



# WEEKLY HANSARD

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## 51ST PARLIAMENT

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## TUESDAY, 23 NOVEMBER 2004

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

### ASSENT TO BILLS

19 November 2004

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

Dear Mr Speaker

I am pleased to inform the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to by Her Excellency the Governor in the name of Her Majesty The Queen on 18 November 2004:

"A Bill for an Act to amend the Workers' Compensation and Rehabilitation Act 2003, the Workplace Health and Safety Act 1995, the Electrical Safety Act 2002 and for other purposes"

"A Bill for an Act to amend the Pay-roll Tax Act 1971, and for other purposes"

"A Bill for an Act to amend the Environmental Protection Act 1994, and for other purposes"

"A Bill for an Act to amend the Governors (Salary and Pensions) Act 2003, Judges (Pensions and Long Leave) Act 1957, Parliamentary Contributory Superannuation Act 1970, Superannuation Legislation Amendment Act 2003 and Superannuation (State Public Sector) Act 1990"

"A Bill for an Act to amend legislation administered by the Attorney-General, and for other purposes"

"A Bill for an Act to amend Acts administered by the Minister for Education and the Arts"

"A Bill for an Act to amend the Tobacco and Other Smoking Products Act 1998 and for other purposes"

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

Yours sincerely

(sgd)

Governor

### AUDITOR-GENERAL'S REPORT

**Mr SPEAKER:** Honourable members, I have to report that I have received from the Auditor-General a report titled *Audit Report No. 5: results of performance management systems audits*.

### PETITIONS

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

#### **Ozcare; Drug and Alcohol Treatment Facility, Kelso**

**Mr Fenlon** from 1,340 petitioners requesting the House to do all in its power to stop the establishment of a drug and alcohol treatment facility by Ozcare in Hammond Way, Kelso.

The following honourable member has sponsored an e-petition which is now closed and presented—

#### **Ferrets**

**Mr English** from 530 petitioners requesting the House to amend the Land Protection (Pest & Stock Route Management) Act to allow ferrets to be kept in Queensland as pets.

### PAPERS

#### PAPERS TABLED DURING THE RECESS

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

12 November 2004—

- Department of Local Government, Planning, Sport and Recreation—Annual Report 2003-04
- Island Coordinating Council—Annual Report 2003-04
- Environmental Protection Agency—Annual Report 2003-04
- Statutory authorities reporting to the Minister for Environment—Annual Report 2003-04

- Wet Tropics Management Authority—Annual Report and State of the Wet Tropics Report 2003-04
- Department of Emergency Services—Annual Report 2003-04
- Queensland Performing Arts Trust—Annual Report 2003-04
- Library Board of Queensland—Annual Report 2003-04
- Queensland Art Gallery—Annual Report 2003-04
- Queensland Museum—Annual Report 2003-04
- Department of Aboriginal and Torres Strait Islander Policy—Annual Report 2003-04
- Aboriginal Co-ordinating Council—Annual Report 2003-04
- Department of Natural Resources, Mines and Energy—Annual Report 2003-04
- Department of Natural Resources, Mines and Energy—Financial Statements 2003-04
- Queensland Transport—Annual Report 2003-04
- Department of Main Roads—Annual Report 2003-04
- Department of Main Roads—Financial Report 2003-04
- Queensland Rail—Annual Report 2003-04
- Queensland Rail—Statement of Corporate Intent 2003-04
- Bundaberg Port Authority—Annual Report 2003-04
- Bundaberg Port Authority—Statement of Corporate Intent 2003-04
- Cairns Port Authority—Annual Report 2003-04
- Cairns Port Authority—Statement of Corporate Intent 2003-04
- Gladstone Port Authority—Annual Report 2003-04
- Gladstone Port Authority—Statement of Corporate Intent 2003-04
- Mackay Port Authority—Annual Report 2003-04
- Mackay Port Authority—Statement of Corporate Intent 2003-04
- Port of Brisbane Corporation—Annual Report 2003-04
- Port of Brisbane Corporation—Statement of Corporate Intent 2003-04
- Ports Corporation of Queensland—Annual Report 2003-04
- Ports Corporation of Queensland—Statement of Corporate Intent 2003-04
- Rockhampton Port Authority—Annual Report 2003-04
- Rockhampton Port Authority—Statement of Corporate Intent 2003-04
- Townsville Port Authority—Annual Report 2003-04
- Townsville Port Authority—Statement of Corporate Intent 2003-04
- Queensland Motorways Limited—Annual Report 2003-04
- Gateway Bridge Company Limited—Annual Report 2003-04
- Logan Motorway Company Limited—Annual Report 2003-04
- Port Motorway Limited—Annual Report 2003-04
- Department of Tourism, Fair Trading and Wine Industry Development—Annual Report 2003-04
- Tourism Queensland—Annual Report 2003-04
- Grain Research Foundation—Annual Report 2003-04
- Safe Food Queensland—Annual Report 2003-04
- Department of Primary Industries and Fisheries—Annual Report 2003-04
- Office of Health Practitioner Registration Boards—Annual Report 2003-04
- Chiropractors Board of Queensland—Annual Report 2003-04
- Dental Board of Queensland—Annual Report 2003-04
- Dental Technicians and Dental Prosthetists Board of Queensland—Annual Report 2003-04
- Medical Board of Queensland—Annual Report 2003-04
- Medical Radiation Technologists Board of Queensland—Annual Report 2003-04
- Occupational Therapists Board of Queensland—Annual Report 2003-04
- Optometrists Board of Queensland—Annual Report 2003-04
- Osteopaths Board of Queensland—Annual Report 2003-04
- Pharmacists Board of Queensland—Annual Report 2003-04
- Physiotherapists Board of Queensland—Annual Report 2003-04
- Podiatrists Board of Queensland—Annual Report 2003-04
- Psychologists Board of Queensland—Annual Report 2003-04
- Speech Pathologists Board of Queensland—Annual Report 2003-04
- Health Rights Commission—Annual Report 2003-04

- Bundaberg Health Services Foundation—Annual Report 2003-04
- Far North Queensland Hospital Foundation—Annual Report 2003-04
- Ipswich Hospital Foundation—Annual Report 2003-04
- Royal Brisbane & Women's Hospital Research Foundation—Annual Report 2003-04
- Royal Children's Hospital Foundation—Annual Report 2003-04
- Sunshine Coast Health Services Foundation—Annual Report 2003-04
- The Prince Charles Hospital Foundation—Annual Report 2003-04
- Mental Health Review Tribunal—Annual Report 2003-04
- Combined Annual Reports and Financial Reports 2003-04 for The Council of the Queensland Institute of Medical Research and the Queensland Institute of Medical Research Trust
- Fourth Annual Report of the Controlled Operations Committee delivered pursuant to the Police Powers and Responsibilities Act 2000

15 November 2004—

- Anti-Discrimination Commission Queensland—Annual Report 2003-04
- Children Services Tribunal—Annual Report 2003-04
- Legal Aid Queensland—Annual Report 2003-04
- Roads Implementation Program 2004-05 to 2008-09

16 November 2004—

- Department of State Development and Innovation—Annual Report 2003-04
- Late tabling statement by the Minister for State Development and Innovation (Mr McGrady) regarding the Department of State Development and Innovation's Annual Report 2003-04
- Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to an e-petition sponsored by Mr Lee from 1075 petitioners regarding a request to permanently ban the practice of recreational duck and quail shooting in Queensland

17 November 2004—

- Response from the Premier and Minister for Trade (Mr Beattie) to a paper petition presented by Mr Wellington from 4 petitioners regarding correct signage of the Australian dollar sign
- Response from the Minister for Transport and Main Roads (Mr Lucas) to paper petitions presented by Mr McArdle from 709 and 22 petitioners regarding a request for the Cairns Tilt Train and the Sunlander to stop at Landsborough station

18 November 2004—

- Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mrs Sullivan from 706 petitioners regarding erosion and degradation of the western foreshore of Banksia Beach at Bribie Island

19 November 2004—

- Response from the Minister for Education and the Arts (Ms Bligh) to a paper petition presented by Ms Boyle from 1212 petitioners regarding the proposed closure of Cairns North State School

#### STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Duties Act 2001, First Home Owner Grant Act 2000—

- Revenue Legislation Amendment and Repeal Regulation (No. 1) 2004, No. 241

Grammar Schools Act 1975—

- Grammar Schools Amendment Regulation (No. 1) 2004, No. 242

Nature Conservation Act 1992—

- Nature Conservation (Protected Areas) Amendment Regulation (No. 4) 2004, No. 243

Biodiscovery Act 2004—

- Proclamation commencing remaining provisions, No. 244

Education (Teacher Registration) Act 1988—

- Education (Teacher Registration) Amendment By-law (No. 2) 2004, No. 245

Police Powers and Responsibilities Act 2000—

- Police Powers and Responsibilities Amendment Regulation (No. 7) 2004, No. 246

State Penalties Enforcement Act 1999—

- State Penalties Enforcement Amendment Regulation (No. 6) 2004, No. 247

State Penalties Enforcement Act 1999, Transport Operations (Passenger Transport) Act 1994—

- Transport and Other Legislation Amendment Regulation (No. 1) 2004, No. 248

State Penalties Enforcement Act 1999, Transport Operations (Road Use Management) Act 1995—

- Transport and Other Legislation Amendment Regulation (No. 2) 2004, No. 249

Partnership and Other Acts Amendment Act 2004—

- Proclamation commencing remaining provisions, No. 250

Partnership Act 1891—

- Partnership Regulation 2004, No. 251

## MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

Minister for Health (Mr Nuttall)—

- Response from the Minister for Health (Mr Nuttall) to a paper petition presented by Mr Knuth from 479 petitioners regarding a request to review current rebate figures and to also review the process of authorising Patient Travel Subsidy Scheme Application Forms

## MINISTERIAL STATEMENT

### Aurukun, Bauxite Resources

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.32 a.m.): In an important step towards ensuring Queenslanders gain maximum benefit from the colossal Aurukun bauxite deposit, the government will appoint nine initial members of the Industry Reference Group for the Aurukun project. The great majority of them are international leaders in alumina and aluminium processing. In a mark of the global significance of this bauxite deposit, which is around 500 million tonnes, these companies will provide advice to help the government prepare a robust, international competitive bidding process.

The companies registered interest to join the reference group in response to national and international government advertising, which attracted 12 applicants. The successful applicants are, in alphabetical order: Alcan South Pacific Pty Ltd; Alcoa World Alumina Australia; BHP Billiton Ltd; CHALCO; Comalco Aluminium Ltd; Gallipoli Mining Pty Ltd; Gulf Alumina Pty Ltd; Mitsubishi Corporation and Russian Aluminium, RUSAL.

