation dealing with mining, native title issues and concerns about unlawful clearing of native vegetation. Because of the nature of my electorate I wish to focus on the unlawful clearing of native vegetation. As members can imagine, this matter is close to the heart of the communities living on the Sunshine Coast and is especially meaningful and reassuring to those in the Noosa electorate.

Mr Cummins: And Kawana.

Ms MOLLOY: And Kawana. I am proud to say that this legislation has on the whole been embraced by my constituents. I believe the farmers are not only well informed on these matters but are actively endeavouring not only to cooperate but also to rehabilitate their properties and to preserve the natural vegetation because they are informed.

In the Noosa electorate there is a groundswell of community groups living in the coastal urban as well as in the rural area who are committed 100 per cent to managing, preserving and growing an environment rich in its biodiversity and natural heritage that our children will inherit—an environment that Queenslanders, Australians as well as the global community can already identify as being under threat and as worth preserving.

In the *Guide to Vegetation Management* policy in Queensland 'vegetation' is clearly defined and is well worth reading. By definition, those areas under the plan are those of high conservation value, such as the Marcus High Dunes, which this government has placed into the national parks estate only last year after the community decided to fight for it. Other areas are those that are vulnerable to land degradation, such as soil erosion, rising water tables, stream bank instability and a process that results in declining water quality. The list goes on. This list of initiatives and identification is high on the agenda of the community groups in Noosa, who really are the environmental custodians, often with the support of this state government and the local council.

This legislation has a long history in the making. It does impact on individual farmers and, at the same time, is there to inform and protect them. It spells out clearly what can and cannot be cleared. Yet I empathise with those farmers who feel as if some injustice is being carried out on them, but I have to say, 'What about the bloody injustice carried out on our environment by the rape and pillage of the farmers of the past and the ignorant, greedy, money grubbing developers who will desecrate the earth with a scorched earth policy,' as I have witnessed at Peregian Springs. In my own backyard, hectares were razed and set alight with and without permission. The forest was destroyed. Now stands a housing development.

This government just declared the D. Bird land in Coolum National Park. I acknowledge the presence there of the member for Kawana giving support to both me, the Premier and the Minister for the Environment, Dean Wells, and to thank them for their role in securing the parcel to National Parks. Is it any wonder I am passionate about the future when I live surrounded by such beauty and want the next generation to breathe the air I breathe, see and hear the birds and wildlife I hear and see. So if a farmer or land owner does consider tree clearing, think again, check with their local council and see if they can find it within themselves to help protect the little we have left. Farmers or other people who flout this legislation will incur penalties. Let us not be ones to say we did nothing when we could. We all have a moral responsibility to support this legislation.

I know that this legislation is contentious for some members of the community. I say to them that they have a role to play in negotiations when a problem is identified. It is not good enough for them to just sit back and criticise. They have a responsibility to contribute, to make things right in their backyards. When an area originally gazetted for specific land use is identified, that land should be managed to bring about the best outcomes not only for the community but also for the environment. I know that the ministers of this government work closely with members to ensure that the environment is a priority for the public good.

Today, Queensland is establishing itself as a leader in vegetation management with a history for which many believe they are paying a price. However, as I have said before on numerous occasions, we must turn back the tide locally. There are strategies in Noosa such as the Noosa river catchment management strategy, which includes groups such as the Noosa and District Landcare, the Noosa Parks Association, the Noosa council, the Queensland Biodiversity Network, Save Today our Parkland, and the Australian seabird rescue group. I think that it is important to identify that the NICA document was put together by the community, industry groups and government agencies. The strategy's policy objective is to achieve sustainable use of the nation's water resources by protecting and enhancing their quality by maintaining economic and social development. It is this level of collaboration and support that gives me confidence that we can provide for future generations, which equates to a sustainable future.

On that note, I would like to congratulate the Noosa and District Landcare Group and the Rural Futures Network as well as NICA on the role that they play in vegetation management in the community. Those people who were identified in 2000 as being responsible for clearing 75 per cent of the trees in Australia and putting us sixth in the world on the list of countries undergoing tree clearing have behaved abominably. I cannot accept the tripe that the member for Nanango put forward about the lack of clarity in the government's original instructions and so the farmers cleared the land. Was it because of stupidity or rat cunning that they did it? Those individuals or corporations identified as environmental vandals will be held accountable.

In December 2002, an ABS survey found that Australia has two million hectares of agricultural land and 20,000 farms, with 14 per cent of those farms showing signs of salinity. The highest levels of salinity were located in Western Australia and Victoria. Queensland has the fifth

largest number of farms and the fifth largest area of agricultural land of all states showing such signs of salinity.

It behoves the state government to put in place penalties that best reflect the severity of the offence of land clearing—heavier fines and compulsion to rehabilitate. If the National and the Liberal parties do not support this bill, then they would be in complicity in the destruction of the nation's sustainable future. That is a policy that I would like to see defended. The National and the Liberal parties can come up with only a policy of incentives not to clear. What a joke! If people were clearing trees illegally in the first place, a little reward and a pat on the head is not going to stop them.

I would like to thank the minister and give him my congratulations. I also thank the people in the area stretching from Coolum right through to Kin Kin for the work that they are doing to protect the environment and spread the good word about preserving our environment.

Mr CUMMINS (Kawana—ALP) (4.32 p.m.): The Natural Resources and Other Legislation Amendment Bill 2003 proposes to amend five pieces of legislation. The Beattie government has consistently led the way in the field of vegetation management. In aiming for a fair, consistent and practical approach to managing all Queensland's native vegetation, the government recognises 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. It is supported in this by the majority of land-holders who recognise that their long-term future depends on environmentally sustainable land management now.

Both the young and those of us not so young on the Sunshine Coast—and indeed across Queensland—appreciate and respect fauna and flora. I would like to mention where this government is basically putting its money where its mouth is. We hear criticism from those opposite, but I know that this state government is working hard to ensure that we revegetate certain areas, and I refer to Elanda Point, which is located within the Great Sandy National Park, and which is situated five kilometres from Boreen Point on the Sunshine Coast. This state government has signed up its 12,600 cars to a national tree planting initiative as part of its commitment to reducing greenhouse gas emissions and protecting the environment. The planting of 70,000 native trees began on Wednesday, 5 March 2003 at Elanda Point in an area that is now part of the Great Sandy National Park, which previously had been damaged by excessive logging and grazing.

A total of about 214,000 trees are being planted in southern Queensland as part of the Greenfleet initiative. That represents the largest commitment by any organisation. The Elanda Point planting is one of the biggest planting exercises and most significant revegetation efforts under way on the Sunshine Coast. Up to 120 students from schools in the area participated in the planting. As well as helping clean our air, this planting has the added benefit of restoring the natural habitat of an endangered bird, the coxen's fig-parrot. I believe that not that long ago people were denying its existence. We thought then that there were none left, but apparently there are a few dozen. We are working to retain the numbers that we have and, hopefully, increase those numbers.

On Wednesday, 5 March I was joined by the member for Noosa, Cate Molloy; the Minister for Public Works, Robert Schwarten; and Henry O'Clery, the Technical Director of Greenfleet. I would like to commend the schoolchildren who came on the day. They put in a tremendous effort and were very well supported and encouraged by park rangers from the Queensland Parks and Wildlife Service.

Our government puts its money where its mouth is. Along with what it did just outside of Boreen Point, the Beattie government has also added to the Noosa National Park, again to protect ground parrot habitat. The Beattie government acquired 303 hectares of habitat for the threatened ground parrot to add to the Noosa National Park. The state land at Coolum west of the existing national park had been transferred from control of the Department of State Development and will be added to the park. The land at Coolum contains wallum heath and will help the Queensland Parks and Wildlife Service to further protect this unusual parrot.

This addition comes hot on the heals of the announcement in January that the state government had purchased two blocks totalling 400 hectares on the Sunshine Coast with the help of the Maroochy Shire Council to protect sensitive coastal land from future development. Part of these parcels is very dear to my heart as it is located in my electorate of Kawana. That parcel of land abuts and now becomes part of the Mooloolah River National Park. Those two

areas will make up a proposed new conservation park located along Coolum Creek and, as I say, are an addition to the Mooloolah River National Park.

Back in September 2001, the Beattie Labor government announced the addition of nearly 600 hectares to the Noosa, Mount Coolum and Triunia national parks. These included areas of high dune country at Marcus Beach, which were previously threatened by development, and large areas of wallum banksia and heath land near the Sunshine Coast airport. It would be remiss of me not to mention that when we announced the transfer of the state land at Coolum we were joined by the Premier; the Hon. Dean Wells, the Minister for Environment; the member for Glass House, Carolyn Male; and, of course, Cate Molloy, the member for Noosa. All of these additions of land are part of the government's vision for the future use of state owned land between the Maroochy and Noosa rivers and will help preserve the Sunshine Coast's natural values and assets.

The Beattie government has announced the addition of more than 95,000 hectares of parks and forests throughout Queensland. This government is showing its commitment to the environment and we are allocating funding to the acquisition of two properties, Lilyvale and the Archer Point-Green Hills aggregation, totalling almost 83,000 hectares, on the Cape York peninsula. We have also set aside a new 5,300 hectare conservation park and added 7,630 hectares to the existing state forest at Curtis Island off Gladstone. We have also extended the Beecher State Forest, which is south-west of Gladstone. We have set aside the Tenthill Conservation Park near Gatton and made a small addition to the Lark Quarry Conservation Park, which is near Longreach.

Also in coming months we will have acquired more than 20,000 hectares with state and Commonwealth funds including the future Nairana National Park north of Clermont and additions to Edmund Kennedy and Eubenangee Swamp national parks in north Queensland. The government also intends to add 350 hectares to the Poona National Park in the Great Sandy Region. Our parks and forests cover about 1.5 million hectares of the state and bring in more than 13 million visitors a year and much-needed income to local communities. It was sad to hear many members opposite speak as though land-holders and leaseholders have a God given right to clear the land. If they believe it is their God given right to bulldoze the trees and vegetation, is it their God given right to kill the natural fauna that exists in these areas?

In closing, this bill is evidence of the strength of the Beattie government's commitment to all Queenslanders and our commitment to the future of our vital mining and exploration industry, an industry that employs thousands of Queenslanders and contributes billions of dollars to our economy. The bill is also evidence of our commitment to our land's traditional owners and a recognition of their rights. It acknowledges our commitment to crack down on illegal clearing, to protect our environment and to secure the future of our natural resources. Ultimately, this bill is very good evidence of our commitment to all Queenslanders, to our economy, to our environment and to our way of life. I commend the minister and his department and commend the bill to the House.

Ms PHILLIPS (Thuringowa—ALP) (4.41 p.m.): I rise to speak in support of the land clearing offences contained in the Natural Resources and Other Legislation Amendment Bill 2003. Specifically, I want to speak about the amendments relevant to the unlawful clearing of native vegetation. The bill amends the Vegetation Management Act 1999, the Land Act 1994 and the Integrated Planning Act 1997 to improve the provisions for enforcement of the vegetation management framework and to provide significant deterrent to illegal tree clearing across freehold and leasehold tenures. The rationale behind controlling land clearing is that excessive clearing of sensitive areas can contribute to major problems such as salinity. It can also cause a loss of water quality in catchments affected by such clearing, an increase in greenhouse gases, a reduction in timber resources and a loss of biodiversity.

For too long some land-holders in Queensland have acted irresponsibly. Because we have had so much land, there was an attitude that there was enough to go on clearing indefinitely with little or no consideration of the long-term effects, with no care for tomorrow. The statistics of the extent of illegal tree clearing are staggering. It has taken this minister and our government to call a halt to this slash and burn approach, to achieve a balance between economic and sustainable development. In my very first speech in this House I identified economic sustainable development as one of the three goals to which I would work during this term in parliament. Of course, land clearing is only one aspect of responsible environmental management and, to some extent, it is a minor consideration in an outer suburban, semirural electorate such as Thuringowa.

An area of real concern to me, however, is the complete denuding of land, sometimes native vegetation, prior to new housing developments. When I challenge developers and council authorities about this, they tell me that land buyers do not want awkward trees on their blocks. What a paltry excuse! I believe it to be of very great importance for all of the state, as the effects of extensive land clearing will be to the detriment of everyone, whether they live in the city or the bush. So I, for one, make no apologies for the strong direction of this legislation and I am disappointed at the opposition's efforts to whip up a frenzy of fear. No law-abiding citizen needs to be fearful. The vegetation management framework is very clear and unambiguous. It has been developed in consultation with significant stakeholders. There is very little risk of genuine land-holders making mistakes in their interpretation of the framework.

The bill's vegetation management framework is clearly documented. It includes amendments to the Vegetation Management Act 1999 to control clearing of native vegetation on freehold land. Generally, no clearing of remnant endangered regional ecosystems and native vegetation is permitted. The act regulates clearing of all native vegetation on freehold land by making it accessible development, requiring a land-holder to make application for approval to clear native vegetation in most circumstances. It also protects areas declared to be those of high conservation value or areas vulnerable to land degradation. Approval is not required for clearing regrowth.

A range of fines that reflect the severity of the offence are included in the bill. For example, fines for illegally clearing ecosystems or extensive areas would be higher than illegally clearing a small area in a not of-concern regional ecosystem. The government makes no excuses for the fact that the compliance notice ordering remediation may in fact reduce the value of the land and may be seen to fetter the rights of an individual to deal with their property. These changes are to protect the resources put into remediation and to ensure that profits are not made from illegally cleared land.

The bill also contains amendments to the Land Act 1994 to control clearing of native vegetation on leasehold land. At present, investigating any tree clearing offences under the Land Act is made difficult due to the lack of enforcement and the monitoring powers under the act. The bill amends the Land Act to provide sufficient powers to investigate, prosecute cases, recover costs for investigations and prosecutions and require remediation on illegally cleared land in line with provisions that exist under the Vegetation Management Act.

The bill provides a significant deterrent to illegal clearing. In general, there is to be no clearing of endangered and of-concern regional ecosystems and native vegetation. It also protects areas declared to be those of high conservation value or areas vulnerable to land degradation. Approval is not needed for clearing regrowth if the vegetation was cleared under a permit issued after 1989. The vegetation management framework also includes the state policy for vegetation management on freehold land and the broad scale tree clearing policy to provide for vegetation management in regional areas within a consistent statewide framework. The policies contain outcomes, how to achieve them and ways in which adoption of good practice will be promoted. The state policies include codes for assessing applications to clear native vegetation.

The bill also includes regional vegetation management plans, RVMPs, which include regional assessment codes for freehold land. It is the intent that of-concern native vegetation on freehold land will be protected within these plans. The RVMPs will give land-holders, the community and industry groups the chance to contribute local experience. RVMPs are being prepared by 27 community based planning groups throughout the state who have access to maps of regional ecosystems, expert advice, land resource data and other information and should be completed in a two- to three-year time frame. RVMPs will thus be based on the latest scientifically derived information available to direct the management of vegetation in a region. Finally, the vegetation management framework includes declarations whereby the minister can declare an area to be one of high conservation value or one that is vulnerable to land degradation. The declaration process is a consultative one similar to the preparation of an RVMP.

Under the abovementioned legislation, there is no complete prohibition on clearing but land-holders will generally need to apply to the Department of Natural Resources and Mines for approval to clear native vegetation. If approval is required and clearing occurs without approval, the landowner may be fined up to $125,000 and may be ordered to carry out remediation of any damage caused by the clearing.

The following standards apply: no clearing of remnant of-concern regional ecosystems and remnant endangered regional ecosystems on leasehold land; no clearing of remnant endangered regional ecosystems on freehold land; retaining vegetation so that regional ecosystems do not move to a lower conservation status so that the remaining remnant vegetation within a bioregion

does not drop below 30 per cent of pre-clearing extent; maintaining nature conservation values and water quality of significant natural wetlands, lakes and springs; maintaining viable wildlife habitat networks; protecting watercourses and adjacent habitat; protecting soil resources and the landscape against erosion, salinity increases, et cetera; no adverse effects on the environment by release of acid or metal contaminants from soils; and cleared land is capable of sustainable use, where for primary production or forest. Some additional standards apply for leasehold land. For example, native title rights must be maintained, there must be maintenance of amenity values of the landscape and of the scientific, heritage, recreational and tourism values of the land, and there must be no clearing in core commercial timber areas.

The codes set down how relevant purposes are to be achieved, in most cases by meeting a specified performance requirement. The DNRM encourages land-holders to contact it whenever they wish to undertake any clearing of native vegetation to determine if approval is required. This is particularly important if the land-holder is not sure of the status of vegetation on their property, meaning that a map should be obtained to show facts such as areas of remnant vegetation, of-concern, not-of-concern and endangered regional ecosystems, et cetera. In addition, these maps may be amended and updated, which may affect the need for approval to clear.

An application for a permit to clear trees on leasehold land is to be accompanied by a property vegetation management plan that is to assist in securing the long-term viability of properties. This can be achieved by preventing land degradation such as erosion and salinity, protecting biodiversity, improving water quality, controlling pests and improving productivity. It is essentially a long-term planning and management tool. In future, where the property is in an area which has an approved RVMP the local tree clearing guidelines for leasehold land contained in the RVMP will be used to assess the application.

The DNRM will also consider other factors in determining whether to give approval. These include but are not limited to issues relating to environmental impacts, protection of water catchments and of conservation values, and economic and social benefits in the clearing or as a consequence thereof. Applications to clear freehold land must be accompanied by a property vegetation management plan—PVMP—similar to that required for clearing on leasehold land.

All development is exempt development for which no permit is needed unless it is assessable development or self-assessable development. Where the application is only for clearing native vegetation, the DNRM is the assessment manager. If it also involves other types of assessable development under the IP Act, the local government is the assessment manager.

As the legislation currently stands, areas illegally cleared are likely to revert to non-remnant through the remapping process and could then be cleared without a permit on freehold land. The bill provides for unlawfully cleared land to become assessable development under IPA, ensuring that any further clearing in those areas is assessed.

The vegetation management framework is an excellent instrument to ensure the future sustainability of our land. This is an important point. The land belongs to all of us. Land-holders are custodians for present and future generations and have a responsibility to care for this precious commodity appropriately. It is with considerable pleasure that I commend the bill to the House.

Mr PURCELL (Bulimba—ALP) (4.53 p.m.): It gives me pleasure to rise in this place to speak to the Natural Resources and Other Legislation Amendment Bill. I ask the minister to please take notes as I have some important things to say. First, I wish to thank the staff of the minister for the hard work they have done to get this bill before the House. It is not before time.

Mr Seeney interjected.

Mr PURCELL: I remind the honourable member for Callide that I do not have to get people to write my speeches and I do not ramble on for an hour when I can say what I have to say in five minutes. I usually get it over and done with instead of repeating myself.

Most people on the land say that this legislation is not before time. Are there any farmers amongst those on the other side of the House? I ask those opposite who are good farmers to put their hands up. Those who are good farmers would know that this bill will protect their land, their children, their grandchildren and the heritage they sit on out there on their farms. They know that they need to protect the land. We know that good farmers look after their land and do not clear indiscriminately. This bill is for those people who are bad farmers. I ask those opposite who are bad farmers to put their hands up. I do not see any hands. Therefore, those opposite will not need this bill because they are protecting the land.

We know that the philosophy of governments and departments was to clear land. Farmers were encouraged to clear land by any means possible. They were encouraged to get a bulldozer in and clear-fell from one end of the farm to the other, up to the fence line, up to the creek line, into the river bank—the whole box and dice. Governments encouraged them to do that. That was the policy.

Mr Springborg: They took the land off them if they didn't.

Mr PURCELL: Yes, but we know now that things have moved on. I know that the good farmers on the other side of the House agree with this bill because of the responsible attitudes this bill will bring about in people who live on the land.

Last week I went to Gympie to talk to some people in the dairy industry about water. I thank the minister for the help of his officers in that matter. Those problems were sorted out. The officers were very helpful. Tom Carruthers was very good. There were some 30 or 40 farmers who were desperate for water. Their water had been cut off. They found out where more water was available. There was more water in the river than they thought. Even before this rain they were allowed to get a day's pumping in. It made a big difference to those dairy farmers. They were able to continue operating their dairy farms—watering to keep their cattle alive.

While I was there I took the opportunity to look at some of the farming land. Lyndsay Nahrung showed me his creek. I had a good look at the water and what was happening on his land. This creek runs through fairly sandy country. Lyndsay has kept the cattle out of the creek, even in dry times, because he knows how important it is that that land is not degraded by cattle chopping the creek banks down and so on. All of the trees that were there remain. He has mature trees as well as newer trees. I think his land is very well managed. Lyndsay's family has been on that land for about 40 years. I think there have been only two different owners in the last 105 years. They have the water records for that period and they show that the land has been very drought affected.

I took the opportunity to look at some of his neighbours' places, and I can tell honourable members that they were a disgrace. He thought so and so did other people. The farmers in that area were absolutely horrified at, and very critical of, some of the husbandry practices of their neighbours. They have clear-felled the trees into the creek and up the bank on the other side. The erosion is getting wider and wider. This concerns the neighbours because it is all washing down into their creeks, filling up creeks and causing a problem. It is also bad husbandry as far as the cattle are concerned because there is no shade. To bring that country back to any resemblance of what we want it to be, to be able to farm it economically, would cost enormous amounts of money.

In my younger days I worked on properties where whole herds of cattle could be lost in some of the gullies that were cut up from erosion. It was passed from the father to the son and it was the son who was responsible, not the father. The father let the land get into the state that it was in. The son went and spent hundreds of thousands of dollars back in the 1960s to rehabilitate 640 acres a square mile. That was a lot of money to spend back in those days. People need to get good returns to be able to do that. Most farms do not earn such returns and therefore cannot spend that sort of money, and that is why the land stays the way it is.

I commend the minister for this bill. I know the Beattie government is very keen to see that our land is protected, that the good farming practices of those farmers are encouraged and that those people who do not carry out good farming practices will be punished and hopefully desist. We need to continue to enact legislation such as this. I commend the bill to the House.

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition (5.02 p.m.): In joining in this debate today, I think we all concede the necessity for regulation of tree clearing in the state. The argument is probably over how we do it and the way that we deal with those people who are most affected.

I would like to start by reading into *Hansard* today a summary of events which I received from a person who was pursued by the Department of Natural Resources for alleged illegal tree clearing. This is the side of the argument that members who have spoken so idealistically do not understand, because some people have been treated very shoddily by the department. Some of it may not necessarily have been the fault of particular individuals. We have a new system which is being designed and the information is not being made available to the land-holders. Also, it has been a moving feast with regard to the way that the regional vegetation management plans have been drawn up and the way that the regulations in general have been coming into being.

Some good, decent people who have set out to do the right thing have been pursued by the department. No doubt those matters will be resolved in the courts at some future time. These matters are not sub judice because anyone who understands the sub judice rule would understand that it applies in the case of criminal hearings and it applies in the case of civil matters involving a jury.

This summary of events comes from Mr Ray White at Surat. He said—

During July, August and early September 2000, there was a lot of media and press releases from the Government with regard—

The minister sits over there and shakes his head.

Mr Seeney: He finds it funny.

Mr Robertson: I know you are only going to give half the story, that is all.

Mr Seeney: Well, you give the other half. You will have your chance.

Mr SPRINGBORG: We saw what happened with the Brimblecombe case. They got them into court on the water issue, and the department capitulated because it knew that it was using dodgy science and it knew that it had misled. We saw what happened in regard to salinity at Cubbie Station. The Cullen report virtually vindicated the state of the health of the river system. So we have seen what has happened in relation to members of the minister's department prosecuting or pursuing people. Mr White said—

During July, August and early September 2000, there was a lot of media and press releases from the Government with regard to implementing tree clearing guidelines, and that a permit would be required to clear native vegetation on all land including freehold land, under new legislation called the Vegetation Management Act.

We were intending to pull some virgin timber around this time and had asked a neighbour to work with us where we had our own dozer and they provided the other to pull about 1000 acres. I was concerned about the media releasing details of what was to come, being the Proclamation of the Vegetation Management Act of Parliament.

Prior to this date I was liaising with senior Department of Natural Resources and Mines officers in Roma, Dalby and Warwick with regard to what to do if the legislation was introduced while we were pulling. We wanted to pull approximately 1000 acres and had the opportunity to do this as a neighbour was travelling home through our property with their dozers and we could hire one of theirs to pull with our own machine. We had these senior officers visit our property at an earlier date, when they actually drew up a tree clearing plan for the whole of our property with our assistance, long before it was a requirement from D.N.R. They all indicated to me in their own words to keep pulling as we had a plan and that we were pulling within their guidelines and that there was no timber species that was endangered and that a permit would be approved anyway. These D.N.R. personnel had not been briefed on what procedures were required, and what forms would need to be supplied or any details whatsoever with regard to making an application to clear. In other words, there was total confusion in D.N.R. for a month as to what was required. A permit would be approved if and when it was required to clear according to our Tree Clearing Plan. They did suggest that if we had a breakdown or got wet weather to hold off and apply for a permit. I made notes in my diary of these phone calls.

We started pulling on 15 September 2000 and later we found out on the news that the Vegetation Management Act was proclaimed in parliament and that there were restrictions on tree clearing in Queensland.

In February 2002 I had a phone call from D.N.R. requesting a meeting with me at our property to discuss anomalies with tree clearing maps. I agreed to meet with them on the next day to what I thought was to correct some anomalies with their maps. I felt that they needed my help as I have lived here all of my life and I was made to think that they needed my assistance, knowing my local knowledge of the district. How wrong was I. Two of them came out and I invited them into our home and made them a cup of tea and they produced maps and started questioning me and it was after about out two hours that I realized things were not right when I was asked for my Drivers License to identify myself. I then realized that he was talking into a tape recorder and that I had told him things that did not relate to the original investigation. I was not made aware that our conversation was being recorded.

This has led to me being charged for Tree Clearing without a Permit for clearing 49.7 Hectares of the 1000 acres. Technically we were clearing without a permit for the few days to complete the 1000 acres, because of their inefficiencies of not being able to issue a permit. I was in fact consulting with them to prevent exactly what has happened.

This is all happening at a time when we are under a lot of stress with the drought and the extra work and worry to keep our cattle alive and maintaining the viability of the property. We have had a lot of extra expenditure because we have had to lay about 14 km of poly pipe to provide water for our cattle. We have never been in water trouble before in all the big droughts in the past and now we have twelve out of sixteen dams dry, some which have never looked like going dry in the past. In a drought like this we are just so busy just ensuring our cattle survive without the stress and expenditure a court case can bring with it.

It is very serious as I appeared in Roma Magistrates Court and the Crown had a barrister from Crown Law Office to present their case.

Fair enough. He continues—

It was adjourned over legal argument, as they have not provided us with the evidence they are bringing against me, which by law they are required to do.

That is the simple point. By law, they are required to provide that evidence. The letter continues—

It is all delaying tactics to cost more and bully small people like me to plead guilty, pay the fine and become an environmental vandal that the Government can use in their Statistics.