Each of these companies is a potential contender for development of the deposit. The reference group's functions will include advising the government on information about infrastructure, plant location studies and environmental issues. This type of information will be crucial for bidders in a competitive process. The government will also consult the reference group on details of exploration to assess the quantity and quality of the resource, including the key tasks of drilling and assaying. The Minister for State Development will have more to say about this shortly.

In all cases the government will make final decisions about information gathering after taking into account the group's advice. This process is a prerequisite for calling for formal expressions of interest in developing the deposit in accordance with the government's requirements. Given satisfactory progress with the drilling campaign, we expect to make this call in about four month's time. The Industry Reference Group will be wound up before we seek expressions of interest, so that bidding can be open to all parties.

This resource has huge potential to create jobs, exports and economic opportunities for Queenslanders—including the region's indigenous people. The traditional owners are keen to see the resource developed, recognising its potential to deliver export business opportunities, long-term employment and social benefits to their people. The government has regular meetings with the traditional owners and their representatives, and I reaffirm that we want to work with them to ensure they reap sustainable economic and social benefits.

We are following a scrupulous process before our international call for competitive tenders because we want to optimise the returns from the Aurukun resource for the people of the region and the whole of Queensland.

I seek leave to incorporate in *Hansard* the names of the applicants that I referred to in alphabetical order, with full details of their corporate involvement and who they are, for the information of all members.

Leave granted.

Alcan South Pacific Pty Ltd, which is the second largest producer of primary aluminium in the western world and operates 10 bauxite mines, nine alumina refineries and has interests in 24 aluminium smelters;

Alcoa World Alumina Australia, which is the second largest mining and metals company in the world and the largest producer of alumina and aluminium. It has nine alumina refineries and 27 smelters;

BHP Billiton Ltd, which is the world's largest diversified mining company and the fourth largest producer of primary aluminium and the fourth largest producer of alumina;

CHALCO (Aluminium Corporation of China Ltd), which is the second largest alumina producer globally and the only producer of alumina in China. It is also the largest producer of primary aluminium in China, and has seven alumina refineries and six aluminium refineries;

Comalco Aluminium Ltd, is a wholly-owned subsidiary of Rio Tinto. It is the eight largest aluminium company in the world, with extensive bauxite mining, alumina refining and aluminium smelting interests in Queensland;

Gallipoli Mining Pty Ltd. The company's principals, led by Executive Chairman Mr Vince Gauci, have experience in minerals project development and operation in Queensland and elsewhere;

Gulf Alumina Pty Ltd, which is associated with Skardon River Kaolin Pty Ltd and its development in western Cape York north of Weipa.

Mitsubishi Corporation, which is Japan's largest aluminium producer. The company's Metals Group has an aluminium smelting joint venture in Mozambique and an interest in Queensland's Boyne Islander Smelter, and through the BHP Billiton Mitsubishi Alliance the company has extensive interests in Queensland coking coal mines and infrastructure;

Russian Aluminium, RUSAL, which is one of the big three global aluminium producers and accounts for 75% of Russia's primary aluminium output and 10% of the world's output. The company operates four aluminium refineries, four aluminium smelters, three rolling mills and a bauxite mine.

## MINISTERIAL STATEMENT

### Office of the Governor

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.34 a.m.): On 29 September 2004, I informed members of a review of governance arrangements of the Office of the Governor. I am pleased to report that the review has been successfully completed. The review was conducted in consultation with Her Excellency the Governor with a view to ensure that the office provides quality support to the Governor and reflects contemporary public management practices. The review, the first in 11 years, was conducted by a former deputy director-general of the Department of the Premier and Cabinet, Simone Webbe. Ms Webbe provided her report to both the Governor and myself last week and she did an excellent job.

Generally, the review concluded that while improvements had been made since the last review in 1993, the role of the office could be enhanced by improved accountability, transparency and service delivery. The report provides a blueprint to increase responsiveness in client service in the Office of the Governor; improve budget development and reporting processes; refine human resource management arrangements; and streamline the management of the capital works and maintenance program.

Her Excellency and I have agreed on a 10-point implementation plan to ensure that the most contemporary governance arrangements are in place for the Office of the Governor. In addition, the review confirmed the need to update the position description for the official secretary, which has not changed since legislative amendments in 2001 gave the official secretary accountable officer status under the Financial Administration and Audit Act 1977. Accordingly, an independent work value assessment of the official secretary role has been undertaken and a revised position description developed.

I have considered this evaluation and, in consultation with Her Excellency the Governor, have determined that the level will be raised to be equivalent to SES 2 in the Queensland Public Sector. The position will be advertised nationally from tomorrow with applications closing on 8 December 2004. This action coincides with the expiry of the current official secretary's contract. The incumbent will be invited to apply for the position.

The Department of the Premier and Cabinet will work closely with the Office of the Governor to ensure that the 10-point implementation plan is actioned as soon as possible. I think all members of parliament will want to ensure that Her Excellency has as much support as appropriate. I have a high regard for the Governor. She is carrying out her work on behalf of all Queenslanders in an excellent way and I am determined to ensure that she has appropriate support.

## MINISTERIAL STATEMENT

### Auditor-General

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.38 a.m.): One of the most important checks and balances in our Westminster system is the Auditor-General, who ensures that the public's money is being spent wisely and properly. The present Auditor-General, Len Scanlan, is due to retire on December 16 and today I want to thank him on behalf of all Queenslanders for the professional way in which he has performed this role.

The next Queensland Auditor-General will be Glenn Poole, a senior public servant who has served Treasurers of all three major parties in Queensland. Mr Poole was selected on the basis of his high-level leadership and management skills and his proven ability to ensure a high level of public sector accountability.

For the record I seek leave to incorporate details of not just his CV but also the selection process to ensure that it has the support of all members.

Leave granted.

From 1991 to August this year he was Assistant Under Treasurer.

He served in this capacity under Liberal Treasurer Joan Sheldon and was Director, Finance and Administration in Queensland Treasury Corporation, when Mike Ahern was National Party Premier and Treasurer.

The appointment was made by the Governor in Council on November 18 and Mr Poole will take up the position on December 17. I also take this opportunity of informing the House of the process of appointing the next Auditor-General.

The process was independent and approved by the all-party Public Accounts Committee.

Legislation ensures that an appointment can only take place if newspaper advertisements have called for applications and if the Public Accounts Committee has been consulted about the process of selection for appointment and the proposed appointee.

I consulted with the Public Accounts Committee on July 19, 2004, regarding the process and the composition of a selection committee.

The committee supported the process and the composition of the selection committee.

The advertisements resulted in 15 applications which were then cut to a shortlist of seven by the selection committee which then interviewed the seven people on November 4.

The top two applicants were interviewed again on November 10 with the result that the committee unanimously decided that Glen Poole, the Deputy Director-General of the Department of Tourism, Fair Trading and Wine Industry Development, was the best choice and the decision was unanimously backed by the Public Accounts Committee.

## MINISTERIAL STATEMENT

### Ombudsman; Information Commissioner

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.): On 2 September 2004 I informed the House that I intended to split the offices of the Ombudsman and Information Commissioner and appoint a separate Information Commissioner. I can now inform the House that early in 2005 I will propose a motion to the Legislative Assembly for the appointment of a candidate to fill the role of Information Commissioner.

The issue of splitting the offices of Ombudsman and Information Commissioner has been on the agenda for some time. In December 2001 the Legal, Constitutional and Administrative Review Committee tabled its report on freedom of information in Queensland. The report included a recommendation that the roles of Ombudsman and Information Commissioner be separated. While the government did not support that recommendation at the time, the government now accepts that a stand-alone Information Commissioner is needed. I have considered a proposal to appoint an Information Commissioner which would see a separate role established from early 2005.

I have consulted the Attorney-General and Minister for Justice, Rod Welford, and requested the Director-General of the Department of Justice and Attorney-General to facilitate the appointment process. The role will be advertised in the *Courier-Mail* and the *Weekend Australian* newspapers on 27 November and 4 December 2004, with a closing date of 13 December 2004. It is intended that a suitable appointee will be identified in early 2005 and that shortly after a motion of appointment for a separate Information Commissioner will be moved in the House. Following endorsement of the House, and in accordance with the Freedom of Information Act 1992, Governor in Council approval for the appointment will be sought.

## MINISTERIAL STATEMENT

### Smart State Strategy

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.41 a.m.): My government's drive to renew our Smart State strategy is well and truly moving ahead. This is the second stage of the strategy; the vision remains the same. As at today, 225 submissions have been sent in for development of stage 2 of the Smart State strategy. This follows two Smart State strategy forums: one held here at Parliament House with 140 attendees and the other in Townsville with 60 attendees, and a youth summit in Toowoomba with 70 people, combined with a deliberate campaign to push this vitally important issue.

While I say thank you to those who have already made submissions, I am greedy and I want more. I want more submissions on how to best position the Smart State. I am calling for more Queenslanders to make submissions. The deadline is 30 November 2004. I also want to inform the House that we have placed appropriate advertising to attract Queenslanders to make submissions. I table a copy of an advertisement appearing in papers across the state. In addition to that advertisement, a 30-second television commercial and radio commercial are presently being aired. These are part of a campaign for which I table the full costings. They are aimed at further igniting interest in the Smart State. I seek leave to incorporate in *Hansard* not just the rest of my ministerial statement containing more detail but the advertising schedule so that everyone knows down to the last cent how much is being spent—\$164,954.39.

Leave granted.



We are tapping into our State's greatest wealth—our combined mental resource. We were and are mining the minds.

It was clear to me when my government was first elected in 1998, that Queensland needed to re-position itself both nationally and internationally.

Now six year on we need to do it again. We need to ensure we are better planned for the next 10 years—or even the next 25 years.

Our efforts are obviously getting results in trade, aviation and biotechnology to name but a few, but we are now entering a new stage in this revolution we started in 1998 and it is timely to build on that strong base.

As such we are calling on all Queenslanders to have their say.

Our Queensland's Future—Building on the Smart State strategy provides a blueprint for Queensland's development over the next 10 years.

The Smart State is vital—it is where the jobs of tomorrow will come from.

While the traditional Queensland industries of mining and agriculture will always play a role

the Smart State will ensure that they—as well as the developing industries of aviation and tourism and the new industries of IT and biotechnology have Queensland a world leader and not a follower.

The discussion paper can be accessed online at [www.smartstate.qld.gov.au](http://www.smartstate.qld.gov.au), by emailing [smartstate@premiers.qld.gov.au](mailto:smartstate@premiers.qld.gov.au), or by contacting the Department of the Premier and Cabinet on (07) 3224 5100.