That is not the only one of those situations which I have come across. Whilst those matters will ultimately be decided in the court, the confusion which that gentleman outlined is confusion similar to what many of my constituents have approached me about over the last 12 to 18 months as they sought to get advice from the Department of Natural Resources about what to do on their land. A lot of that advice has been conflicting in nature. It is advice and information which they had been provided a year or so ago about what they could do and which has now been superseded. They have only avoided becoming a court statistic because they have checked back and found that it has been such a moving feast that the updated information has prevented them from doing something they would have already done in terms of the advice that would have had them prosecuted or pursued by the department.

There are some very important, significant and substantial issues which we need to consider over and above the idealism permeating itself so much from this parliament during this debate. There is absolute confusion on this matter not only among the land-holders themselves but among those people and many of the regional vegetation management groups trying to put together the guidelines to be used. People's lives are affected. Their livelihoods are being affected as are their viability, productivity and the valuation of their properties. These are not lifestyle blocks. If these people were living on lifestyle blocks, were just happy to look out at trees growing up, did not have to worry about running cattle, keeping regrowth down or keeping crops alive, it would be fine. But envisage a couple of circumstances of which I am aware and which I shall relate.

One couple who is ready to retire bought a block of land on the outskirts of Warwick. It is a rural block of land of about 300 acres. It was basically their superannuation. They decided to sell that block. First, they checked through their property agent and said, 'You had better check what the vegetation management guidelines are on this piece of land,' which they subsequently did. They found that no-one, including themselves, would be able to clear anything on that piece of land, even though a lot of it was historical regrowth. This applies to black wattle, an invasive species. It is a native species that can grow to about six feet in a couple of years. Immediately, a significant value was knocked off that property. There is general reticence in the property market from people to purchase that block. It is not that they want to knock down all the trees, but they want to manage areas of historical regrowth. This is what is happening out there. No doubt, as we sit in our cushy homes and have a cushy job, all we are doing is expressing a social conscience, which is fine. We know that these issues need to be dealt with. But also consider that, when we are impacting upon people's capacity to manage their property, to have their own lifestyle which comes from the management of their property, if we do something which impacts on their ability to do that, that affects their lifestyle because it affects the viability and the value of that property. That is what we have not properly addressed.

The other day in Stanthorpe an orchardist came to see me. He had purchased a 270 acre block with the intention of developing a significant part thereof into an orchard. He has subsequently approached the Department of Natural Resources to discover that applied to that land is an overlay which indicates that about 90 per cent of the timber there remaining cannot be touched. If that is the decision of the state and of the department, fair enough. But from his point of view, he cannot develop or further develop his orchard operation. He cannot do anything with it, because nobody buys a block of land such as that for lifestyle purposes. But he has a block of land which he is rated on. In some cases, if a block of land is very highly valued, there is a land tax implication. He has an obligation to maintain it to a certain standard and also to pay rates, but he cannot develop it to create, as I said, the new orchard enterprise. At the moment, he is up in the air. There are no compensation provisions in place—and there is unlikely to be in the short to medium term.

What the member for Bulimba said is true in that the majority of people on the land are responsible. We will always get some cowboys in those terms. But currently these laws not only affect the cowboys but a whole range of people who need to make property management decisions with regards to the way they develop their properties and in terms of routine maintenance with regards to historical regrowth which has not quite been properly designated and defined at this stage. Do not believe that it is only affecting those people doing the wrong thing. It is affecting a lot of people who historically have done the right thing but have not been able to move or do things with their property which are reasonable development expectations because of

the valuation implications resulting from the current designation of remnant vegetation on their land. A lot of people are awaiting the outcomes of the regional vegetation management plans being developed.

People just want certainty in their lives. As much as we want certainty in our life in this room, people out there want certainty in their lives. How would members like it if a particular covenant were applied to their property and in effect they could not do anything with it? What if we were totally regulated in this way while awaiting future compensation arrangements?

Mr Shine: How would you do it differently?

Mr SPRINGBORG: I would immediately provide some better guidelines for what is happening out there—because we are getting conflicting information from the department—and put some more effort into the on-the-ground interaction between departmental officers and land-holders—

Mr Seeney: Compensation.

Mr SPRINGBORG: I was going to come to compensation. That is absolutely vitally important. But people want certainly; they want to know what they can do with their land. If they cannot do something, compensation has to be worked out. This has been argued about for three years. People will accept what we are doing more readily if they know that they are going to be compensated for any restriction, loss in viability or loss in productivity.

Mr Shine: Certainty will happen eventually.

Mr SPRINGBORG: Certainty will happen eventually, but how long is eventually? Is eventually one week, two weeks, two months, two years? This is the whole point of what I am driving at. It is a bit like the water allocation management planning process that has been going on for six or seven years in some places. It has had the effect of keeping people's lives up in the air. People did not expect that it would take that long. If we have to make decisions that involve a financial plan that our bank has put in place and we are not able to provide that certainty and definite outcome, it affects not only our confidence but their confidence in us and our capacity to move on and make other decisions. That is the real concern. If the government is to do this, fair cop; we will accept it. But there must be these compensation issues and that certainty. If we are to make a decision like this to put in place a regulatory regime, make sure that we do not keep people hanging out there for three, four, five or six years. Most people in the suburbs would not accept it. I would not accept it at home. So why should we accept that this is a reasonable situation with regards to—

Mr Robertson interjected.

Mr SPRINGBORG: A lot of these things should be worked out beforehand.

Mr Robertson: Take the Fitzroy River. The order is to extend the period of consultation. The reason these things take so long is often because the land-holders themselves want more time to consider things. We responded for them.

Mr SPRINGBORG: That is a chicken or egg situation, too. If there was greater validity and far better data credibility to start with, we would not be seeing contradictions and deficiencies being exposed in the system as we go along.

Mr Robertson: What about a precautionary approach?

Mr SPRINGBORG: A precautionary approach is fine, but not when it is being used as an excuse, in many cases, to justify the ends.

Mr Robertson: That is a bit wishy-washy.

Mr SPRINGBORG: The minister has to be very careful. A lot of people have had their lives put on hold whilst this has gone on. It has gone on for far too long. The appropriate resources have not been allocated for bringing these things to a proper conclusion. In terms of compensation, those matters should have been worked out well and truly before now.

Mr Robertson interjected.

Mr SPRINGBORG: Not necessarily. There are a lot of areas of anomaly—historical regrowth, groundtruthing—

Mr Robertson: Define 'historical regrowth'.

Mr SPRINGBORG: I will give the member examples in a moment.

Mr Robertson: Give us a definition.

Mr SPRINGBORG: I know the definition. There are contradictions in relation to the expectations of councils with respect to dealing with invasive weeds and pests. We have mixtures of timber species, including regrowth species, which technically people cannot clear under the Vegetation Management Act or the Land Act. We have all of those sorts of issues.

Mr Robertson: About when regrowth becomes remnant.

Mr SPRINGBORG: I know. But there is also the issue of groundtruthing, which is required to overcome this. The resources have not been put in. The minister has to expedite the process, overcome these compensation issues, give people some certainty and stop making out that everyone out there is a cowboy and is doing the wrong thing. They are not. In many cases these people are trying to do the right thing. They just want certainty in their life and a regime that will work and provide them with compensation.

Mr Robertson interjected.

Mr SPRINGBORG: The minister is not giving them certainty. This does not necessarily give them that certainty. It is about the resources being put in and the consistency of the department in engaging and interacting with land-holders. That is not happening. That is what many of my constituents want. They will accept restrictions on vegetation clearing in the state, but they just want some certainty.

Time expired.

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (5.21 p.m.), in reply: Firstly, I thank all honourable members for their contributions to this debate. Obviously, this debate has been wide ranging and has gone, to a significant extent, beyond the provisions contained in this bill. Before I deal with the contributions made by honourable members, I wish to place on record an important development which has coloured a lot of the contributions made by members opposite. What we have seen in the last 24 hours is the National Party nail its colours to the mast in respect of a policy position. It has embraced this notion of property rights and all that comes with that.

I suspect over the next 12 months or however long it is till the next state election we will hear a lot about property rights. We will hear about this to its fullest extent. I will place on record what 'property rights' actually means in practice. I have said this in a number of fora. In the USA the state of Oregon has had a system of citizen initiated referenda. A proposition was put to the people of Oregon to in effect recognise property rights. A very simple proposition was put to the people of Oregon that the government should compensate land-holders or property owners when any government decision had an impact on their development rights. Obviously, a very populist campaign was led. I think from memory it got up 56 per cent to 44 per cent or something like that. Overnight the state of Oregon shut down. Why? Because, quite simply, the assessment was made that the financial impact on the state of Oregon would be about $5.4 billion a year—in excess of the annual budget of the state of Oregon.

Is this the path that the National Party wants to take us down? That would not be surprising. As we know, the alternative Treasurer of this state, who is currently studying financial quackery 101, has clearly not provided advice to his leader as to the impact of going down the path of recognising property rights to the extent that he is now talking about. One practical demonstration is the state of Oregon, where the state shut down overnight because the amount of compensation calculated exceeded the annual budget—$5.4 billion. Thankfully, the courts of Oregon some time later overturned that decision. I think it was in about October last year. If the Leader of the Opposition wants to go down the path of property rights, he should engage in debate—

Mr Springborg: So you don't believe in property rights? You don't believe in compensation?

Mr ROBERTSON: I believe in compensation to the extent that it currently exists.

Mr Springborg: Which is nothing.

Mr ROBERTSON: No, that is not right. If a government takes our land we get compensated for it. That is right. I believe in that. Furthermore, as we have been on record now for a number of years, as a result of the community cabinets and rallies held in Roma and Winton, if there are to be further restrictions in relation to vegetation management—

Opposition members interjected.

Mr ROBERTSON: Madam Deputy Speaker, I would appreciate getting some clear air and not being interrupted while I am speaking.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! The minister is on his feet. Honourable members should bear that in mind.

Mr ROBERTSON: We have said continually and constantly that if there are to be further restrictions in relation to vegetation clearing we wish to engage with the Commonwealth to come up with a suitable and appropriate incentives package recognising that further restrictions may make some properties unviable and that there is a financial impact. We are committed to that. As the member is well aware, we are engaged in active discussions with the Commonwealth at this time to facilitate that package.

Mr Springborg interjected.

Mr Rowell interjected.

Madam DEPUTY SPEAKER: Order! This debate can be held during the committee stage. I ask opposition members to let the minister continue.

Mr ROBERTSON: There is no automatic entitlement to compensation as a result of the current laws in place for vegetation management. I note that the member for Southern Downs mentioned a quite infamous case and, as I indicated, told only half the facts. Leaving that aside, I was fascinated that one of his colleagues had already told that story. If the extent of his concerns about vegetation management legislation goes to one case, which has been repeated time and time again, I am not convinced that we have necessarily got a problem.

Mr Springborg interjected.

Mr ROBERTSON: No. That case has been around for some time. The member for Warrego used it in his speech. It was referred to in a couple of other speeches by members on the Leader of the Opposition's side. I would have thought that if the extent of the problem with the legislation was as is being made out, they would have rolled out a litany of such cases. The fact that they did not I think indicates that by and large these laws are working well.

I will now deal with the bill and the contributions made by some members in detail. Obviously, these issues affect a lot of people so it is important that I answer the questions raised and dispel some of the misinformation and misdirection peddled by members opposite. The shadow minister had a lot to say. It is just a pity that there was not a lot of substance to it. The member for Toowoomba North suggested that he could have said it all in about five minutes. I think the member might have been a bit generous in relation to that. The shadow minister got tied up with the facts and figures. He has had two briefings on the issue and I was happy to arrange a third briefing for him this morning—third time lucky, as they say. I hope this has cleared things up for him.

With respect to compensation, the shadow minister was very vocal on the issue of future compensation, laying full responsibility at the state's door. He was not the only member to talk about compensation, but we saw that yet again the shadow minister was at odds with the Leader of the Opposition. I think that those two members need to get their stories correct about what they mean by compensation, because the record will show that there is a lack of consistency on their side when it comes to the issue of compensation. In some respects, the Leader of the Opposition has a more reasonable and practical approach. It is a shame that other members of his team do not share that same approach.

The bill does not contain provisions for compensation, as raised by the member for Gladstone, because it introduces no new restrictions on clearing. This bill does not affect law-abiding land-holders. So in my view it is best that we leave the question of financial adjustment to another and perhaps more appropriate forum, although I suspect that in the committee stage we might be dealing with the issue of compensation a bit further. Perhaps what the shadow minister really wants to say about illegal clearing is 'Don't you worry about that.' Perhaps he just wants to keep ignoring the issue, because the fact remains that just as we have seen in the salinity debate, the National Party remains in denial. It remains in denial about the ecological impact of tree clearing on our environment. Whilst the National Party remains in denial, it deals itself out of rational debate in relation to this matter.

I turn now to some facts and figures and SLATS. I will inform the opposition spokesperson in relation to some comments that he made yesterday about SLATS. In terms of the 61,000 hectares of potentially illegally cleared land, he suspected that a lot of that would be weeds, that a lot of it would be regrowth, and that, because of lines on maps, there may have been a significant potential for error. As a result of the briefing that the member for Callide received this morning, I hope that he understands that, in calculating that potential 61,000 hectares of illegally

cleared land, there is some intellectual rigour attached to it. By overlaying the 1999 SLATS maps, that gives us a fairly good indication of what has been going on. To suggest that the SLATS contains the clearing of weeds is an absolute nonsense.

The member for Callide went on to talk about the difference between minor offences and more serious acts of vandalism. This is a point that a lot of members raised. I agree completely that there is a big difference between minor and more serious acts of illegal tree clearing. That is why this legislation is so necessary—to differentiate between the two. Had the opposition spokesperson been listening to my ministerial statement in this House yesterday morning, he would have known that we have brought in a new system of on-the-spot fines to cater particularly for minor cases of illegal clearing, obviating the need for the land-holder to go to court. They get an on-the-spot fine. Obviously, they fess up and say, 'Yes, I have done the wrong thing in a minor way.' They can accept the ticket issued by the vegetation management officer or they can elect to take the matter to court. This is not dissimilar from a traffic offence.

Mr Johnson: Even a genuine error.

Mr ROBERTSON: I will get to that. So we have put in place a differentiation between minor and more serious offences.

It has been alleged that the current penalties are sufficient. A number of members on the opposition benches asked why we cannot keep the penalties that we have already. They asked why we are increasing the penalties. The existing fines have proven to be a poor deterrent to illegal clearing, because the returns from that clearing significantly outweigh any fines that are likely to be levied. In this bill, we are taking away the economic incentive to engage in illegal clearing. Once that land is cleared, a land-holder cops the fine—a couple of thousand dollars meted out by the courts, depending on the circumstances. Nevertheless, the land-holder retains the benefit of the illegally cleared land. That is what we are trying to stop. We are trying to take away the economic imperative to go down the path of illegal tree clearing. That is what a lot of the provisions contained in the bill relate to.

The shadow minister raised the issue of giving the government the ability to seek costs against convicted clearers. I think that the member for Cunningham called that very unusual. Let me inform the members opposite about this issue. The fact is that either party are already able to seek costs in cases that are brought before the courts. These amendments simply set out some of the specific costs associated with the department's investigations. Investigations and prosecutions are incredibly time consuming and expensive. At the moment, the community—that is, the taxpayer—foots the bill for investigating these illegal acts. The proposed amendment provides for the investigation costs to be recovered, the same as the proceeds of crime. Had the opposition spokesman done his homework, he would know that an identical amendment is contained in a number of other pieces of legislation.

Far be it that this may be some radical departure from fundamental legislative principles or other approaches taken by this government. The same provision is contained in the WorkCover Queensland Act, the Workplace Health and Safety Act, the Mining and Quarrying Safety and Health Act, the Electrical Safety Act, the Dangerous Goods Safety Administration Act, the Environmental Protection Act, the Integrated Planning Act, the Radiation Safety Act and the Coal Mining Safety and Health Act. What we are placing in the Vegetation Management Act and the Land Act is hardly a radical departure from what is contained in 10 other pieces of legislation that have been passed by this parliament. Once again, the opposition spokesman has been caught out by sloppy research or, in this case, a complete absence of research. The moral is the same: if people do not break this law, they will not have to pay. The only people affected are those who seek to subvert the laws.

There was also some talk from several members about the bill's partial reversal of the onus of proof. There is no question that my department must still provide evidence relating to the location and extent of clearing as well as to the absence or contravention of a permit. This partial reversal means that a number of situations that are particularly relevant to vegetation management enforcement are specified. Clearing often occurs in remote areas. That is why our satellite technology has been so successful. In many cases, there is little other corroborative evidence. So just like police speed cameras, these remotely sent images will be treated as accurate unless proven otherwise. Once again, that is hardly a departure from existing provisions contained in other acts. That partial rebuttal does not take away the right to a defence; it is just a rebuttal presumption that can be overturned by credible explanation from a land-holder. This forces land-holders to take responsibility for the land and for their actions.

The member for Warrego claimed that land-holders would be held responsible when someone else clears their land without the land-holder's knowledge. I do not know if there has been an outbreak of illegal clearing by unknown malicious third parties wielding chainsaws at midnight in the member's electorate that I have not heard about. If there is, I hope that he will one day enlighten me because, in reality, clearing costs a lot of money. I would have thought that the likelihood of clearing taking place on anyone's land without the land-holder's knowledge, invitation or approval is pretty slim.

The member for Gregory talked in more deal about the offence of honest and reasonable but mistaken belief, which arises in many prosecutions relating to tree clearing. For example, mistakes in maps interpretation, status of vegetation and errors relating to location on a property are commonly used defences. Such a defence is easy to raise but, because it involves the state of mind of the defendant, it is difficult to negate conclusively. Section 24 of the Criminal Code provides an option for this defence to be excluded by provisions of the law relating to the subject. Exclusion of section 24 of the Criminal Code relating to tree clearing requires the person to exercise due diligence before taking tree clearing action. The impact is again limited to those who engage in unauthorised clearing.

With respect to concerns raised by members about the department helping land-holders to act within the law, this government is committed to helping all land-holders work within the law both through my department and through regional natural resource management groups, and I am willing to talk to both the member for Cunningham and his constituents about this issue. For example, the regional vegetation management planning process championed by the shadow minister has now seen 13 of the 24 draft plans delivered to me and, as I indicated yesterday, one has already been released for consultation, with another six or seven to follow by the end of this month. I know that we are expecting the rest soon, but we do not want to rush those regional vegetation management groups because the work that they are doing is very important, far too important to risk.

With respect to the issue of criminal history checks, I must say that I was genuinely disappointed by the extreme position taken by some members opposite. In the absence of the shadow minister, I took the opportunity to explain to the member for Warrego the intent of this particular provision. I was at pains to assure him that this process was not to be abused, that it was to be used only in circumstances where there was a genuine concern about the safety of our vegetation management officers who, in a small minority of cases, may be concerned about their own safety in exercising their responsibilities. Most members on both sides of the House accept that the threat of violence is an issue and we have a responsibility to protect the safety of our staff. There are many pieces of legislation that already allow for similar criminal background checks to help people go about their jobs.

If members opposite were to be truly honest in their contributions to this debate, they would have actually spoken about the detail contained in those relevant clauses that give protection so that the checking of criminal records cannot be abused. It is purely there to give some support to vegetation management officers, who we know work alone and in very remote locations far from any possible assistance. It is there simply to allow them to improve their level of safety where there may be legitimate concerns that they may come to some harm in the exercise of their functions. To take the extreme position that members opposite have by beating this issue up does them no credit, because, as I said, this is purely a practical provision designed to improve and protect the safety of our vegetation management officers.

To suggest that we believe that land-holders are criminals, that they are by nature violent and that by nature they do not act responsibly is absolutely irresponsible, because those opposite know that similar provisions rest in a number of other acts that protect public servants from a range of departments for the very same reasons. Those opposite are just trying to beat this issue up for political purposes. I would have thought that a responsible opposition, after I had explained the matter to it, would have taken that on board and would have perhaps tempered some of its comments. Alas, that was not to be.

The honourable member for Warrego went on to talk about a specific case that is before the courts. We ask him to do what we are willing to do, and that is let the courts decide. Let the courts look at the evidence and let the courts decide. It is not our job and it is not what this bill is about. His other question relating to the courts was whether these provisions would apply to cases that are before the court at the moment. That is very simple to answer. The pre-existing provisions will remain until those cases reach their natural conclusion. Once again, that is a basic principle of law which I would have expected the member for Warrego, given his time in this House and given

that he was a former Minister for Natural Resources, would have understood. But given that we are engaged in a political argument and not a debate about legislation, it does not surprise me that he went down that path.

The member for Warrego also talked a lot about the forfeiture provisions over leasehold land and said that forfeiture issues should be before the court. We are not taking the courts out of the equation. The courts have already found these people guilty of illegal clearing not once but twice and in some cases more. On top of that, any land-holder who has their lease revoked will have the right to appeal to the court. So the final arbiter would be the courts. What the leasehold provisions do, as the member for Toowoomba North once again pointed out, is deliver consistency whilst reflecting the responsibility of the state over leasehold land. Those on leasehold land are tenants of Queensland's taxpayers. If they are damaging that land, we have a responsibility to stop it. We also have a duty to stop what is likely to happen.

If a leaseholder is showing repeated disrespect and disregard for one piece of land, it would not be unreasonable to suppose that he or she might be likely to do similar activities on another. So when a lessee has repeatedly disregarded the vegetation management laws, it is reasonable to ask them to show why they should continue to be custodians of the land. It is our duty to the land and to the people of Queensland. It does not matter whether the offences were committed on one piece of property under the lease or on another property or on a separate lease on the same property. The principle remains. If their attitude and behaviour has led to illegal clearing in one place, there is little to stop it occurring in another.

The member for Warrego along with the member for Gregory also showed his confusion over permit processing times and got particularly upset over the issue of fodder permits. I informed the member for Warrego that he was wrong, and this is an issue that needs to be put straight on the record. The Beattie government fully understands the urgency and necessity of fodder clearing, and that is why the majority of applications for those permits are processed in under two weeks as a result of my instruction to the vegetation management officers in those fodder areas of the state. It is because we focus our resources on processing the most vital of permits that sometimes less urgent permits take a little longer to process, but the member for Warrego can rest easy: fodder permits are processed and will continue to be processed with expediency.

Finally, I want to talk about that part of the bill relating to native title, and I thank the various members who discussed native title in their contributions. It is probably not surprising that there has not been too much discussion on these provisions. Perhaps that reflects the fact that we have talked to the interested parties extensively and we have listened to what they want. Both native title parties and mining interests have supported this move away from the alternative state provisions to the Commonwealth right to negotiate process. I remind members opposite that putting the alternative state provisions in place was done in good faith: to ensure that our mining industry remained active and vibrant and to clear the backlog. And that backlog was created by whom? By the former Borbidge-Sheldon coalition government! That was the backlog that led us down the road of coming up with alternative state provisions to deal with it.

It is true that we did not get what we wanted because a number of the provisions under the ASPs were knocked over in the Senate—that is fact—and we were left with a regime that was less than satisfactory to us. But we have given it our best go and we have established statewide ILUAs. We have been rolling out exploration permits. However, it has to be acknowledged that we think things could be done better. As a result of representations by the Queensland Mining Council and to an extent as a result of the challenge by land councils such as the Central Queensland Land Council to the validity of the alternative state provisions, we took the right decision—the most practical decision—in the interests of both indigenous people and mining interests. Abandoning any suggestion of pride, we made the most practical decision in the interests of all to abandon our alternative state provisions and return to the Commonwealth right to negotiate process.

Mr Purcell: See if any good farmers came in while I was out of the chamber.

Mr ROBERTSON: Not that I have seen. When we were considering this bill there were some things we knew to be true. We knew that the traditional owners, along with mining companies, recognised the importance of mining and particularly the importance of exploration to the Queensland economy, particularly in regional centres. We knew that sustainability for Queensland, not just for our environment but also for our economy and our very way of life, depends upon reasonable, responsible stewardship of our natural resources, especially in the field of vegetation management. We knew that the enormous majority of Queensland's land-holders recognise their responsibilities to the land as well as their rights. We knew very well that

only a small number of irresponsible land-holders are spoiling things for everyone else. That is why they will be the only ones affected by this particular bill. Law-breakers will be the only ones to pay the price.

This bill will fulfil its objectives. It will provide an impetus to our exploration sector. It will boost the whole mining sector and, by extension, Queensland's economy. It will increase native vegetation protection and protect our state's future sustainability. This is a bill that is good for all Queenslanders. It provides strong support for our economy now and safeguards our collective economic and social future. I commend the bill to the House.

Motion agreed to.

Debate, on motion of Ms Bligh, adjourned.

MINISTERIAL STATEMENT

Vandalism in Schools

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Education) (5.52 p.m.), by leave: I would like to provide some further information relating to the opposition education spokesman's question this morning about a recent spate of vandalism attacks on schools in the Burnett region.

The shadow minister asserted that the Department of Education was not following the resource replacement policy by requiring schools to pay for repairs out of their own funds. The Resource Replacement Scheme to which he was referring covers resources. The policy specifically excludes buildings, attached fixtures and fittings to buildings and permanent and fixed structures. If the member for Cunningham had bothered to read the entire policy and not just the four-line statement at the start, he would have discovered that the resources covered by the scheme are plant and equipment. In a schools context, 'plant and equipment' refers to items such as photocopiers, computer equipment, microscopes, tools and musical instruments. It even covers skeletons.

Schools receive funds for planned and unplanned maintenance every year to cover the cost of building repairs and maintenance. These funds cannot be spent for other purposes such as curriculum materials or school resources. The funds for unplanned maintenance are for exactly that—unplanned events such as vandalism, graffiti or damage from a burst water main or a fallen tree. Principals know this, even if the shadow minister does not.

However, it is inevitable that there will be times when the unplanned maintenance budget of a school cannot meet the costs, where the damage is too great or a school is the victim of repeated attacks, and departmental arrangements provide for these circumstances. There is a safety net in place. Schools can apply to a contingency fund to cover these larger costs.

In the case of the six schools that the shadow minister detailed in his press release but not in his question in the House this morning, the damage involved broken windows and damaged doors and cupboards. That is, it did not relate to plant or equipment. The estimated cost of repairs ranges from $300 to $1,500. I am advised that none of these schools has applied for assistance from the contingency fund to cover the repairs. The shadow minister has received one briefing from departmental officers about the operations of the Education portfolio. Tonight I would suggest gently that he needs more than one.

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Resumed.

Committee

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) in charge of the bill.

Clauses 1 to 9, as read, agreed to.

Clause 10—

Mr SEENEY (5.55 p.m.): As set out in the explanatory notes, clause 10 redefines areas of unlawfully cleared vegetation so that they cannot be classified as remnant vegetation. Non-remnant vegetation is normally regulated by the state on freehold land. So this clause enables

maps to show areas that are illegally cleared, differentiating them from non-remnant areas, and means that illegally cleared areas cannot be cleared again without obtaining an approval.