Ideas can be submitted at [www.smartstate.qld.gov.au](http://www.smartstate.qld.gov.au), forwarding comments via email to [smartstate@premiers.qld.gov.au](mailto:smartstate@premiers.qld.gov.au) or mailing comments to:

Smart State Strategy, Policy Division

Department of the Premier and Cabinet

PO Box 185, Brisbane Albert Street QLD 4002

The deadline is 30 November 2004.

## MINISTERIAL STATEMENT

### Tilt Train Derailment

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.42 a.m.): Last week the state held its breath when we all heard that the *Spirit of Townsville* had derailed north of Bundaberg. At about midnight last Monday night the tilt train derailed. That started a rapid, phenomenal response. Through the efforts of passengers, local residents, staff and volunteers, more than 160 people were transported to safety and care from the site of the derailment, about 40 kilometres north of Bundaberg. The Minister for Transport, Paul Lucas, and I were horrified to see the wreckage nine hours later from a helicopter. But we were in awe of the response from the rescuers, as was the Minister for Emergency Services, Chris Cummins, who also visited Bundaberg.

I believe that two things contributed to there being no fatalities: the structure of the tilt train and the quick responses of everyone concerned. There is no praise high enough for the hundreds of people who made huge personal sacrifices and saved a lot of agony. Today, on behalf of all members, I thank them from the bottom of my heart; they were absolutely brilliant.

I wish to include a dedication or thank you to all those who made a contribution. This is in addition to a series of advertisements that we ran in newspapers in Rockhampton, Bundaberg, Gladstone, Gympie, Hervey Bay and Maryborough and in the *Sunday Mail* to highlight our thanks to these wonderful people. I table a copy of the advertisement and the full costings schedule for the information of all members. The total cost was \$27,010.13. I seek leave to incorporate the advertisement and schedule in *Hansard*, as well as a dedication or thank you for what they have done.

Leave granted.



They include fellow passengers, local residents, and volunteers and staff from the Queensland Ambulance Service, Queensland Fire and Rescue Service, State Emergency Service, Queensland Health, Queensland Rail and the Queensland Police Service.

Through the efforts of passengers, local residents, staff and volunteers, more than 160 people were transported to safety and care from the site of the derailment, about 40km north of Bundaberg.

The teams of rescuers and care-givers involved in the effort included:

- More than 100 medical staff at Bundaberg, Hervey Bay, Rockhampton and Gladstone
- Medical teams from the Royal Brisbane Hospital (five people) Rockhampton Hospital (four people) and four from the Royal Flying Doctor Service, who began arriving on site at 12.40am
- 30 ambulance vehicles (16 responding from outside the area)
- a total of 71 Queensland Ambulance Service staff
- six Queensland Fire and Rescue Service trucks
- 36 Queensland Fire and Rescue Service staff
- one Rural Fire truck
- five State Emergency Service crews, and
- rescue helicopters from Queensland Rescue, Sunshine Coast and Bundaberg.

In all:

- 36 people were transported by bus to Bundaberg with minor or no injuries.
- 44 people were transported by bus to Hervey Bay with minor or no injuries
- 43 were transported by bus to Gladstone with minor or no injuries
- 8 people were airlifted to Bundaberg with various injuries
- 2 people with possible spinal injuries were taken by ambulance to Gladstone

As I said earlier at the weekend I took out a series of advertisements in a State and select regional newspapers to thank all those involved.

I did this on behalf of all Queenslanders and as a sign of good manners

No "thank you" is big enough for those who helped bring a loved one home fit and well after an accident.

The crash will thoroughly and independently investigated by the Australian Transport Safety Bureau, Queensland Rail and Queensland police.

## MINISTERIAL STATEMENT

### Public Sector, Integrity and Accountability

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 a.m.): Maintaining the highest standards of integrity and accountability in the Queensland public sector is a \$109 million a year cost to the Queensland taxpayer. That is the estimated cost of maintaining the government's accountability machine. It is an investment in good government. The true value of openness and accountability in our democracy is, of course, priceless. I am certain that the culture of the Queensland public sector has changed dramatically and radically for the better since the 1980s. But we will never take our eye off the ball when it comes to upholding honesty and integrity.

For the information of all members I now table an itemised account of the estimated \$109.36 million investment in accountability and integrity in 2004-05. This comprises \$42.111 million on external structures and \$67.249 million allocated directly for internal government activities and measures designed to promote ethical behaviour, accountability and integrity. This document will be available at the web site <http://www.thepremier.qld.gov.au/achievements>. It will highlight more details of what is included in my ministerial statement.

The document I have tabled also includes a separate estimate of \$9 million to process freedom of information applications in 2002-03. This takes into account the costs of labour, less revenue received. We have seen an increase of approximately \$1.5 million in the costs of processing applications since my November 2002 report to parliament. The Freedom of Information Annual Report for 2003-04 will not be tabled until next year, as 2003-04 figures are not yet available. I seek leave to incorporate the rest of my ministerial statement in *Hansard* to highlight our level of accountability and the costs involved.

Leave granted.

This information updates a statement I gave to the House on 6 November 2002, when the total estimate was \$83.34 million excluding Freedom of Information (which was estimated at \$7.5 million, based on the latest data then available, for 2002-'03).

We have improved accountability through external structures in the past two years.

For example we have had:

- an updated Charter of Social and Fiscal Responsibility, which outlines the broad objectives and priorities of the government and establishes a framework for assessing the government's overall performance in progress towards its objectives;
- amendments to the Anti-Discrimination Act 1991, the Freedom of Information Act 1992 and the Public Service Act 1996, all of which increase integrity and accountability; and
- new and revised directives, guidelines and policies made by the Public Service Commissioner and the Minister for Industrial Relations under the Public Service Act 1996, setting out mandatory workforce management principles for Queensland government departments in a range of areas.

Our \$42.111 million investment in external structures in 2004-05 allows, among other things:

- The CMC's on-going work to promote public sector integrity and reduce misconduct;
- the operation of the Office of Public Service Merit and Equity, including the promotion of ethical behaviour by public servants, and a strong and sustainable public service;
- the performance of the Offices of the Queensland Integrity Commissioner, the Ombudsman and the Information Commissioner; and
- the auditing of all public sector entities by the Queensland Audit Office.

The Department of the Premier and Cabinet has compiled information on the costs of various integrity activities within Queensland Government agencies.

The amounts provided by agencies total \$67.249 million, and include: internal audit; misconduct prevention and ethical standards, (including fraud prevention units and misconduct investigations); freedom of information and the cost of processing FOI applications; judicial review; and privacy activities.

The Queensland public sector is governed by an overarching framework of legislation and policies which define responsibilities and accountabilities.

Organisations that are essential to our accountability machine include the Office of Government Owned Corporations in the Treasury Department.

The Office of Government Owned Corporations has a government contribution of \$2.841 million to oversee corporate governance frameworks and policies in Government Owned Corporations.

In addition to the government's integrity and accountability framework, we have the courts and tribunals administered by the Department of Justice and Attorney-General—which function at a cost to Government of \$160.904 million—and the Parliament, which has a state contribution of more than \$61 million.

My government will continue to demand high standards of probity, honesty and integrity from all holders of public office and public servants, and to make improvements where they are needed.

The returns on our investment in integrity and accountability include better services for Queenslanders, and greater confidence in our democratic systems.

## MINISTERIAL STATEMENT

### Regional Unemployment

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 a.m.): Smart State strategies are working for Queenslanders all over the state, as the latest independent jobs figures show. Trend unemployment fell to the historic statewide low of five per cent last month, as Queensland created more full-time jobs than the rest of Australia lost. All over the state, hardworking, innovative people are building jobs and driving unemployment down. In other words, the Smart State strategy is working.

Australian Bureau of Statistics figures show that the unemployment rate for regional Queensland was 5.4 per cent in October compared to six per cent in September and nine per cent when we came to government in June 1998. Last month, seven ABS regions had trend unemployment rates of five per cent or below. Four of those in the five per cent or less club were outside Brisbane.

By contrast, no region had a rate below 5.5 per cent unemployment in June 1998 and eight regions had rates of nine per cent or above. That was before we came to office. The ABS regions at or below five per cent in October this year were: Darling Downs/South West at 3.2 per cent; far north at 4.7 per cent; the Gold Coast at 4.9 per cent; inner-city Brisbane at 3.8 per cent; outer-city Brisbane at 4.8 per cent; south and east Brisbane at 4.3%; and south and east Moreton at five per cent.

Since June 1998 the Gold Coast, south and east Brisbane, south and east Moreton and the Wide Bay/Burnett have all experienced falls greater than 4.5 per cent in trend unemployment. I seek leave to incorporate the latest region by region unemployment data, alongside the comparative figures for June 1998.

Leave granted.

## Queensland's Trend Regional Unemployment Rates

| Region         |                                 | Jun-98 | Oct-04 |
|----------------|---------------------------------|--------|--------|
| Brisbane       | Brisbane - Total                | 7.8    | 4.5    |
|                | Brisbane City - Inner           | 5.9    | 3.8    |
|                | Brisbane City - Outer           | 7.2    | 4.8    |
|                | South & East Brisbane           | 9.1    | 4.3    |
|                | North & West Brisbane           | 9.4    | 5.3    |
|                |                                 |        |        |
| Balance of Qld | Balance of Qld - Total          | 9.0    | 5.4    |
|                | Darling Downs / South West      | 5.5    | 3.2    |
|                | Far North                       | 6.3    | 4.7    |
|                | Mackay / Fitzroy / Central West | 8.3    | 5.3    |
|                | North / North West              | 9.1    | 5.9    |
|                | North and East Moreton          | 9.7    | 5.3    |
|                | South & East Moreton            | 9.6    | 5.0    |
|                | Wide Bay/Burnett                | 14.7   | 8.8    |
|                | Gold Coast*                     | 9.8    | 4.9    |
|                |                                 |        |        |

\* Gold Coast Statistical Region partially overlaps both the South & East Brisbane and South & East Moreton Regions

**Mr BEATTIE:** In doing so I note advice from Queensland Treasury that regional unemployment data can be particularly volatile—even in trend terms—and is subject to possible revision in coming months. While it is best to focus on general movements when looking at the regional breakdown, I believe all members have an interest in their region's jobs data, particularly in light of the attainment of an historic five per cent trend unemployment rate. It is for this reason that I have provided this data for the benefit of the House. I also seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

Jobs growth and the reason why

Queensland's trend unemployment rate fell to 5.0% last month—the fourth consecutive month it has been lower than the rate for the rest of Australia, and the lowest rate since the inception of the current series in 1978

This level is the fifth consecutive month of growth at or above 0.5%. In comparison, jobs growth in the rest of Australia over the same period has been marginal.

The margin between the national and Queensland trend unemployment rates of 0.5 percentage point has only ever been exceeded once in the history of the current ABS Labour Force series.

Queensland is now lower than at any time in the history of this series and is 0.7 percentage point below its previous low in June 1981.

The reason for the recent rapid fall in the unemployment rate has been the State's ability to generate jobs.

Despite representing less than a fifth of Australia's population, Queensland has generated over 44% of Australia's jobs over the past 12 months, and over 55% of full-time jobs.

This is not a recent phenomenon—Queensland's contribution to national jobs growth, in annual terms, has been well above its population share for much of the past 7 years.

Annual employment growth in Queensland has exceeded national growth for much of this period,

Despite the surge in the labour force which has occurred over 2004, the strong employment growth this year has resulted in a large fall in both the trend unemployment rate and in the number of unemployed in Queensland.

With 93,000 jobs created over the year to October 2004, the number of unemployed persons fell by 22,500.

As a result, Queensland's share of national unemployment was 18% in October 2004, below its population share. The past few months represent the first period that this has occurred since early 1995.

**Mr BEATTIE:** I reiterate what I said to the House two weeks ago: we promised jobs, jobs, jobs and we delivered, delivered, delivered.

## MINISTERIAL STATEMENT

### Tilt Train Derailment

**Hon. P.T. LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (9.48 a.m.): In the early hours of last Tuesday, at one minute past midnight, a diesel tilt train travelling from Brisbane to Cairns derailed near Rosedale, 50 kilometres north of Bundaberg. Eight of the nine cars left the section of track including the locomotive. Some 128 of the train's 156 passengers and crew were injured, but, thankfully, no-one was killed or sustained life-threatening injuries. Emergency services arrived at the site by 1 a.m. after being alerted by nearby residents who were the first on the scene to help. All passengers were evacuated from the train by 3.40 a.m. I pay tribute to the outstanding job done by all those involved—residents, emergency services personnel and medical staff at Bundaberg, Gladstone and Hervey Bay hospitals. I pay tribute to the police, the fire brigade, the ambulance, the State Emergency Service and the Salvation Army which set up outside the hospital and were also on the scene as well. I also pay tribute to the QR crew on board the train who set aside any concern for themselves to help passengers.

The Premier and I flew up to Bundaberg early on that morning in order to personally inspect the scene of the accident and, more importantly, to thank the rescue personnel, emergency services, police and medical staff for the outstanding job that they did in rescuing injured passengers. We also attended the Bundaberg Base Hospital and spoke with a number of passengers and crew and were uplifted by their good spirits and praise for the wonderful job done by not only their rescuers but also medical staff. I would also like to personally record my thanks to the many QR staff in so many areas who so promptly responded to facilitate the rescue, looked after passengers' needs, worked tirelessly to clear the track, remove the damaged train and restore the track to operating condition. I would like to thank QR CEO, Bob Scheuber, and his management team for their absolute focus on dealing with the accident and the support for their staff and passengers.

The first priority in any accident must be the welfare of those injured and ensuring that their needs are properly catered for, which I have outlined above. Indeed, as well as the medical treatment, QR had a team in place in the Bundaberg hospital specifically dealing with passenger and family support, together with its hotline for family members to contact for information. The second priority is to investigate the causes of the accident with a view to identifying what can be done to prevent, as far as possible, any such accident happening again. Within hours of the accident, Queensland Transport, as the regulator for the state's rail network, had approved the terms of reference, which I now table, for a joint State-Commonwealth independent investigation chaired by the Australian Transport Safety Bureau. Officials from my department's Rail Safety Unit are also on the investigating team.

There have been issues raised, however, with the current legislation and its ability to protect witnesses who assist it from self-incrimination. This is standard procedure with Commonwealth aviation investigations. The purpose of aviation and rail safety investigations is not to point the blame but to find out what went wrong and to make suggestions to fix it. If witnesses refuse to assist the inquiry, then it severely compromises its ability to do the job that it is specifically set up to do. Later today I will introduce into the House urgent amendments to the Transport Infrastructure Act (1994) which cabinet approved yesterday. The Transport Infrastructure Amendment Bill will assist the current investigation into last Tuesday's diesel tilt train derailment by providing witnesses with immunity from self-incrimination. It will mean that information witnesses provide to any rail safety investigation in Queensland cannot be used against them in other proceedings.

We all want to know what happened to cause the *Spirit of Townsville* to derail so that we can remedy it to prevent future accidents. These amendments will make it mandatory for witnesses to provide information to the rail safety investigators but have full protection in doing so. Everyone has a theory about the accident, but I urge everyone to please be patient and let the investigators do their job. I wish to outline some important factors to the House.

The rail safety investigation takes a 'no-blame' approach to the accident. Its first job is to find out what went wrong and what needs to be done to remedy it. The police, of course, are also conducting an investigation which is separate and independent to the rail safety investigation. It, of course, has a different task. First introduced in 1998, this was the first major tilt train incident in more than 2,770 trips. Half a million people travelled by tilt train within the first two years and more than 92,000 passengers have travelled on the two Cairns tilt trains since they began service in June last year. The accident occurred on a section of track that was upgraded in 1996 under the \$224 million north coast line project

between Nambour and Rockhampton. It included upgraded steel bridges, concrete sleepers, curve easing and realignments, and continuous welded rail from Bundaberg to Rockhampton.

QR and the Queensland government have invested \$1.2 billion over the past decade to upgrade the 1,680 kilometre main north line. Some \$800 million has been spent on the Brisbane-Rockhampton section. I should say, while the member for Gregory is here, that this has been a bipartisan factor in terms of money being spent on the rail network in Queensland since the days of Bjelke-Petersen when compared to other states. In the past five years, \$17.2 million has been spent on the section between Littabella and Parana, where the derailment occurred, including track and bridge maintenance. QR monitors the condition of the track with safety inspections every second day and has a strict regime of other regular testing. In fact, the track was inspected and cleared the day before the accident.

Drivers are specifically qualified to operate the tilt trains and are certified that they know and understand a particular route. This dual competency is in line with world's best practice. Two drivers operate the tilt trains, which are also fitted with a driver vigilance system that ensures that the driver stays alert. I am advised by QR on the issue of automatic train protection that, after unsuccessful trials, QR believes it is not a proven technology in Queensland where we run both passenger trains and freight trains on the same network. The longer and heavier freight trains and older passenger trains have different characteristics to a high-speed passenger train and the ATP software finds it difficult to distinguish those characteristics. What this means is that unexpected brake applications can and have occurred in a passenger train which travels at 160 kilometres per hour. This is dangerous when passengers and staff are walking around the carriages.

Having said that, this is an issue that I hope the investigation will address. I know that QR is addressing the issues posed by this technology on our network on an ongoing basis. I am advised that both of the Cairns tilt trains underwent extensive track testing and passed all required inspections before entering service and the timing of their introduction in mid-June last year. Since 1997, running line derailments in Queensland have decreased by 10 per cent and collisions by 40 per cent. Level crossing incidents have halved. In fact, QR has not had a fatality involving a passenger train derailment or collision in 20 years. The last was in 1985. To give an idea about safety on our network compared with other states, Queensland has 0.053 rail fatalities per 100,000 population, and that includes other sorts of level crossing incidents and the like—about a quarter of those for New South Wales and Victoria.

Normal freight services and some passenger services have resumed on the line. A 40 kilometre per hour speed restriction is in place for all trains travelling through the accident section and a 100 kilometre per hour speed restriction is in place for all long-haul passenger trains. People must have, and should have, a right to expect confidence in the safety of Queensland's public transport. QR's safety record speaks for itself as does the accident speak for the importance of fully investigating the causes to ensure that as far as possible an accident such as this does not happen again.

## MINISTERIAL STATEMENT

### Energex, Briefing Note

**Hon. T.M. MACKENROTH** (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (9.55 a.m.): In the past two months it has been claimed on a number of occasions that I must have been aware of an Energex briefing note which was sent to Treasury in August last year. When it was first raised, I had a check done of all correspondence sent to me and briefing notes prepared for me and there was no correspondence or briefing notes found. I also had no recollection of this brief being raised with me last year. Recently, during parliament on October 21, the member for Callide once again asked me whether I was aware of the note and once again I replied that I was not.

To put an end to this matter, I asked the Under Treasurer to prepare a report for me outlining all action taken in relation to the Energex brief sent to Treasury. I have also once again had all records in relation to correspondence and briefing notes checked. I have received a copy of the Under Treasurer's report which outlines what action was taken. The information provided to me shows that Nev Bradford from Energex forwarded to the Office of Government Owned Corporations in Treasury and the Office of Energy two briefs on 26 August last year relating to, firstly, the impact of high electricity growth in Energex's area and, secondly, the Victoria Harbour cogeneration project.

On 27 August last year the Energex account manager in OGOC forwarded to Leon Allen, the Treasury departmental liaison officer to my office, a copy of the email and briefs. Leon Allen responded to this email on 1 September 2003 addressing the issues raised in the first brief—the impact of high electricity growth in Energex's area. He stated that a possible deterioration of customer standards would be of significant concern for ministers and that these issues had not been raised in the statement of corporate intent and corporate plan. Leon Allen's email was copied to the Deputy Under Treasurer, Tim Spencer; Drew Ellem, the Acting Executive Director of the Office of Government Owned Corporations; and to the special advisor to the Treasurer, Adrian Noon. It was sent to these three people for their

information only as the departmental liaison officer was responding to the email and making a request directly to the department.

The following occurred as a result of Mr Allen's email. A request was made by OGOC for Energex to provide a verbal briefing on the 26 August note. This was arranged by the Office of Energy and a meeting was held on 17 September at which Energex provided a verbal briefing focusing on the Brisbane CBD reinforcement project, City Grid—the key network reinforcement project identified in the briefing note of 26 August. In attendance were Leon Allen, three staff from the Treasury Department, the departmental liaison officer for the Office of Energy, two senior Office of Energy officers, and three Energex representatives. At this meeting a number of items were raised, including the fact that Energex and Powerlink had identified emerging limitations in the electricity network supply to the Brisbane CBD area and that corrective action was required.

It was also noted that Energex and Powerlink had released a request for information in June 2003 outlining the emerging network limitations and seeking information on solutions to the emerging limitations. Further, it was noted submissions had been received and options for corrective action were being costed.

After due consideration of options and costs, Energex and Powerlink issued an application notice to the National Electricity Market Management Company on 17 December on a proposed new large network asset in the Brisbane CBD area. On page 2 of this document it offers clarification on the purpose and intent of the document including—

1. This document is produced in accordance with the national electricity code, which requires Energex and Powerlink, as part of its forward planning, to identify foreseeable future supply requirements in its network, well in advance of them becoming an operational problem.