I turn to the 61,000 hectares referred to by the minister in the media and in this debate as being the very basis of this bill. This clause will mean that those hectares found to be on freehold land will become assessable development. This clause goes to the heart of why we are considering this legislation at all. As I said during the second reading debate, this legislation is based on the claim that 61,000 hectares has been illegally cleared, as supposedly revealed by the SLATS report *Land cover change in Queensland 1999-2001*. It is a damn shame that many of the speakers in this debate have not taken the time to read this report. It contains a lot of information that I would like the opportunity to go through with them so I can point out the errors in some of their speeches. I will not transgress the House rules by trying to do that at the committee stage.

It is relevant to point out that the 61,000 hectare figure is a result of the differences in a number of SLATS photographic runs. I take this opportunity to thank the minister for organising another briefing this morning with regard to how this whole process of satellite photography and determining the areas is carried out. I hasten to say that the minister would have done well to come to the briefing with us, because he may have ended up with a better understanding than he demonstrated in the House this afternoon and in his press releases. His press release of 22 January, which flagged the introduction of this bill, stated—

> The satellite maps used to generate the illegal clearing figures are the same as the maps used to compile the Statewide Landcover and Trees Study (SLATS) 1999-2001.
>
> Illegal clearing is detected by comparing satellite maps with the Geographic Information System database of clearing permits issued. If the maps show land has been cleared but no permit issued it is 'red flagged' as suspected illegal clearing.

If that were the case, what I said yesterday about the 61,000 hectares quite easily including areas of cleared lantana, rubber vine and even pine forest would be true. If what the minister said in his press release were the case—yesterday I believed it to be the case and obviously the minister believed it to be the case when he put out the press release—then the 61,000 hectares would have included the clearing of all woody weeds, including the example of the paddock of lantana that I used yesterday.

I acknowledge from the briefing that I received this morning that the department is now telling me that that is not the case; that this area of illegal clearing referred to in this clause is all remnant vegetation. That is a huge accusation to make. If members look at the SLATS report, it separates the total clearing figure for the year of 378,000 hectares into remnant and non-remnant, and some 225,000 hectares is listed as remnant vegetation. What the department, the minister and the government are claiming is that some 61,000 out of that 225,000 is illegal. That is in excess of 25 per cent. That is a huge accusation to make. I have no way of knowing whether that is true. I have no way of knowing how accurate that will be shown to be in time, but the minister and the department have. They have had the opportunity since that figure was released to groundtruth some of those 2,150 examples.

If the minister were serious about some of the things he said in this House, he could have come in here with a number of examples. He criticised the member for Southern Downs for not having—I think the term was—a 'litany of cases'. If he were serious about his comments on this issue, if he were serious about his concerns that are at the base of this legislation, the minister could have come into this House with a litany of examples of his own and been able to demonstrate that at least a significant proportion of those 2,150 examples were in fact illegal clearing; that there was a reasonable expectation that there was a major problem with illegal clearing in Queensland. Instead, he has chosen not to do that. He has come in here with no examples at all. The department was not able to inform me this morning of any groundtruthing that had occurred in those 2,150 examples that supposedly constitute the 61,000 hectares.

I will be watching very closely as time goes on, and I will be certainly questioning the minister as time goes on as to how much of that 61,000 hectares of so-called suspected illegal clearing actually turns out to be illegal clearing. No doubt there will be some; regrettably there will be some. I do not support the clearing of land without a permit. I have made it clear in this debate from the very beginning that I do not support that. I do not support that for one second in any way.

I also do not support the use of this unjustified, unsupported 61,000 hectare figure as a basis for another assault on the reputation of Queensland land-holders. I do not support the use of this unproven figure which has been derived from a complex system that even the minister

does not understand. I concede that it took me three separate briefings to understand it. That is how complex the process is. Yet we are in this House today passing a piece of legislation based on the figures that have been derived from that process.

This clause means that if areas are found to have been illegally cleared—and no doubt there will be some—a permit will be needed to differentiate from the other area that is regrowth. I hope that in time we can get some indication of how many of those 61,000 hectares this clause will apply to, because it will apply only to that portion of the 61,000 hectares that is found to be illegal clearing on freehold land. We will not know that until the minister and the department do their jobs. We will not know that until that groundtruthing is done.

What we do know is that once again in this parliament we have seen a totally irresponsible use of these land cover change figures that are produced by the SLATS unit within the department. I commend those people because they are professional and they are working with a limited amount of resources to do a very complex job, but their efforts are continually used as a political football. That is evidenced by the fact that the minister and the government continue to quote this 378,000 hectare total clearing figure, but they know that example I used yesterday of the paddock of lantana is without doubt included in those 378,000 hectares. It may not be included in the 61,000 that they have identified as illegal clearing, but it is included in the 378,000.

That is the falseness and the deceitfulness of these figures. It is a good example of the misinformation that the government likes to use in regard to land clearing. Today we have sat in this parliament and heard speeches that would have it that all of this clearing is of pristine rainforest. A percentage of the 378,000 hectares, or the figures from the years before, is clearing things like lantana and rubber vine and prickly acacia and noxious weeds.

Mr ROBERTSON: Very quickly, in response, as we have said all along, the 61,000 hectares of illegal tree clearing is potential. What we have just heard from the opposition spokesperson is a continuation of the one and only policy that the National Party has in respect to natural resource management: deny, deny, deny. That is the only policy they have.

What the opposition spokesperson has asked my department to do is to go out and groundtruth. I suspect that that will not be good enough for the opposition spokesperson, because once we do the groundtruthing he will then turn around and say that it has not been through the courts yet, that we still have not got 61,000 hectares proved, and the only way we are going to prove it is when we go through the courts.

Mr Hobbs: Do it properly. Talk sense.

Mr ROBERTSON: I find that offensive. Do not interrupt.

Mr DEPUTY SPEAKER (Mr Fouras): Order! I ask that the members who listened in silence to the opposition spokesperson show the same courtesy to the minister because he is entitled to put his point of view, too.

Mr ROBERTSON: I appreciate what the opposition spokesperson is saying. Yes, they have to be verified. They will be verified once those 2,000 cases have gone through the courts to determine—

Mr Seeney interjected.

Mr ROBERTSON: I will try to keep it simple for the opposition spokesperson. The next step is that each of those 2,000 cases of potential illegal clearing equating to potentially 61,000 hectares have to be investigated. I do not think even the opposition spokesperson would expect all of those 2,000 cases to have been investigated in such a short period of time, but they will be investigated over time.

However, even if the department verifies what that data is showing, what will prove it is whether the court finds them guilty or not. That will determine factually whether land has been illegally cleared or not. Unless I said that, those opposite would be jumping on me saying, 'It is only departmental verification. It is not the courts saying it is illegal tree clearing. We still do not believe it.'—deny, deny, deny! I am not going to let them do that. I am happy to talk to them and provide the information once these cases have gone through the courts and the courts have determined whether the people are guilty or not.

Mr SEENEY: Obviously I cannot let such nonsense go without a reply. From the very start of this debate I have tried to make clear that neither I nor the National Party would support in any way any genuine illegal clearing offences. We have tried to make that very clear. However, the minister, struggling to defend his own position, falls back on this accusation of denial all the time.

The minister's and the government's approach to the whole issue has been to hype, hype and hype and continually sensationalise the whole issue. That is the very point that I made in discussion on this clause, because there has been no checking of the foundation upon which this legislation was laid or the accusations that were the basis of this legislation.

I take the minister's point: I would not have expected him to wait to introduce this legislation until every one of those 2,150 cases had reached its ultimate conclusion in terms of investigation and prosecution if it were necessary. My point—and the point that is very valid—is that a responsible minister not interested in hyping or sensationalising the situation would have taken the SLATS data and asked his department to groundtruth a percentage of those instances before he came into this parliament with legislation and certainly before he went out in front of the television cameras with a press release of inflammatory, sensationalised language that talked about cowboys, vandalism and so on. There was no need to do that.

The minister and the Premier could have resisted the temptation for two weeks and sent some of their departmental people out and groundtruthed 20, 30 or 100 of those 2,150 examples. They did not do that. They could not get out in front of the television cameras quick enough to continue to demonise and bastardise Queensland land-holders, as they have done from the very beginning of this debate about vegetation management legislation. If a significant amount of non-compliance is proved, that is why there is a significant amount of non-compliance—simply because that was the attitude of this minister, the Premier and the previous minister, Mr Welford, from the very beginning.

The whole strategy has been to demonise and bastardise Queensland land-holders, to use words like 'vandalism', to name call and call people 'cowboys' and all the rest of it with no established basis. Instead of a level-headed, cautious approach based on verifiable facts and matters that have been checked, the government and both ministers have been more interested in sensational headlines. We have seen hype, hype, hype, more sensationalism, people being called names and accusations being made, instead of the government going about the business in a responsible, level-headed way.

I sincerely hope that there is not a large amount of non-compliance in the land-holding community. I do not support that at all. I sincerely hope that a significant proportion of that 61,000 hectares is somehow explainable, because I do not think that level of non-compliance is excusable. But I can understand it because of the approach that this government has taken to the issue from day one. The government cannot treat people in the way that it has treated the land-holding community of Queensland and then expect them to comply with legislation to the extent that they would if they were consulted and worked with rather than demonised and called names.

Mr HOBBS: Is the minister aware that his officers are threatening land-holders with tree clearing offences? Land-holders are told that unless they admit guilt they will be taken to court. How many cases does the minister know of where people have admitted guilt because it is cheaper to do so than go to court, because I know of quite a few. These people are facing perhaps a few thousand dollars fine, whereas if they go to court expenses will be at least $150,000 or $300,000. There is already a case of one person who is subject to $300,000 in expenses. That is what they are up against. I do not believe that in any manner or form that is fair. Minister, we can trot out the names of those people. Is the minister aware that this is going on? Does the minister condone it? Does the minister support that kind of action by his officers?

Mr ROBERTSON: In the absence of fact, and relying purely on the dubious evidence of the member for Warrego, I cannot possibly respond.

Clause 10, as read, agreed to.

Clauses 11 to 16, as read, agreed to.

Clause 17—

Mr SEENEY (6.16 p.m.): This clause introduces into this legislation an element of punishment that is simply unjustifiable. It is simply unjustifiable to suggest that a person's property can be seized for an offence of tree clearing. What grounds are there to reasonably assume that the problem of illegal tree clearing is of such an extent that this type of penalty is required either to stop it or justify it at all? That goes right back to what I was saying at the start of this debate about why we are here at all. This legislation has been widely touted as increasing the penalties for so-called illegal tree clearing. This clause introduces probably the most stringent penalty. There are other clauses that deal with the monetary fines that can be imposed. I spoke about them in the second reading speech and I will certainly talk about them when we reach them in committee.

This clause represents the imposition of probably the most draconian penalty, because it means that an individual's entire business and livelihood can be taken away from them. And for what? For the crime of breaking the vegetation management law! That would seem to me to be something of an overkill, to put it mildly. But it gets worse, because the second part of this clause sets out that a person's property can be seized irrespective of whether the offence actually occurred on that property. So a person who holds a number of leases can have all of their property seized for some transgression on one of them. How absurd is that? How can that possibly be justified in terms of a measure that is required to curb any illegal tree clearing? It is the big stick approach taken to a ridiculous degree.

As I said in relation to the previous clause, the minister and the government would achieve their ends so much more readily by adopting an approach of cooperation, involvement and consultation with the people involved. If they had achieved an ounce of community support for this legislation they would not need to even consider this type of draconian penalty. But the penalties that are there already have not been used to anywhere near their full extent as yet. As I said in my speech in the second reading debate, the maximum penalty available is about $124,000, and the largest fine that has been imposed, of which I am aware, is in the vicinity of $20,000. There cannot be any suggestion that the punishment regime available to the court at the moment is not sufficient; it has not been used to anywhere near its full extent. Had there been instances where people had been fined $124,000—the maximum penalty—but still continued to commit the offence, there would be a viable argument for an increase in the penalty available to prevent the offence.

There is no evidence of which I am aware that the situation approaches that in any shape or form. There has been no evidence presented to this parliament in all of the meaningless speeches made by government backbenchers that have been dutifully produced by the department and the minister's office to give any credence to a claim that there needs to be a greater penalty available to the court to prevent illegal tree clearing. There has been no suggestion of that. So why on earth would this clause be in the legislation at all? How can the minister possibly justify seizing a person's business—seizing the lease that is the basis of the business in pastoral areas—for a tree clearing misdemeanour on a second conviction? I acknowledge that it requires a second conviction.

Before this parliament even begins to consider passing such a clause into law it deserves a thorough explanation of why it is necessary. No such explanation has been forthcoming. No such evidence has been presented. What the minister is really doing is threatening people with the ultimate in punishment in the hope that that will somehow make up for the fact that the minister has not been able to get any sort of community support for the legislation. I am pleased that the previous minister has come into the House for this debate. The reason that this legislation has been so derided, hated and rejected by the rural and land-holding community is simply because of the approach taken by the previous minister when the legislation was introduced.