It also states—

What this document does not mean—

- A. It does not mean that the lights are about to go out. The identified supply requirements are expected to arise some years into the future, assuming that demand for electricity continues to grow. There is enough time between now and then to implement a solution.
- B. It does not mean that energex and powerlink have been surprised, or that anything is 'out of the ordinary'. On the contrary, it is part of the normal, routine planning processes in the NEM.

The process followed once the application notice was submitted is spelt out in detail in the Under Treasurer's report and I table the report and the emails for the information of all members.

What I have outlined today is a perfectly reasonable response by Treasury to the Energex brief. Whilst the Energex brief raised concerns, namely that additional infrastructure was required in the form of the CityGrid project, their own subsequent application notice stated quite clearly that it did not mean that the lights were about to go out. When the Treasury departmental liaison officer received the brief, he asked for clarification and that was provided by a subsequent meeting. The project proceeded in accordance with the due regulatory process as set out in the national electricity code.

I hope this finally clarifies it for the parliament. I once again confirm to the parliament that I was not aware of the Energex brief last year. However, I would suggest that had I been aware of the brief and resulting action taken I would have been shouting it from the rooftops for the past two months.

What the documents that I have tabled will show is that in relation to approvals sought from me in regard to this matter, there was one from Powerlink. Approval was sought on 4 March this year and I approved it on 4 March this year. In relation to Energex, the brief was signed on 2 July to be forwarded to me, which was a Friday, and I approved it on Monday, 5 July. Neither of these things sat on my desk for even one day. I have acted perfectly responsibly in relation to this. I take objection to the accusations made by the Deputy Leader of the Opposition. I was not aware of these briefings.

**Mr Seeney:** Nobody believes you.

**Mr MACKENROTH:** What really matters to me is that I believe what I am saying.

**Mr Seeney:** Nobody else does; nor should they. Nobody else believes you.

**Mr MACKENROTH:** Unlike the member, I tell the truth.

## MINISTERIAL STATEMENT

### Singapore and People's Republic of China Delegation, Education

**Hon. A.M. BLIGH** (South Brisbane—ALP) (Minister for Education and the Arts) (10.04 a.m.): Last month I led a high-level delegation of senior representatives from the Queensland University of Technology, James Cook University, Griffith University, the Pacific Film and Television Commission and my department to Singapore and the People's Republic of China. Over 10 days we visited Singapore and five provinces throughout China: Shanghai, Nanjing, Shandong, Beijing and Xi'an.

The outcomes of this mission will consolidate Queensland's long-term strategic relationship with China as well as reinforce the state's important bilateral relationship with Singapore. In China, I held talks with the directors-general of two provinces and the Vice-Minister for Education, opened two Queensland education and training workshops, addressed graduation ceremonies for three Queensland offshore programs, as well as witnessed the signing of seven memorandums of understanding between Queensland and Chinese institutions for a series of exciting initiatives. Through this mission I also developed a deeper knowledge of the role of traditional and contemporary arts and cultural practice, making significant strides into the Chinese market on behalf of the arts.

Building on the progress made in Los Angeles earlier this year, I was joined by the Pacific Film and Television Commission in Beijing to raise Queensland's profile as a competitive location for international film production. I met with key studio executives from China Central Television, China's largest national TV network. With the Australian federal government moving to negotiate a coproduction treaty with China, building these relationships is important to Queensland's film and television industry.

In Singapore I met with the Minister for Education and a number of senior officials from the Ministry for Education. In addition to strengthening ties in education, I also met with the Minister for Information, Communication and the Arts, developing a relationship between Queensland and Singapore in the arts.

The Chinese market is currently the largest source of full-fee paying school students in Queensland and is continuing to grow, while Singapore is one of the largest sources of full-fee paying students in the higher education sector. There are immense advantages in having strong government relationships in these markets, particularly in ensuring that Queensland continues to benefit from the opportunities that China presents. Since my last mission to China in 2002, the number of Chinese students studying in Australia has grown from 20,000 to more than 50,000, with the number in Queensland climbing from 3,000 to nearly 5,000.

International delegations such as the China and Singapore mission produce not only economic benefits to Queensland but also result in numerous flow-on benefits such as the promotion of multiculturalism, language and cultural diversity. The export of education services is one of Queensland's fastest-growing service exports. It is worth an estimated \$912 million to Queensland every year.

Later today I will be signing an historic contract that will allow prep to year 10 syllabuses used by Queensland state schools to be exported to the Middle East. This will be the first education agreement of its kind to be struck by an Australian state and the United Arab Emirates. The Al Sharif Investment Group investigated curriculum in all the major Australian states before deciding the Queensland syllabus best met their needs. This is a major coup for the Smart State and I look forward to continuing to build on the growth in this industry.

## MINISTERIAL STATEMENT

### Employment and Training; Industrial Relations

**Hon. T.A. BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (10.07 a.m.): 2004 has been a great year for training and jobs in Queensland, underpinned by another 12 months of industrial relations stability. Our unemployment rate of five per cent is the lowest for 26 years, thanks to 93,000 jobs being created. But figures do not do justice to the hard work that has gone into this result. Canberra can crow about providing jobs, but it cannot deny that Queensland provided no less than 44 per cent of all employment nationally in this period.

Our strong employment growth has been a direct result of the Beattie government's Smart State strategies in encouraging investment in the state's economy. And the government's highly successful Breaking the Unemployment Cycle initiative plays an important role in getting disadvantaged job seekers back into the work force.

Six years ago we set a program target of 56,000 jobs or training places. This month, we passed the 80,000 mark. On the training front, the Beattie government is leading Australia in the attack on skills shortages through the highly innovative three-year, billion dollar SmartVET initiative. Over the next three years SmartVET will help create 180,000 training places in industries with skill shortages, providing industry with the skills they need and Queenslanders with the means to establish new careers.

The Beattie government is proud to have presided over record numbers of apprentices and trainees in training and we will continue to encourage young Queenslanders, their parents, teachers and careers advisers to look to the trades as a great start to a career.

In the area of industrial relations, I would like to highlight two particular state government commitments. We are determined to cut down on workplace accidents, which is why we boosted the Department of Industrial Relations budget to help it target breaches of our industrial relations laws. We

amended the Workers' Compensation and Rehabilitation Act 2003 to abolish workplace registration fees for Queensland business, while introducing a number of benefits for workers.

In a push to make construction sites more safe we have appointed an extra 22 Workplace Health and Safety Queensland inspectors, who are now cracking down on safety breaches in the building industry. Across industry, Workplace Health and Safety Queensland inspectors visited more than 13,000 workplaces in 2003-04, issuing more than 18,000 notices and instituting 120 prosecutions, which resulted in fines of over \$2 million. The Department of Industrial Relations is also active in recovering wages and entitlements—a record \$8 million-plus over 12 months, including \$1.3 million in unpaid wages recovered through court proceedings.

The year 2003-04 has shown what can be achieved when a state government, employers and unions work harmoniously together. We can only hope that, in the spirit of Christmas, that message can get through to Canberra.

## MINISTERIAL STATEMENT

### Aurukun, Bauxite Resources

**Hon. T. McGRADY** (Mount Isa—ALP) (Minister for State Development and Innovation) (10.10 a.m.): Recent days have marked an important step forward in the future development of the Aurukun bauxite deposit. I am pleased to inform the House that drilling has commenced on the site to gather important technical information about levels of mineral deposits. This information will no doubt be of great interest to the national and international mining companies named by the Premier just a few moments ago.

As members may be aware, the original information relating to mineral deposits at the site was gathered in the 1960s and 1970s; however, this information does not stand up to today's technical and reporting standards. So over the next month the government drilling program will bore about 600 new test holes in the northern part of the resource. Sampling from these holes is intended to reaffirm the quality of the bauxite resource and provide valuable data for the international expressions of interest process.

The commencement of drilling follows an agreement reached with representatives of the traditional owners of the land and the community. Indigenous owners will continue to be actively engaged and consulted throughout the process. We expect the drilling and information gathering process to take about four months. Once satisfactory information is in our hands we will consider initiating the competitive process to develop the deposit.

As the Premier has mentioned, there is keen interest in the site from a number of high-profile mining companies. The Beattie government will be working to ensure that Queenslanders receive maximum benefits from this development. At the moment we are in the process of engaging advisers who will assist us in preparing for the competitive process.

The Beattie government will be working to ensure that all capable interested parties have an equal opportunity to participate in a competitive bid process for the Aurukun bauxite resource and, importantly, that this process will secure the maximum outcomes for the region and for Queensland as a whole.

## MINISTERIAL STATEMENT

### Daniel Morcombe; Rewards Review

**Hon. J.C. SPENCE** (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.12 a.m.): Last month the Premier, the Police Commissioner and I announced a \$250,000 reward into the suspected abduction and murder of Daniel Morcombe. The \$250,000 reward in this case was, we believe, the biggest offered in Queensland's history. It was posted in the hope of helping uncover fresh leads into the disappearance of the Sunshine Coast teenager. While that reward has not yet led police to those responsible for the teenager's disappearance, it did serve to further highlight the case.

Police have recorded more than 1,200 calls to Crime Stoppers since the reward was offered on 4 October—at least 800 of those since Sunday, when police released sketches of a man who was seen standing behind Daniel at a bus stop the day he was last seen. That takes the total number of calls to Crime Stoppers for this terrible crime to more than 9,000.

Until the \$250,000 reward was posted in the Daniel Morcombe case, the maximum offered in Queensland was \$100,000, in line with most other jurisdictions. However, the Police Commissioner undertook to review all existing rewards for murder and other serious offences with the intention of increasing the amount and enticing those with information to finally come forward. That review is now virtually complete, and I am pleased to announce today that rewards for another 22 unsolved murders

and other serious offences in Queensland are being increased. These rewards are for information which leads to the apprehension and conviction of those responsible for crimes committed since 1 January 1995. They represent about a third of the more than 60 \$100,000 rewards which were on offer.

The Commissioner recommended that I first approve lifting the maximum reward to \$250,000 in serious crimes from the past decade as part of a phased implementation. Police felt that this would be the best approach, given the number of rewards considered for increase and the need to contact the victims or their next of kin.

These crimes include the stabbing murders of 24-year-old Ann Maree Kropp and 27-year-old Christopher Leigh Nancarrow at their home in Springbrook on the Gold Coast in January 1999. There is also the suspected murder of Wendy Margaret Darvill, who disappeared from her Mount Gravatt home in August 1996, the attempted murder of Constable Neil Scutts at Browns Plains in March 1999, and the serious assault, abduction and rape of a 19-year-old man at Townsville in May 1999.

Police desperately want to solve these crimes, and the victims, their families and friends deserve justice and closure. By increasing the rewards and once again highlighting these cases, we hope that someone will come forward with the pieces of vital information police need to solve the crimes.

An added incentive is that police also have the capacity to offer a limited indemnity from prosecution to someone who, until now, has been withholding information. This strategy is aimed specifically at finding and prosecuting the perpetrators, and I can assure the House that indemnity from prosecution will not be offered to anyone who actively participated in the crime.

It is important that our rewards are substantial enough to entice those who have information to come forward, and police considered the seriousness of the offences and the value of rewards posted interstate before recommending I lift these rewards to \$250,000. Police will now more closely examine the remaining rewards of \$100,000—dating back to the 1967 murder of Mima Joan McKim-Hill at Calliope. I expect a further recommendation to be made to me by the end of the year.

I would again urge anyone with information on these and other unsolved crimes in Queensland to call Crime Stoppers on 1800 333 000. I seek leave to have the list of rewards of \$250,000 now on offer incorporated in *Hansard*.

Leave granted.

BRITTON, Dorothy Mavis—murder, Airlie Beach, March 1996  
 DARVILL, Wendy Margaret—missing/suspected murder, Mt Gravatt, August 1996  
 NORBURY, Cleis—attempted murder, Cairns, October 1996  
 QUINTON, June Florence Lillian—murder, West End, January 1996  
 UNIDENTIFIED BABY—murder, Cairns, May 1996  
 ARMSTRONG, Gregory John—missing/suspected murder, Maryborough, May 1997  
 MURRAY, Herbert Edward—murder, Bowen, November 1997  
 ANGWIN, Diane Mary—murder, Bowen, December 1997  
 DOBROWOLSKI, Richard August—murder, North Mackay, March 1997  
 REDMILE, Karen-Ann—attempted murder, Fortitude Valley, February 1998  
 HENRY, Elizabeth Rebekka—murder, Samford, February 1998  
 BRIDGE, Celena—missing/suspected murder, Conondale, July 1998  
 GLASSOP, Sabrina Ann—missing/suspected murder, Kenilworth, May 1999  
 KROPP, Ann Maree and NANCARROW, Christopher Leigh—murder, Springbrook, January 1999  
 SCUTTS—Neil (Constable)—attempted murder, Brown Plains, March 1999  
 UNIDENTIFIED 19-YEAR-OLD MALE—serious assaults, abduction and rape, Townsville, May 1999  
 MILLIGAN, Steven Wayne—suspected murder, Oxenford, April 2000  
 SNOWDON, Andrea Marlene—murder, Ransome, May 2000  
 FEMALE KNOWN AS “BAMBI”—murder, Gumdale, December 2000  
 ROSSON, Frederick Hugh, aka JOHNSTON, Charles Alexander “Slim”—murder, Nerang, March 2002  
 DAVIES, Michael Cleaver—murder, Paradise Point, April 2002  
 MORCOMBE, Daniel James—suspected abduction and murder, Palmwoods, December 2003

## MINISTERIAL STATEMENT

### Brisbane Magistrates Court Complex

**Hon. R.J. WELFORD** (Everton—ALP) (Attorney-General and Minister for Justice) (10.17 a.m.): Queensland now has one of the most modern magistrates courts in the nation. Last Tuesday I joined the Premier and my colleagues the Minister for Public Works and the Minister for Police and Corrective

Services, members of the judiciary and the legal profession for the official opening of Brisbane's new, state-of-the-art \$135 million Magistrates Court complex. This magnificent facility is located on the corner of George and Turbot streets. It represents a significant investment not only in our justice system but also in our city's central business district.

The complex will set the standard for justice facilities around Australia with its modern courtrooms, state-of-the-art technology and security systems. It has 14 levels and features 19 magistrates courtrooms for criminal and civil matters, two coroners courts and four hearing rooms for the Small Claims Tribunal. There is capacity for another 14 courtrooms to be added in the future. State-of-the-art technology has been used in many aspects of the building, including closed circuit television and video conferencing. The closed circuit television will enable children and sexual assault victims to give their evidence from a separate room, and video links will allow evidence from remote locations.

There is a high level of security, with separate circulation paths for the public, the magistracy and people in custody. As well as modern electronic systems, there are separate waiting areas so that victims and witnesses do not have to confront offenders, and special interview rooms have also been provided.

More than 1,300 people worked on this project, and on behalf of the government I would like to congratulate everyone involved, especially the Walter Construction Group, the major contractor for the project. I am pleased to advise that there has been a seamless transition of services from the North Quay facility to the new complex, and at the end of last week there were 17 courts in operation.

The use of new technology has been embraced by police and legal representatives alike, with evidence being taken from five vulnerable witnesses in the first three days. General feedback from the magistracy and staff about the new complex and its facilities has been extremely positive.

This project is part of our government's commitment to a modern, responsive justice system. Recently we have built and opened a new \$4.6 million western district court complex in Richlands, refurbished the Cooktown courthouse and completed the first stage of the \$11.4 million Mackay courthouse project. Projects currently under way include the final stage of the Mackay redevelopment and upgrade to the Hervey Bay courthouse, a new \$6 million courthouse in Caloundra and a new \$300 million courthouse for Thursday Island. The new Brisbane Magistrates Court complex is a credit to all those who were involved in the project. It will contribute to the effective delivery of justice well into the future.

## **MINISTERIAL STATEMENT**

### **Citrus Canker; Asian Honey Bees**

**Hon. H. PALASZCZUK** (Inala—ALP) (Minister for Primary Industries and Fisheries) (10.20 a.m.): In recent years, the Department of Primary Industries and Fisheries has been called upon to repel a number of exotic pests and diseases that have breached national quarantine barriers. One of the current campaigns we are leading is a response to the discovery of the exotic citrus canker disease in the Emerald district. I can confirm that there have been no further detections of the bacterial disease beyond the two infected properties in the Emerald district.

Work removing and eradicating trees within 600 metres of an infested tree on the second property has commenced. Surveillance on commercial orchards and in backyards in the Emerald district continues. The national management group is due to meet later today to consider the response effort, and I expect that the Pressler plan to pre-emptively destroy all citrus trees in the Emerald area will be considered at that meeting. I can advise the House today that surveillance in overhead sprinkler citrus blocks in the central Burnett region has now commenced. This surveillance will be critical to the response plan, and hopefully the findings will lead to the major Gayndah-Mundubbera regions being declared free of the disease.

In terms of Asian honey bees, which were found at the Port of Brisbane last week, I have good news for the honey industry. I can confirm that DNA testing on samples has determined that the mites are not of a type capable of colonising with commercial honey bees. Nevertheless, a six-kilometre quarantine area around the site of the incursion will stay in place at least until 14 December.

## **ELECTRICITY AMENDMENT BILL ELECTRICITY AMENDMENT BILL (NO. 2)**

### **Remaining Stages; Cognate Debate**

**Hon. A.M. BLIGH** (South Brisbane—ALP) (Leader of the House) (10.22 a.m.), without notice, by leave: I move—

That, in accordance with Standing Order 129, the Electricity Amendment Bill and the Electricity Amendment Bill (No. 2) be treated as cognate bills for their remaining stages—

- (a) separate questions being put in regard to the second readings;
- (b) the consideration of the Bills in detail together; and
- (c) one question being put for the third readings and long titles.

Motion agreed to.

## SCRUTINY OF LEGISLATION COMMITTEE

### Report

**Hon. K.W. HAYWARD** (Kallangur—ALP) (10.22 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's *Alert Digest No. 9 of 2004*.

## NOTICE OF MOTION

### Disallowance of Statutory Instruments

**Mr HORAN** (Toowoomba South—NPA) (10.23 a.m.): I give notice that I will move—

That the Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004 (Subordinate Legislation No. 240 of 2004) and the Marine Parks and Other Legislation Amendment and Repeal Regulation (No. 1) 2004 (Subordinate Legislation No. 238 of 2004) tabled in the Parliament on 9 November 2004, be disallowed.

## PRIVATE MEMBERS' STATEMENTS

### Horse Riding Trails

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (10.23 a.m.): Later this morning recreational trail riders will gather out the front of Parliament House to protest the decision of this state government to exclude them from using national parks and other designated state lands in the future. This is a shameful decision from this state government because it will exclude people who have responsibly used these areas over many decades, if not much longer.

We have in this state reserve lands which we know and we understand to be available for the utilisation of all of our citizens. What we have seen is a government which is increasingly locking up those areas which are used for recreational purposes and also by beekeepers. What are the other options? There are no other options, quite frankly, for many of these people. The decision has been made on a very shallow basis.

My message today to this government is this: do not repeat the mistakes of Mark Latham who sold out people in the last federal election in order to chase Green preferences. The government has a much greater responsibility to the people of Queensland; to those people who want to know, love and enjoy those areas of national parks and other state lands not only now but also in the future.

It is very ironic—and people are remarking on this—that we are going to exclude from those areas horse riders and beekeepers but not wild brumbies or wild dogs. Those areas are also infested with weeds and other feral pests and yet nothing has been done about that whatsoever. The commitment that I will give recreational horse riders and beekeepers today is simple: we will overturn that decision when we get into government, and they will have rightful access to those areas again in the future. This is a stupid decision.

Time expired.

### Smithfield State High School

**Dr LESLEY CLARK** (Barron River—ALP) (10.25 a.m.): Smithfield State High School, on the Marlin Coast north of Cairns, embodies the Smart State vision for Queensland. This school is a centre of excellence for science, mathematics and technology, and its innovative programs have gained it a place in the *Australian* newspaper's top 10 best schools of the nation for 2004. This latest accolade follows several years of award-winning performances at both state and national levels in the areas of information technology, multimedia and broadcasting studies.

The success of Smithfield State High School and its students include Building Youth Technology Excellence Awards winners; Queensland Schools Showcase Excellence Award winner; GIDGITS Great Ideas Competition winner; an engineering technology course launched with shipbuilder NQEA; Women in Technology Awards winner; Girls in Technology Dream Career awards winner; Digital Expo Award winner; first Australian high school to introduce Certificate IV in Interactive Multimedia; first Queensland

school to offer a radio broadcasting production course; lucrative sponsorship including scholarships and equipment with global IT giants Microsoft, Hewlett Packard and NEC; and year 12 students completing JCU courses in journalism.

These achievements have been fostered by the leadership of principal Larry Gallagher, who turned the school from run-of-the-mill to a standout success in his 11 years at the helm. It has been a privilege and a pleasure to work with Larry over that time and support the school in its endeavours. When he retires next year, he will leave a proud legacy of innovation and excellence that has put Smithfield State High School on the map. I wish both Larry and his wife, Barbara, well in their retirement to the Tablelands, from where I am sure he will continue to follow the ongoing success of the school he nurtured so well.