The situation we have today, if there is shown to be non-compliance to a large degree with this legislation, is Mr Welford's legacy. That is the legacy that he has left through his mismanagement of this piece of legislation. It has failed dismally simply because of the approach that was taken. It has failed dismally. This sort of heavy-handed threat will not ensure its success. As I said in my speech to the second reading debate, the figures in the SLATS report indicate without a shadow of a doubt that Mr Welford's Vegetation Management Act has caused much more tree clearing in Queensland than it could ever have prevented. More country has been cleared because of the Vegetation Management Act and the way in which it was mishandled and bungled than it could ever have prevented. I have no doubt that a lot of that clearing was inappropriate, because it was carried out in a panic in an overheated political situation. The environmental damage that stems from that is Mr Welford's legacy. The current minister has the responsibility of trying to fix that up. The approach that the minister is taking is certainly a lot better than the one taken by his predecessor. However, the implementation of such provisions as clause 17 do nothing for the minister's cause. It does nothing for his cause to suggest that legislation is necessary to allow the government to seize the property of people who contravene this legislation. That is a continuation of a heavy-handed approach that will simply produce a negative reaction, just as everything that the government has done in regard to this vegetation management question from 1999 until now has produced a negative reaction.

This is not the way to go. The minister needs to gain the confidence and trust of people rather than use this heavy-handed approach that is not justified. It cannot be justified. It has not been justified by any evidence produced in the parliament today. It cannot be justified by the

penalties that have been used by the courts in the years since the implementation of the original act. It cannot be justified by anything that the minister has said to this parliament. This parliament should reject it. It should be struck from the bill.

Mrs LIZ CUNNINGHAM: In part I wanted to follow up the question from the member for Callide. Can the minister clarify the rationale that he used for the qualification for possible forfeiture, and that is one conviction? On the basis of, I take it, a pending second conviction part of the penalty can be the forfeiture of the lease. Why is there that differentiation? The conviction may have occurred on one block of land, but the penalty can be the forfeiture of another lease even though there is no interconnection. There may have been a different set of circumstances on the block of land where the conviction was recorded. There could be circumstances that predicated the conviction. There are all sorts of issues. I happen to agree with the member for Warrego. I believe there are people who plead guilty to an offence rather than go to court and fight the allegations, because of cost. The minister has answered that—if we could call it an answer. However, I wonder what the rationale is for that clause, given that the penalty the minister is imposing—the potential forfeiture of a lease—could make the difference between a farmer being viable and unviable, particularly in areas where they have a large amount of leasehold land and they have held those leases for a long time. It is an onerous clause. It has the potential to completely annihilate not only a family business but a family. What was the rationale for his deciding that when a second error is made such a severe penalty should be imposed?

Mr HOBBS: The clause states—

... if the lessee has more than 1 conviction, not including any spent convictions, for tree clearing offences, regardless of whether any of the offences were committed on the land the subject of the lease.

In other words, if a property was split into two or three leases and an offence occurred on one of them, the minister could possibly forfeit or take any one of those leases. In fact, the minister could take the whole lot.

In Queensland within the last few months we have changed the Criminal Code to allow the Crown to procure the proceeds of crime. That was quite a big step. There is a saying that the fine should reflect the crime. How can the minister possibly justify taking a forfeiture on additional leases apart from the one where the offence occurred? What is the relationship? A person may have a family partnership arrangement. There may be the one place but it may have different names on the lease. How is the minister going to manage that? This is just an absolute nightmare from a land administration point of view. I just do not understand how the minister could possibly be so severe in relation to any possible forfeiture along those lines. To me, it is just totally unreasonable.

Mr ROWELL: I would just like to raise an issue very similar to the one that the member for Warrego raised. I see the scenario of lessees who are tenants in common, joint tenants—and a whole range of legal partnerships. Very often a husband and wife would take out one lease. Then the principal breadwinner of the family, which, say, is the husband, and the sons would take out leases on other properties. There could be a whole multiplicity of leases throughout western areas. In fact, this happens quite often. It is important that families share their properties. The whole concept of families getting together enables family members to spread their tentacles. Very often the main property would be in the name of the husband and wife. Then they go out and share a lease with one of the children.

We could even get a situation of a corporation having an interest in a number of properties but having a tenant in common interest in a property with another corporation. How would the minister get around that situation where the principal breadwinner, the husband, and the wife have a lease on one property and then the son has a lease with the husband on another property—or it could be the daughter, or it could be corporations? There are a whole lot of configurations that are likely to occur in terms of the ownership of leases. I think it could be extremely detrimental if there was going to be a forfeiture. I would be interested to know how the minister will go about the process of forfeiture in that event.

Mr ROBERTSON: Putting aside the hubris of the deputy opposition leader, we can probably deal with this in a sensible way. The reason I say 'hubris' is that clearly it has escaped the attention of the deputy opposition leader what the Land Act provides. I will just help the deputy opposition leader by saying that, currently, the Land Act provides that a lease may be forfeited—

... if the lessee defaults in payment of an amount payable to the State under this Act for the lease—

that is, does not pay the rent—

if the lessee breaches a condition of the lease; or

if the lessee contravenes a provision of this Act in relation to the lease; or

if the lessee acquired the lease by fraud.

Mr Hobbs interjected.

Mr ROBERTSON: Give me a break. To suggest that the additional provision on top of those four subclauses of section 234 is somehow extreme, as I said, represents hubris because the reality is, as we know, that lessee rent payments can be between $1,000 and $2,000. Technically under the act, a lease can be forfeited for the non-payment of that amount of money. So to suggest that someone has gone through the court not once but twice and been found guilty on two occasions of breaching the act is somehow excessive compared to the remainder of the provisions that have existed from time immemorial under the Land Act, as I said, suggests hubris. It is nonsense to suggest that it is somehow extreme.

The other issue is that it is reasonable that a lessee of state owned land—which we have responsibility for as custodian—who has been convicted not once but twice should have their leases cancelled. That is reasonable, because that person has clearly demonstrated that they are a bad tenant. In the circumstances where they have an aggregation of leases to form one property, it is reasonable that they may be threatened with that as a result of repeat offences. But as the member for Warrego would be aware, such provisions are not used lightly. In fact, clause 19 of the bill provides for a range of procedures for them to go through and a range of responsibilities on the minister in considering such drastic action.

The minister is required to act responsibly and call for submissions as to why the leases should not be cancelled. Any responsible minister, irrespective of whether they are from this side of the chamber or the opposition side of the chamber, would take those submissions very, very seriously. To suggest that we will use this in a draconian or irresponsible way is not right. In the context of the provisions of the Land Act, in the context of provisions relating to our responsibilities as stewards of crown land that is used for predominantly pastoral purposes, it is necessary to signal that our tenants have a responsibility to look after the state land, the taxpayers' land, in a responsible way. As I said, in the context of the remainder of the provisions of that clause, this is not an extreme provision.

Mr SEENEY: The minister's comments certainly do not justify the inclusion of this clause in this bill. The minister's reference to the existing provisions in the Land Act are mischievous at best. That is the kindest description that I could make, because the existing provisions of the Land Act certainly do not allow for the forfeiture of a number of leases for a misdemeanour on one lease. That is something that the Land Act would never have contemplated and I do not believe that it has ever been contemplated by anybody who has administered land leases in the history of the state.

It is almost impossible to imagine how that particular provision could be justified. So it is that the minister could not justify it in his explanation to the chamber. This clause does not even require those leases to be adjoining. It does not even require them to exist in the same locality. They could be in widely separate locations throughout the state. A person may have a lease hundreds of miles away where no misdemeanour has been detected or suggested, yet that lease can be forfeited, too.

That is an absurdity. It is an absurdity in terms of the minister's argument when he suggested that this was necessary to carry through the provisions of the existing Land Act. Rubbish! It is also an absurdity in terms of any argument that could be mounted to suggest that this is necessary to enforce the provisions of the Vegetation Management Act. That, too, is rubbish, and I dealt with that in my previous contribution. I will not go over it again, although it bears repetition that the courts have seen fit to impose only penalties that represent something like 20 per cent of the penalties that are currently available to them. There is nothing to suggest that a more stringent penalty is required to enforce compliance with this act.

The other part of the minister's reply that I want to comment on was his reference to responsibility on the part of ministers who occupy the position that he occupies tonight. The responsibility that has been shown by the previous incumbent and the present incumbent in that position when it comes to vegetation management legislation has not been such that land-holders have been filled with confidence. To suggest that this clause can be part of this bill and that ministers in the future will act responsibly is certainly not reinforced or supported by the

immediate past, because responsibility is something that has been missing badly from this government's approach to vegetation management legislation in this state.

That is why we are in this House today debating this legislation—because of the irresponsible approach of this minister and the former minister that I have spoken about in my previous contributions and in my contribution to the second reading debate. We are here because of the irresponsibility of sensationalising and hyping this issue continually, because of the irresponsibility of demonising Queensland land-holders for political purposes rather than taking any sort of a level-headed conciliatory and consultative approach that would have at least got a degree of support for the government's legislation and a degree of cooperation from the people affected by that legislation.

We have seen the irresponsible use of media headlines and press releases and media opportunities and media stunts—irresponsibility at its worst from government ministers. The minister cannot come in here and suggest that we should accept this because he is going to be responsible in the future; he has been irresponsible in the past. Until that is corrected and until those bridges are rebuilt in terms of the department and the land-holding community, he would do well to not try to justify clauses in this legislation or any legislation with the argument that he is going to be responsible in the future.

Mr HOBBS: The minister is in denial on this issue. As the member for Callide pointed out, he is misleading the House as well. The Land Act does not say what he said a while ago. It does not relate to other leases. It only relates to particular leases that are actually in default. If he reads the act, that is what it says. Minister, how many times have genuine pastoral leases gone to court for forfeiture for non-payment? I do not mean little blocks around town. Tell us. He says that this is in the Land Act, that it happens all the time and that it will be okay. Tell us how many cases there have been for non-payment of a lease.

The minister is misleading the House and misleading his members. It is not in the Land Act that these leases go to the minister for determination. They go to the Land Court where professional people who know the business make a determination on valuations on the basis of some science. The minister and his department are renowned for making decisions not based on science and he has been caught out in the court cases. It is as simple as that. I do not believe that the minister is fair dinkum on this. I ask the minister to answer that question about how many leases have in fact gone to court.

Mr ROBERTSON: Obviously I do not have that information here tonight, nor would the member expect me to have such information.

Mr HOBBS: The minister did not answer anything. That was one part of all the questions that the member for Callide and I asked. I would have hoped that the minister would deal with those issues. The minister said a while ago in this House that this legislation reflects that of the Land Court. That is not the case.

Mrs LIZ CUNNINGHAM: I have one comment I want to follow up. The minister has said that our concern about the fact that property can be forfeited on the basis of a conviction, whether the property forfeited is the one on which the conviction was laid or not, is not a new principle. He said that the principle of forfeiture has been established in the Land Act since time immemorial for non-payment of lease fees. I agree that that has been in the act, for as long as I know of anyway. But non-payment of lease fees is a very definitive transgression. There is the amount that has to be paid. If they do not pay it, they have lost their access to that property because they failed to pay their rent.

Again, I acknowledge that the minister has questioned the validity of the comment by the member for Warrego. But the fact is that in the same way that the minister made accusations and said that there were cowboys and whatever other term he used to describe landowners in the rural community who will use and abuse the property that they either own in freehold title or have access to through leasehold title, landowners would say that within the department—and this is not an across-the-board criticism; there would be a broad range of officers, most of whom carry out their duties very well and responsibly—every now and again they may come across an officer who is provocative, to say the least. It is those officers who will be able to use this legislation in a most injurious manner.

Failure to pay their lease payments is very black and white. A conviction or an allegation of failing to comply with vegetation management legislation is much more intangible. It is easier to manipulate, for want of a better word. I reiterate that the majority of officers are excellent, but when one finds one that is not they are feral. So the minister is not comparing like with like; he is

comparing a definitive situation with one which is much more subjectively interpreted, and that is why the concern stands.

Mr ROBERTSON: I disagree with the member for Gladstone's view that somehow a failure to pay leasehold land rental is black and white and the provision that is contained in the bill is not. I do not know how black and white one can be to have gone through the court and been convicted by the court not once but twice—at least twice. That to me is definitive—more definitive than perhaps what the member is suggesting about the failure to pay leasehold land rent.

Mr SEENEY: I have to support the remarks made by the member for Gladstone and I regret the puerile response she received from the minister. I spoke at length in the second reading debate about the confusion that has existed since the implementation of the Vegetation Management Act and the unpreparedness of the department to be able to, first of all, issue permits and properly define clearable areas and properly define conditions attaching to these permits. I spoke at length about the background against which this legislation has to be seen in terms of the overheated political situation that existed at the time, the panic and the ill feeling that had been created by the previous minister's irresponsible actions.

That is exactly what the member for Gladstone was referring to in terms of the actions of some departmental officers who went out there after the passing of the act with their own agendas. People have raised examples of that during this debate. Quite apart from the fact that individuals were out there pursuing their own agendas, there was an enormous amount of confusion, both within the department and within the land-holding community. There was a total lack of capability on the part of the department to properly administer this legislation.

With this clause the minister is suggesting that if he can find a lessee that has somehow transgressed this legislation twice during that period of confusion, panic and political hype, then it is possible that their entire business could be forfeited to the state. That is absurd. If the minister is going to pass this legislation as it stands—no doubt he will, because he has 65 loyal supporters at his back—then he should give us an assurance that he will not use the retrospectivity that is available in this bill to prosecute people who have somehow transgressed between 1999 and now. The minister should give us an assurance that departmental officers are not out there waiting for the passage of this legislation to seize individuals' properties under this forfeiture provision. Are there any cases that the minister is aware of where this forfeiture provision will be used? Are there any cases that have existed—

Mr Robertson: No.