### Independent Members

**Miss ELISA ROBERTS** (Gympie—Ind) (10.27 a.m.): I would like to take this opportunity to congratulate the newly elected Independent member for Dubbo, New South Wales. This win clearly shows that particularly in conservative rural seats there is a strong move away from the National Party. It is glaringly obvious that the National Party is literally shaken to the core by the rising popularity of Independents. As a result, the National Party has turned on Independents in much the same way it turned on One Nation only a few years ago.

I find it incredulous that, whenever a new threat to the National Party comes along, there is a new enemy for it to focus on. One would think the party would take a long, hard look at itself rather than placing the blame squarely at the feet of another political candidate. Whilst this party continues to ignore its own inherent problems, it will continue its downward spiral. What the National Party needs to think about is why the public does not want it to represent them anymore. The recent allegations of bribery which have been made by the Independent member for New England against the National Party, if true, show just how desperate and out of touch this party actually is.

For the record, I would like to make it clear for members of the National Party that Independents do not operate as a party. We are true individuals. We just happen to represent, in the majority of instances, conservative seats that were once the safest National Party seats in the country. Nats, wherever you are, you are your own worst enemy.

### World Computer Security Day

**Mrs LAVARCH** (Kurwongbah—ALP) (10.28 a.m.): We all know the importance of special yearly events such as Christmas Day, New Year's Day and birthdays. But today I would like to direct the attention of the House to a not-so-well-known international day that is being held shortly. It is a day that recognises the importance of a device most of us here would be lost without—a device which has become essential in all aspects of life, both professionally and personally. Mr Speaker, Tuesday, 30 November is World Computer Security Day, but before you rush out and buy a new mouse pad for your PC let me tell you a bit about why computer security and e-security are so important.

Computer security issues include privacy of information, hacking and viruses. Hacking is a serious business. It threatens personal, business and government security. Computer viruses such as Sasser are able to infiltrate big name systems and completely wipe out entire business networks. Computer security is just as important at home as it is at work. If people do not have the right security systems in place on their computer it is like leaving the door wide open for anyone to come along and take what they want and destroy it all.

Luckily for Queensland, the development of sound computer security is a priority for the Beattie government. In fact, Brisbane has one of the largest e-security research communities outside of North America and its members play a key role in the global e-security community. The Beattie government has also worked, and will continue to work successfully with local firms to promote local ICT security companies and their products.

We need to keep computer security as a priority in our state, and World Computer Security Day on 30 November is the perfect opportunity for all to understand and promote the importance of computer security.

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

## QUESTIONS WITHOUT NOTICE

### Mr A. Boughen

**Mr SPRINGBORG** (10.30 a.m.): My question without notice is to the Minister for Education. I refer to the case of convicted paedophile and former school teacher Anthony Boughen who, prior to his conviction, was the subject of numerous complaints from staff and parents regarding suspicious

behaviour at the school at which he taught. Is it not a fact that the teacher was charged by police with child pornography offences in December 2002? Is it not a fact that he remained employed at the school in a teaching capacity until April 2003, some five months after being charged? Is it not a fact that after April 2003 he was still able to utilise school facilities during school hours until he was finally convicted in early 2004? Is it not true that persons charged with child pornography offences under this Labor government are permitted to teach children until they are actually convicted?

**Ms BLIGH:** I thank the honourable member for the question and for what I believe is a genuine concern to make sure that the students in our schools are as safe as they can possibly be. As the member would be aware, I have raised these sorts of issues in this House on a number of occasions. There are 65,000 staff in Education Queensland. I am not going for one minute to pretend that I have the level of detail about every single case or complaint that some of them may face from time to time. I can give an undertaking this morning that I will take the details of the member's question and provide him with information to clarify those points as soon as possible.

### Education

**Mr SPRINGBORG:** I have a further question for the Minister for Education. I refer her to representations made by the member for Burnett on behalf of parents concerned about their children being supplied with answers to a year 12 exam by their teachers. Why is it that these parents have now been threatened with legal action by the principal of the school based on details of the correspondence forwarded to the minister? Does this mean that any parent who raises concerns about the education of their children now faces intimidation by the minister's office and the threat of being sued?

**Ms BLIGH:** I thank the member for the question. I understand from the first part of his question that constituents of the member for Burnett have received some indication that they might be subject to legal action by the principal as an individual. The second part of the question seemed to imply that there might be some threat of defamation action by my office or any officer employed in my office. I would like to clarify and put beyond any doubt that there is no action threatened, considered or taken in relation to any member of the public from any member of my office. Can I be absolutely clear about that?

In relation to the member's general point, I encourage parents whose children attend any school in Queensland—state or non-state—who have any concern about the education or services that their children receive to put those concerns in writing to the department and to me without any concerns—

**Opposition members** interjected.

**Mr SPEAKER:** Order! You have asked the question; we will hear the answer.

**Mr Horan:** How can they do it if they are going to get sued?

**Mr SPEAKER:** Order! Member for Toowoomba South.

**Ms BLIGH:** I encourage parents to put their concerns in writing. I do not know the details of this particular case, but all parents are citizens and are required to obey the law. If they raise their concerns in a way that another individual believes—whether or not they are on sound legal grounds—may warrant an action, that is not something which I think anybody in this House would condone. If the high school principal is taking action as an individual, that is a matter that the courts and other legal processes will have to consider and it would not be appropriate for me to proffer an opinion about the likelihood—

**Mr Horan** interjected.

**Mr SPEAKER:** Order! The member for Toowoomba South, the question has been asked and we are hearing the answer.

**Mr Horan** interjected.

**Mr SPEAKER:** Order!

**Ms BLIGH:** It would not be appropriate for me to proffer an opinion on what the outcome of any individual legal process may or may not be. Members have called out about how my people know that the complaint has been made about them. Of course, if someone writes a complaint to me about schools I do not keep it secret. The school is asked to answer the complaint. The complaint is put to people and they are asked to answer it. That has been the long-established practice and it will continue. There will not be secret complaints. We do not have any secret complaints.

**Mr Messenger** interjected.

**Mr SPEAKER:** The member for Burnett, order!

**Ms BLIGH:** If the member for Burnett ever, God forbid, became the Minister for Education, it is absolutely clear from his interjections that what he would do with complaints is put them in a big secret box under his desk.

**Mr Mackenroth:** Why don't you send him back an answer on a blank bit of paper?

**Ms BLIGH:** I take the interjection from the Deputy Premier. Perhaps we could write the answers in invisible ink, and he could light a match underneath it and the answer will slowly become clear.

These are serious issues and complaints are treated seriously, and when allegations are made they are put to people and people are required to answer them.

**Honourable members** interjected.

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

**Mr Seeney** interjected.

**Mr SPEAKER:** Order! Member for Callide, I just called the House to order.

**Mr Johnson** interjected.

**Mr SPEAKER:** And the member for Gregory!

Before calling the member for Whitsunday, I welcome to the public gallery students and teachers of Moranbah State School in the electorate of Charters Towers.

### Ethanol

**Ms JARRATT:** My question is to the Premier. There has been ongoing, ill-informed criticism of the government's efforts to get a national mandate for a 10 per cent ethanol blend. Can the Premier detail if and from whom the state government has received support in seeking the national standard?

**Mr BEATTIE:** I thank the honourable member for Whitsunday for the question. My government is proud to be leading the charge to have an ethanol blend in unleaded petrol. Since we last met much has happened to progress this. Two weeks ago I, along with motor racing legend and now ethanol champion, triple world champion Sir Jack Brabham, launched an ethanol blend service station. Petro Fuel Group and the Queensland Fuel Group are industry leaders for their Smart State initiative opening of the Evolve Service Station at Mount Warren Park. The government presented the company with a sugar innovation grant of \$72,050.

My government is pursuing the development of an ethanol industry. We are putting our money where our mouth is, and we are doing this to create jobs, particularly in regional areas. We saw the great results in regional unemployment figures that I read out to the House this morning. We are also doing it to contribute to Australia's fuel security and sustainability, reduce our reliance on fossil fuels, diversify and strengthen Queensland's economy and increase our export base.

Since we last met, the state government has announced a \$250,000 grant to drive far-north Queensland's ethanol industry forward. I want to thank the Minister for State Development for the hard work that he has been putting into this because we are determined to develop this industry. The funding is the first step towards establishing an ethanol production plant at the Tablelands mill at Mareeba. This project at the Tablelands mill is predicted to create an extra \$6.5 million in new sales annually and create 12 new jobs at the mill. At present we do not have an ethanol production facility north of Townsville so this is great news for the far north's sugar industry. We currently have 24 outlets selling E10 throughout Queensland. The Tablelands plant will help to boost the production and availability of this clean, renewable fuel. E10 makes great sense all round. It provides Queenslanders with a pro-environment fuel choice and provides our sugar cane farmers and millers with a new product that will help ensure their future livelihoods.

The state government funding of these initiatives has been made available from the Sugar Industry Innovation Fund—a \$10 million fund established to help the sugar industry diversify and become more efficient. What is most heartening is that these initiatives are being warmly welcomed by industry. Margaret Menzel of Ayr, I was pleased to see, is most praiseworthy of our efforts and she too wants Canberra to mandate a 10 per cent blend. In the *Cairns Post* of 18 November—which is my birthday—the Sugar Reform Committee coordinator wrote—

The State Opposition must join with the government to lobby the Howard Government for a national mandate.

So get on board, National Party! As well, Queensland Canegrowers issued a release on 18 November headlined 'Cane growers welcome ethanol initiatives'. It was a great birthday. The article continued—

Queensland sugarcane growers have welcomed two new initiatives aimed at boosting Queensland's fledgling ethanol industry.

They offer their support for the Evolve Service Station and for our efforts with Sir Jack in profiling this issue. I table the media reports that confirm what I have said to the House.

### South-East Queensland Forest Agreement

**Mr SEENEY:** My question without notice is to the Minister for State Development. Today there are demonstrations outside parliament about restrictions put in place by the South-East Queensland Forest Agreement. There is also a protest meeting of local government leaders, timber industry representatives and grazing leaseholders occurring in Mundubbera concerning the uncertainty surrounding the lack of

outcomes from the western hardwood study, which the minister's department commenced in 2001. With timber supply contracts from these areas due to expire in just five weeks, can the minister give those industry representatives and community leaders an assurance that he will not be following Mark Latham's Tasmanian example and selling out Queensland timber industry workers in their regional communities in the western hardwood region?