Mr SEENEY: The minister will get his chance. He should not be impatient. Are there any cases that he intends to pursue of transgression of the Vegetation Management Act that have occurred between 1999 and now in relation to which he believes this forfeiture of property would be warranted? The minister should give the parliament that assurance before this draconian measure is passed into law.

It is one thing to apply this in the future to someone who transgresses in a major way twice. It is another thing totally to apply this provision retrospectively to an individual who may have transgressed during the period of confusion and political hype that has existed for the last three years. That would be incredibly unjust. I would like an assurance from the minister tonight that he has no expectation that such an injustice would flow from the passing of this bill.

Mr ROBERTSON: In terms of all the cases I have an intimate knowledge about, I can give the member for Callide those assurances.

Mr ROWELL: I asked a question about tenants in common and a whole range of other configurations. Let us talk about an example involving a husband and wife and a father and son. I am talking about two separate leases. Would the sins of the father, say, ever be imposed on the son? I am trying to use an example to demonstrate the situation quite clearly. If a father transgressed on a property with his wife, would that necessarily then reflect on the property that might be jointly partnered with the son?

The other issue relates to statute of limitations. Could offences be dealt with when they are 20, 30, 40 or 50 years apart? The rural generation is getting quite old. Offences could be nearly 60 years apart—between the first transgression and the second. Could a 70 year old be knocked out by this provision?

Mr ROBERTSON: In the cases that may come to me where forfeiture may be considered, people get the opportunity to show cause. In cases such as the member mentioned—father and son, complicated aggregations, tenants in common and so on—that would all be considered.

Mr Rowell: It does not say that in the legislation.

Mr ROBERTSON: No, no. They get to show cause. They get to provide me as minister with the particular circumstances applying to them. I think the member will find it in clause 19. We are talking about clause 17, but those provisions are contained in clause 19. A reasonableness test applies whereby they get to show cause. All of those facts and particular circumstances would as a matter of course be taken into consideration.

In relation to the second question, the statute of limitations does apply in relation to such convictions. I cannot recall what the life of those convictions is, but I am prepared to have my officers provide the member with that information. So the circumstance the member outlined—that someone convicted now cops a second conviction in 20 or 30 years and therefore qualifies for consideration of forfeiture—could not arise. That circumstance would not occur because convictions do have a defined life. It certainly does not go to 20 or 30 years.

Mr Rowell: In some cases it is only one year, the statute of limitations.

Mr ROBERTSON: As I said, I cannot help the member as to the absolute detail tonight, but I will get my officers to advise the member of the detail.

Question—That the clause as read stand part of the bill—put; and the Committee divided—

AYES, 53—Attwood, Barry, Boyle, Bredhauer, Briskey, Choi, L. Clark, Croft, Cummins, J. Cunningham, Edmond, English, Fenlon, Foley, Hayward, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, Male, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, Palaszczuk, Pearce, Phillips, Pitt, Poole, Reeves, Reilly, N. Roberts, Robertson, Schwarten, D. Scott, Shine, Smith, Spence, Stone, Strong, Struthers, Welford, Wells, Wilson. Tellers: T. Sullivan, Purcell

NOES, 16—Copeland, E. Cunningham, Flynn, Hobbs, Horan, Johnson, Lingard, Malone, Pratt, E. Roberts, Rowell, Seeney, Springborg, Watson. Tellers: Hopper, Lester

Resolved in the **affirmative**.

Progress reported.

Debate, on motion of Mr Robertson, adjourned.

SPECIAL ADJOURNMENT

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (7.03 p.m.): I move—

That the House, at its rising, do adjourn until 9.30 a.m. on Tuesday, 25 March 2003.

Motion agreed to.

ADJOURNMENT

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (7.03 p.m.): I move—

That the House do now adjourn.

Keppel Electorate

Hon. V. P. LESTER (Keppel—NPA) (7.04 p.m.): I would like to report that, as far as the electorate of Keppel is concerned, the story is pretty good.

Ms Keech interjected.

Mr LESTER: I would not worry too much if I were the ALP, because we will have some very good people to replace me.

An opposition member interjected.

Mr LESTER: There will not be a need for more than one. There will be more than one for the selection process. Whoever is selected will do a very good job and I am quite sure will win the seat.

I am very grateful for the fact that we have in recent times seen the ambulance centre relocated to the old Telstra building and the fire brigade facility relocated from the centre of town. Both of these services will be in the one building, the Telstra building, which is ideal. There are three bays in each section and all of the facilities that go with them. There is even a recreation room which both firemen and ambulance officers and their families can use. I believe that this is a

good idea, and I am pursuing the Rotary Club and Lions to see whether we can provide community services for this area.

We have had an announcement in relation to the Yeppoon Hospital and the nursing home to be completed in the year 2006.

Mrs Edmond: What a generous Health Minister you have.

Mr LESTER: We were not doing too well until Robert Schwarten and I had a damn good stoush a couple of years ago over Christmas. We had an interesting rapport between us when that was going on, and then all of a sudden the announcement was made.

But I am not here tonight for political point scoring. It is the public that really counts. I am simply saying that we need to get behind the services that are going to be provided. In the meantime, I would call upon the government to look seriously at the provision of a new police station in this ever-expanding area, and passing lanes on the Emu Park-Rockhampton Road. They say that there is not enough traffic there at the moment, but that area is currently booming. It is the third fastest growing area in Queensland and the eighth fastest in Australia.

I am simply suggesting to the government that it ought to look ahead. There are a lot of things to plan, such as a bypass road around Yeppoon. We do not want all these things happening when it is too late. It is much more economical to provide the necessary infrastructure for growth and then we will all be a lot better off.

Clean Up Australia Day

Mr CHOI (Capalaba—ALP) (7.07 p.m.): Last Sunday, 7 March, I got into my casual gear, hopped into my ute and headed off not for the beach but the Judy Holt Park in my electorate of Capalaba, as last Sunday was the annual Clean Up Australia Day. With over 600,000 volunteers cleaning up in more than 6,000 sites across the country, the nation's largest community based environmental event continues to attract huge volunteer support, with an 11 per cent site number increase.

I started my day with the Birkdale Progress Association, which has adopted one of its favourite sites, the reserve near Judy Holt Park, to start the annual activity. It is a wonderful and much needed reserve in the middle of a fully developed urban area. The reserve is also surrounded by playing fields and sports clubs, which may be one of the reasons why there were quite a few discarded containers and bottles. But a team of volunteers from the Birkdale Progress Association wasted no time in getting into the swing of things.

The Birkdale Progress Association was formed during 1994 in response to development pressures on the Birkdale bush region. Since that time, the association has developed into a major conduit for local community views to elected representatives and other groups on a range of issues, including reviews of council strategic plans, development applications, transportation and environmental impacts on the local community. The association has participated in Clean Up Australia Day for several years with success. I would like to thank Robert Bromwich, Dawn Ellis and Councillor Alan Beard and other volunteers for their contributions.

My next stop was the McMillan Road bushland. Debbie Pointing of the Koala Action Group ought to be congratulated on her efforts in organising a team to clean up this part of my electorate. The Koala Action Group is active in the pursuit of environmental awareness and the protection of one of the greatest assets of the Redlands, the koala. Their works are immensely beneficial to the community. Next on the list was the great glider reserve at Alexandra Hills. Can I also thank Linda Flintoff for organising her team, together with other volunteers. They have also managed to make the community a better place to live and to play.

Last, but not least, was the Sam Sciacca Park, also known as the John Fredericks Park, at Capalaba. I was particularly impressed by the sight of young people, aged around 10 to 14, getting involved in cleaning up their country. Unfortunately, sometimes young people are perceived as non-caring, but their support of this activity is the best testimony of the level of commitment of young people when a good cause is presented to them. I acknowledge the work of Phys Parry, Lisa Malone and Brendan Dwyer. At the end of the exercise, my humble ute collected over three cubic metres of unwanted car tyres, rusted metal sheets, several car seats, chairs, and household furniture such as mattresses and tables. On the one hand, I am angry at the lack of consideration of those who dump their rubbish, but at the same time I am encouraged by the selfless work of the volunteers. That is why I wanted to acknowledge them in this adjournment debate.

Housing Industry Trade Training Program

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (7.11 p.m.): In September 1992 the Queensland government introduced the Housing Industry Trade Training program, HITT. The program was unique in Australia and involved joint activity by government and the private sector through group training organisations to provide work opportunities for apprentices in the building-construction industry. The vehicle that has been used for this purpose was the public housing program managed by the Department of Housing. Construction projects were made available on a commercially competitive basis to group training organisations which employed apprentice labour, the cost being subsidised through a training component of each project. The HITT program payed particular recognition to the volatility of the building sector and operated as a countercyclical influence to smooth out the provision of ongoing work and training opportunities for apprentices. It also brought a degree of surety to group training organisations. Funding for the training component of the program originally came from the tobacco tax and, following its abolition through a successful High Court challenge, consolidated revenue. This has continued today via the Department of Housing. It is I believe the only industry-specific Queensland government contribution to apprentice training.

The success of the HITT partnership was recognised under Breaking the Unemployment Cycle by HITTplus as a mechanism for taking on an additional 600 apprentices in Queensland over a three-and-a-half year period. Advice has been received, however, that there are no funds in the Department of Housing's forward estimates for the 2004 financial year to allow a new public housing construction program. Further, any program would be basically limited to upgrading of existing dwellings and unlikely to provide the same volume of projects provided in previous years. These comments introduce uncertainty at best and the demise of the program at worse. On top of this, the government has not committed to Breaking the Unemployment Cycle beyond 2003-04, and this will effectively mean the termination of HITTplus.

In November 1998, Minister Schwarten and then minister Braddy signed a heads of agreement to give effect to the commitment by the Queensland government to expand the provision of training of apprentices in the public and private sectors, with particular reference to the housing industry. On that basis, group training organisations and the department then signed regional agreements on numbers of apprentices to be employed and projects to be provided over the subsequent four years. The HITT and HITTplus programs have more than proved their worth and have done so at relatively little cost to government, state or federal, providing savings in welfare, unemployment support programs and flow-on effects to suppliers and subcontractors in the building-construction and other industries.

I ask the government to reconsider the funding of HITT. It is $3 million per annum—unchanged since 1992—and an additional $3 million per annum for HITTplus. The funds are specifically dedicated to training. The economic and social returns far outweigh any outlay. Such an investment should continue, given the public benefit that it derives. My local apprenticeship group has been greatly assisted by HITT and HITTplus. Dave Burns, the manager of group apprentices in Gladstone, is just devastated by the prospect of this program being cancelled. I urge the government to reconsider its position.

Redbank Plains State School, Induction Ceremony; Woodcrest College, Awards Ceremony

Mrs MILLER (Bundamba—ALP) (7.14 p.m.): Tomorrow I will be attending the student leader's induction ceremony at Redbank Plains State School. It will be a great day for the primary school. The school captains I will induct are Dylan Ashby and Shani Ashby; and the school vice captains are Luke Krestanov and Stacey Nebe.

Ms Nolan: Are they twins?

Mrs MILLER: I am not sure if they are twins, but it sounds like they are. The sport house captains for Emerald are Courtney Reylance and Samuel Tweedale; for Gold, Kirsten Crothby and Trent Moses; for Ruby, Leana McCormack and Daniel Altmann; and for Sapphire, Marina Budisavljevic and Brenton Huggins. We also have quite a number of student council representatives who will be inducted. The acting principal of the school is Mr Greg Horrigan. Tomorrow we will be joined by Mrs Diane Barry, the P&C President; Mike Ludwig, Executive Director, Schools; and our very hardworking Ipswich City Councillor, Councillor Victor Attwood.

The school is a great state school and nearly 100 per cent of its students go on to Redbank Plains State High School. Of course, the Redbank Plains State High School induction ceremony this year was a brilliant celebration of music and song. As always, the students in grade 12 are

great leaders to the entire school community. My sincere congratulations go to the school captains, vice captains, student councillors, house captains and subject captains. The school is led by a great principal, Mr Ian Ferguson, who is greatly assisted by Simon Riley and his dedicated team of teaching staff, teacher aides, a brilliant registrar and her administrative staff.

On Monday I attended the awards ceremony at Woodcrest College. As I was the president of Bremer State High School student council, I was able to pass on some of my knowledge to all of the students. Woodcrest College is a new school under the leadership of acting principal Ken Avenall, with the assistance of a fine team of deputy principals and teaching staff—

Ms Nolan interjected.

Mrs MILLER: Including Graeme Goodger, who actually was from Bremer State High School. Parents are very active in the school, and I personally congratulate Sandy Smith on all her hard work as president of the Woodcrest College P&C. Bundamba State Secondary College is, of course, a busy place these days, with secondary school renewal under way. The funding will ensure the college is well equipped to provide quality curriculum to our students in a pleasant environment. Mr Barry Hoff, school principal, is a local legend. When I visit the school he is always talking to the students, encouraging them to do their best, and he leads by example. Bundamba's Literacy Enhancement Action program has been awarded national and Queensland accolades and the school is going ahead in leaps and bounds. The school captains and vice captains of Redbank Plains State High School and Bundamba State Secondary College will be joining me at lunch in the Stranger's Dining Room in the coming parliamentary sitting days. I look forward to their company and to taking them on a tour of the parliamentary precinct.

Powerlink

Mr COPELAND (Cunningham—NPA) (7.18 p.m.): This morning I tabled a petition consisting of 709 signatures of those affected residents who strongly oppose Powerlink's proposed high-voltage powerline from Millmerran to Middle Ridge. I have spoken to the House about this powerline on many occasions and members will know that the proposed line cuts through some of the Darling Down's finest farming land as well as Toowoomba's fastest growing residential and rural-residential areas. These beautiful areas will be significantly affected by the proposed 330,000 volt line, which will be one of the most obtrusive powerlines constructed in our state.

It goes without saying that many residents directly and indirectly affected by this line are very angry and fed up. They have faced a number of misrepresentations by Powerlink. Firstly, they were told that the powerline was to provide power to Toowoomba and the Darling Downs, after which it was exposed that the actual reason is to power the greater south-east. I believe that that was not simply an oversight by Powerlink but quite clearly a public relations strategy to soften any opposition to it. Then they had to fight Powerlink to attain a proper breakdown in costs of the different proposed lines and alternatives, which initially were not available and then miraculously they were. Residents have felt quite clearly that Powerlink, while going through a consultation period regarding the line, has not really been interested in consultation and has treated the construction of the line as a fait accompli.

A very similar proposal to this to build a powerline was put forward in just 1998 but was withdrawn because of the effect on the community. People have made development decisions based on that decision in 1998 not to proceed. I cannot believe that now, just over four years later, we are facing imminent power shortages, and no other planning in that time has been carried out. This is particularly so when Powerlink continually says it has a responsibility to plan 15 years into the future. It has been a constant battle from the very start. There are now misconceptions that the proposed powerline is needed to fix the recent spate of power blackouts in Toowoomba and on the downs. This is not true. If the powerline were standing today, it would have done nothing to alter the power disruptions across the city and the greater downs. These have predominantly come from summer storms and faults in substation equipment.

I thank the minister for recently meeting both with me, and with a deputation representing the affected land-holders, to discuss the proposed powerline. The deputation issued an invitation to the minister to come to the Darling Downs to join them and look at the proposed route for the line—and I reiterate that invitation to the minister. Affected residents will hold a public meeting at the Greenmount Hall on Tuesday 18 March to which the Energy Minister has also been invited. These meetings have been attracting hundreds of residents and I know that they would greatly appreciate the minister's attendance so that he can hear their concerns at first-hand. I hope that he will join me on that evening and take serious note of these very legitimate concerns.

Education Facilities, Woodridge

Mrs DESLEY SCOTT (Woodridge—ALP) (7.20 p.m.): Education is a very passionate issue for most honourable members. Last week it was my very great privilege to host a visit to a number of my schools by Education Minister, Anna Bligh. Within my electorate we have a considerable number of young people who are part of the 10,000 who fall through the cracks—young people for whom schooling for whatever reason has not delivered any future direction. With one of the aims of our government being to re-engage these young people, I was happy to show our minister what is happening in my electorate.

Our first port of call was Kingston College, where we were met with Principal, Dennis Irvine and a number of teachers as well as the school captains. Here we heard outlined a number of programs of interest such as its year 7 program. One half of the year 7 students from Berrinba East Primary spend a number of days each week at Kingston high. This will make their transition to high school easier and hopefully give them a head start. They also have a good vocational training focus and the number of students taking school based apprenticeships is increasing.

We ended the visit to Kingston College at its very successful Community Access School, where hundreds of students are re-engaging in education. Some are in literacy and numeracy classes; others are doing year 10, 11 and 12 subjects, computer training and some trade subjects. This school is a real inspiration and I have previously spoken in detail about its program. Our minister was able to sit in on a number of classes, speak to teachers and students, meet Deputy Bob Topping and gain a brief insight into the significant influence this college is having in my electorate and beyond.

A five-minute drive and we were at Centre Education, run by the De La Salle Brothers. Principal Dale Murray runs a remarkable facility, dealing with our most marginalised youth. His present student numbers of approximately 45 will be boosted when the building program is complete. Students at Centre Ed are taught by very skilled and dedicated teachers. The students may have severe behavioural problems or such conditions as Asperger's disorder, ADHD or feel alienated from society. Classes are small, usually of five or six, and far less structured. Art and music play a significant role and the new buildings will incorporate a recording studio. Here, again, the minister showed great interest, talking to staff and students alike.

The third school, Harris Fields primary in Woodridge, is a great hub of learning under the guidance of principal Greg Dickman. Harris Fields is not only seeing great improvement in student results; it also has a cluster of schools sharing teaching methods and offering staff development. The central focus on literacy and numeracy is clearly reducing the number of students requiring intervention.

Following an inspection of the school and some interesting encounters with students, we moved to the Connell Centre for an education forum. Local principals, private training organisations and officers from Employment and Training came together to hear more about education directions for the future. The number in attendance was indicative of the high level of interest in the future directions for education. I thank the minister for taking time out of her busy program to take a look at these significant educational facilities.

Queensland Fire and Rescue Service

Dr WATSON (Moggill—Lib) (7.23 p.m.): When we last met on 26 February I put on notice a question to the Minister for Emergency Services inquiring whether the minister was aware that the Queensland Fire and Rescue Service often relies on access to dams and swimming pools when attending to residential fires on acreage properties, because mains water is often located further away than the standard length of hose that fire trucks carry. Because of the drought—at least up until the past couple of weeks—most dams in the area were no longer full. I asked what extra facilities the minister was putting in place to ensure residents on acreage or rural areas serviced by stations such as Kenmore or Karana Downs in my electorate are not placed in jeopardy because of potentially long delays in waiting for backup trucks from other stations.

I raised that question because a constituent told me that he wanted to pump water out of the Brisbane River and was getting the run-around from the state government and the BCC. He wanted to pump water out of the Brisbane River to replenish his dam, because he was concerned about the issue of fire. He was told by the fire brigade that they carry only 120 metres of hose on any truck. His house was significantly further away from the mains than 120 metres. His concern is shared by other people.

Unfortunately, in the early hours of this morning a beautiful old Federation house in Upper Brookfield was destroyed by fire. Members may have seen a report about this on the news tonight. The fire was at 195 Upper Brookfield Road, which is probably only five minutes from the Kenmore Fire Station, going straight down Brookfield Road. The house was located away from hydrants. I am not sure whether there are any hydrants in that area. People have to rely on local water and, in this case, they had to rely on the creek. Fortunately because of the rain the creek was running. However, it was 300 or 400 metres away and, therefore, they had to wait for backup trucks. Being just down the road from me, at 5 o'clock in the morning I heard all of the backup trucks. They made a significant level of noise. By the time they got there the fire was well established and we lost an icon house in the Brookfield area. We were extremely lucky there was no loss of life. That fire reinforces the issue I raised with the minister. I hope he addresses it fairly seriously. A lot of people in my area who live on acreage are very concerned about the lack of services from the Fire Service.

Time expired.

Bremer River, Ipswich

Ms NOLAN (Ipswich—ALP) (7.26 p.m.): The Bremer River in Ipswich is a long way from being the asset for the city that it could and should be. It has long been used as a sewer for the city's industrial waste, as the back fence of many an overgrown horse paddock and as the place of real estate labelled flood prone and hence undesirable. The Bremer River is muddy and polluted for many reasons, and no-one is especially to blame. The river naturally has a muddy bottom, so no-one should kid themselves that before white settlement the Bremer was a clear blue mountain stream. Since settlement, though, this muddiness has been exaggerated by land clearing on the highly erosive soils on the upper catchment. Industries such as woollen mills and abattoirs have fed pollutants directly into the river, and stormwater and dumping have added rubbish to the natural flow.

While, as I said, it would not be fair to blame anyone in particular for the state of our river, our attitudes are changing and it is well past time that our planning and care of the river changed, too. Other cities, most notably Brisbane, have significantly changed their approach to their rivers, making them a focus of community activity. I am pleased to say that Ipswich is beginning to make a change in the same direction. The Ipswich City Council, with a grant of $4.5 million from the state government, recently closed the outdated Tivoli Waste Water Treatment Plant and upgraded the Bundamba plant to modern tertiary treatment.

A step currently under way is the Bremer River proactive inspection program, a joint initiative between the EPA, the Ipswich City Council and the Boonah Shire Council. The inspection program, which began in November last year, is a commitment to sample the water quality all the way along the river to work out what the pollutants are, where they are coming from and then to deal seriously with whoever is causing them. As part of the process, the EPA is auditing 122 sites and local councils are looking into 150. Already results are coming in and the EPA is working with industries to sort out their waste water issues. The sampling process is due to be completed by May this year.

Right now, Mr Speaker, I would not swim in the Bremer if you paid me, but this process is the first significant step in comprehensively auditing the river, working out where the problems are and fixing them. The community can also get involved in cleaning up the Bremer River. There are active river improvement groups in Merrell Street at Booval and Tiger Street, West Ipswich. The recent Clean Up Australia Day at Sadliers Crossing organised by Councillor Andrew Antonioolui and I drew 50 or 60 people, and together in a morning we just about filled a 10-metre skip.

To me this community effort clearly demonstrates the strong community support for cleaning up and focusing on the river. Our attitudes, as I said, are changing. The people of Ipswich know better than to expect high grass, needles and snakes along our riverbanks. Together we should all imagine and plan for a river in which we can swim and a riverbank of parklands and walking tracks that we can all enjoy.

Land Classification, Toowoomba

Mr HORAN (Toowoomba South—NPA) (7.29 p.m.): I want to speak tonight about the unfairness of the changing of status by the Environmental Protection Agency of land in Toowoomba. There are a number of parcels of land in the south-east of our city where the status

has been changed. In relation to one parcel in particular, there was some community agitation to preserve this land because people believed that it was of much value to the area. I assisted those people in those moves, because I felt that perhaps the council or the government may be able to buy this particular piece of land. But once that did not happen and the land was put up for sale, it was then sold and bought in a bona fide way by the vendors and by the potential purchasers as land that could be subdivided.

As it turned out, one parcel of land was purchased by a well-known developer in Toowoomba, Mr Clive Berghofer, who was my predecessor as the member for Toowoomba South. He is a person who has given much to various organisations throughout the state. He is a very wealthy man. That is well known and well acknowledged. But in the midst of the contract process, after the cooling-off period when he could not get out of the contract, the EPA status of that land was changed. So that meant that he had paid many millions more for that piece of land than it would have been valued at had that status been changed prior to its sale.

The only way the status of the land could have been changed—to have it changed to an endangered ecosystem—was to have the land form or soil type changed. They had that changed from what is called a soil type eight, or volcanic, to a soil type five, which is classed as nearly level uniform sand plain. Everyone knows that the land in Toowoomba is all volcanic. To have it reclassified to nearly level uniform sand plain seems to me to be quite incredible. That has happened all through this area to stop developments. The land status has been changed from an eight to a five.

Whether a person is a prince or a pauper, a multimillionaire developer or a first-time developer who has borrowed money, it is not right to do things in the middle of a contract, after a cooling-off period, and for people to suffer the loss of millions of dollars. Nor would it be right to make changes to land owned by an elderly couple who want to sell that land. That is their superannuation. It is all they have for their family or for the rest of their lives. It is not right to change the status of their land and take away the value of their land without giving them decent or reasonable compensation.

The thing that I find strange about this whole process is that a letter from the minister stated that the application to have an amendment to these lots was lodged on 17 September 2002. On 23 September 2002, the investigations were completed and the amendment was made. Two days later, on 25 September, it was certified by the manager of vegetation management. The whole process took about eight days. It was most unfair, regardless of who it happened to. The situation needs fixing up. It is morally wrong to do it.

Time expired.

Directions Framework for Young People

Mr NEIL ROBERTS (Nudgee—ALP) (7.32 p.m.): The government recently conducted a number of youth forums throughout the state seeking the involvement of young people and those who work with them in the development of the Queensland Government Directions Framework for Young People. The framework will represent the government's desire to strengthen and consolidate its existing responses to young people. It will outline our vision and priorities for the future of young Queenslanders over the next few years and will guide policy and planning as well as outlining key areas for action and other ways in which to monitor our success. This framework will have a positive impact on both new and existing initiatives for young people. It will encourage new opportunities for innovation and for linking whole-of-government strategies with the specific needs of young people.

A central theme in our approach to developing an appropriate response to the needs of young people is the notion of active citizenship, that is, developing an environment that is supportive of young people and which connects them to their communities. With the insight of young people and those who work with them we hope to gain a better understanding of a number of key issues: young people's priorities over the next few years, young people's vision and the vision they have for their communities, ideas about developing partnerships, and ideas about how to increase the active citizenship of young people. The development of this framework document is not a starting point for the government but rather a part of a continuum of strategic policy responses. The Queensland Youth Charter has already established benchmarks for best practice in the way government involves young people in decision making. It will ensure that we do not just develop and deliver youth policies for young people in isolation but that we ask them

to provide input on how they believe the government can better deliver services for them which address their needs.

In total, seven forums were held throughout the state—two in Brisbane attended by 85 people; Toowoomba, 25 people; Atherton, 45; Townsville, 40; Emerald, 50; and Hervey Bay, 45. In total, 290 people participated in the forums and 130 or around 45 per cent of these were young people. A further 85 responses have been received through the GENERATE web site and members of the State Youth Advisory Council provided leadership within the forums and have also provided feedback.

A number of issues and priorities were identified during the forums, including issues associated with access to essential services and education and training and the need for alternative education services. In particular, there was wide support for the government's current education and training reform agenda. Additionally, support was expressed for more flexible and creative youth spaces and recreational facilities. Young people said that they wanted to be included in the development and planning of recreational and leisure spaces and options for young people at a community level. The importance of supportive relationships through key transition periods such as the move from school into work or further education or training was also identified as a significant issue.

The Office of Youth Affairs is currently analysing the consultation findings from all the state government departments, regional forums and from young people through the GENERATE youth web site and the State Youth Advisory Council.

Time expired.

Motion agreed to.

The House adjourned at 7.36 p.m.

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