**Mr McGRADY:** I thank the member for the question. Since I have been in this portfolio I have had numerous discussions with both the industry, through Mr Rod McInnes, and the conservation movement. There is no easy solution to this issue. There are no headline-grabbing stories in this; it is about trying to achieve a compromise.

**Mr Schwarten:** A sensible compromise.

**Mr McGRADY:** A sensible compromise. I have been meeting with both sides of this debate as well as other people to try to reach some sort of a compromise which is acceptable to both sides. In relation to the question which the member for Callide raises about the contracts expiring, if no agreement is reached we can give an extension of a further six months.

**A government member:** We have done that before.

**Mr McGRADY:** We have done that before. In fact, I will read a letter to the parliament today which has been signed by the Premier. It is addressed to Mr Rod McInnes, Chief Executive, Timber Queensland—

Dear Rod

Thank you for your letter of 3 November concerning the expiry of wood supply contracts in the Western Hardwoods.

You can be assured that in seeking a long term outcome in the Western Hardwoods the Government is keenly aware of the need to ensure existing mills which rely on Crown allocations and their employees are not inadvertently disadvantaged in the process.

Accordingly I can advise that I have directed the Department of State Development and Innovation and the Forestry Division of the Department of Primary Industries and Fisheries to immediately enter into discussions with industry and the conservation movement to extend current Crown allocations in the Western Hardwoods for the six months to 30 June 2005.

That is signed by the Premier.

### Freedom of Information

**Mr TERRY SULLIVAN:** My question is directed to the Premier. Last time the parliament met the Premier outlined the costs of FOI. What are the actual costs and real cost to Queensland taxpayers for the opposition's FOI fishing expeditions and what is the opposition's contribution to these searches through computer recycle bins?

**Mr BEATTIE:** I thank the honourable member for the question. On 11 November 2004 I made a statement to the House about freedom of information. I mentioned in passing that, as I understood it, the estimated cost of administering FOI applications in 2002-03 of \$9.29 million did not include the cost of the opposition's FOI applications. I have since been advised that it does, in fact, include all FOI applications. I also said that I was considering reporting on the cost of the opposition FOIs. I have done better than that. I have asked all government agencies to provide the number and cost of FOI applications for the last two financial years from both the opposition and the media.

In 2003-04 the opposition made 107 applications and paid fees and charges of \$9,769.30—well, the taxpayer did. The media made significantly more applications—149—and were charged \$11,734.70. What the public should know is how much these applications actually cost Queensland taxpayers. As I have said, the estimated cost to government of administering FOI in 2002-03 was more than \$9 million. This figure was estimated by the Department of Justice and Attorney-General based on an earlier survey of FOI costs. Based on those estimates, the average cost of a 'non-personal' FOI application in 2003-04 was \$1,077.92. I say non-personal because personal applications are free.

This means that the estimated combined cost of opposition and media FOI applications in 2003-04 was \$275,947.52, for which they paid a combined total of \$21,504. The opposition's FOI fishing expeditions cost Queensland taxpayers \$105,568.14, while the media's inquiries were subsidised by taxpayers to the tune of \$148,875.38. This means the fees and charges paid by the opposition cover 8.47 per cent of the estimated cost to government while the media's fees and charges covered only 7.31 per cent of the estimated cost to government.

The government does not believe that all FOI costs should be passed on. An indication of this is that personal applications do not incur any cost. Let it not be misunderstood that taxpayers in Queensland are making a significant contribution to the FOI applications of both the opposition and the media—they are. This establishes that we are committed to making FOI work.

Freedom of information legislation was created to give the public access to personal information and find out more about the activities of government. We will continue to support the effective operation of the FOI legislation.

I might make this point: FOI legislation is currently being abused by the opposition. It makes wild, sweeping applications on fishing expeditions and it refuses to actually focus those applications. At least the media is doing that. I just say to the opposition that it has an obligation to ask sensible questions. Stop the fishing expeditions and save taxpayers' money.

### **Sarina, School Bus**

**Mr MALONE:** My question without notice is to the Minister for Transport and Main Roads. I refer to an incident where a 12-year-old boy and a 10-year-old girl were thrown off a school bus in Sarina as they did not have the \$2 fare. In light of the sad disappearance of Daniel Morcombe on the Sunshine Coast, does the minister believe such actions are appropriate? What procedures does the minister have in place to ensure incidents like this do not happen in the future?

**Mr LUCAS:** I thank the honourable member for the question and I thank him for his concern in this area. I, too, would be concerned about such an incident. Did this occur recently? I am more than happy to have my department contact the honourable member to investigate the matter personally. The simple fact of the matter is that children should not—

**Mr Malone:** The minister's department knows about it.

**Mr LUCAS:** Have they contacted the honourable member with respect to the investigation? I would expect that in all ordinary circumstances no student should be ejected from a bus or refused carriage on the basis of not having a fare. That is a matter, of course, that would need to be addressed then with the school and the parents of the student, but safety must come first.

We must be constantly vigilant when it comes to the welfare of our youth, whether it is student transport schemes or buses generally. One of the things my department seeks to do is ensure that operators fully understand their responsibility and train their own staff to make sure that that responsibility is made clear.

I had the opportunity to speak with Mrs and Mr Morcombe when they were in parliament a few months ago. They are just the most wonderful people. I can but imagine the grief that they are going through. One of the things that we must do is make sure that we learn from these incidents and do everything in our power to make sure that the safety of our children is paramount.

If the honourable member or any other member has any additional concerns with respect to that particular investigation, then please approach me. I would be happy to look at them personally.

### **Public Dental Waiting Lists**

**Mr BRISKEY:** My question is to the Minister for Health. I refer the minister to the government's election commitment to reduce public dental waiting lists throughout the state, and I ask: can the minister update the House on the progress of this commitment?

**Mr NUTTALL:** The Queensland government provides the most comprehensive public dental service of any state in Australia, with an annual budget of \$120 million. When the Commonwealth government cut payments to the states by \$20 million each, other states moved to a co-payment system. Queensland is the only state in Australia to still fully subsidise public dental treatments. We have been working very hard to do more for this great service. That work is beginning to pay off.

I am pleased to inform the House that from 1 July to 30 October this year our public dentists have performed more than a staggering 190,500 occasions of service for adults around Queensland. That is 6,500 more services than for the same period last year. We are already two per cent above the target for the year to date. In addition, as an election commitment this government announced a further \$10 million over three years to help further reduce public dental waiting lists. As part of the first \$3.3 million to be spent this financial year, we have now written to dentists in the private sector calling for expressions of interest to perform stage 1—that is, an additional 2,000 treatments in rural, regional and remote parts of this state, especially where there is currently a difficulty in recruiting more dentists.

The response has been nothing short of overwhelming. More than 100 dentists around the state have replied so far. They are keen to take on more dental work over and above their normal schedules. In addition, we have received responses from 50 dental prosthetists. These dental prosthetists will be involved in providing dentures and repairs to dentures. My department is now working through the expressions of interest. I look forward to updating members of the House on the start of this program, which is expected to go a long way to reducing dental waiting lists in Queensland.

### **Energex, Briefing Note**

**Mr QUINN:** My question is directed to the Treasurer. I refer to the Treasurer's ministerial statement this morning and to the 68 pages of documents that he tabled referring to the Energex issue. Why has it taken an FOI application from my office to the minister's office 12 days ago—seeking all emails to and from Leon Allen, who was then Treasury's departmental liaison officer in the minister's

office—for the minister to reluctantly find further evidence that his office knew of the problems within Energex late last year? Is this the reason Energex staff regularly refer to the minister's office as the government's dead letter office?

**Mr MACKENROTH:** Inspector Clouseau presumes that is why I did that. Let me say that nobody refers to my office as the dead letter office.

**Opposition members** interjected.

**Mr SPEAKER:** Order! We will hear the answer.

**Mr MACKENROTH:** I had a look at the issue of emails. I figured that probably someone like the Leader of the Liberal Party would say something about emails and ask why I had not seen them. I asked my staff to have a look at one day and see how many emails came into my office to all of the staff members. The day we selected was the day before I asked them the question. Some 460 emails came into my office in one day. That is over 2,000 a week emails coming into my office. I would defy anybody to know what is in every email that comes into an office when there are that many.

**Mr Quinn** interjected.

**Mr SPEAKER:** Order! We will hear this answer, Leader of the Liberal Party.

**Mr MACKENROTH:** As I outlined this morning, the reality is that, when the departmental liaison officer was made aware of that, he was not asked to make me aware of it. There were two briefs. The department said that it would prepare a brief for shareholding ministers. It was not in relation to the brief about the Citylink project; it was about another project. In relation to CityGrid, I think he took the responsible action in asking questions which resulted in a meeting and the action that I outlined this morning.

I think all the proper things were done. Obviously, not all of the staff working in one's office make one aware of every single issue. As I said earlier, I had 460 emails in one day.

**Mr Quinn:** There was a Treasury investigation into this issue.

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

**Mr Quinn:** There was a full Treasury investigation into it.

**Mr MACKENROTH:** I asked Treasury to do that report so that I could have a complete list of every document and every bit of action taken. What it clearly shows is that I was not made personally aware of any of those documents. I defy anyone to find anywhere a document—

**Mr Quinn** interjected.

**Mr MACKENROTH:** They did not. Calm down. I have outlined what happened and the action taken. The project is now actually under way.

### Coal Industry

**Mr PEARCE:** My question is to the Minister for State Development and Innovation. The last time the parliament met the minister informed this House of the great things in store for Queensland's coal industry. Could the minister provide further information on what is being done to make sure that Queensland has the infrastructure it needs to cope with this massive growth?

**Mr McGRADY:** I thank the member for Fitzroy for the question. Should we refer to him as the member for coal? He is a former coalminer and he has the interests of the coalmining industry at heart. As he says, it is true that Queensland's coal industry is expected to undergo massive growth in the near future. I can also tell the House that the metalliferous side of the industry is also going through terrific growth. We will deal with that at another time.

I come back to coal. This growth will mean billions of dollars in investment and will create thousands of jobs, particularly in regional Queensland. Over the next six years local coal production is predicted to increase by approximately seven per cent per year. Railed coal will increase from 143 million tonnes per year in 2003-04 to 202 million tonnes in 2009-10.

Given these figures, it is vital to ensure that the right infrastructure is in place in Queensland so that we can effectively respond to this massive international demand. That is why in October the Beattie government formed the Coal Infrastructure Coordination Group to get on with the job of planning for this massive growth. Yesterday I briefed cabinet on the role of the Coal Infrastructure Coordination Group, which represents Smart State planning at its very best.

This group comprises 11 members from right across the government and it is chaired by the Department of State Development and Innovation. Members include senior bureaucrats from the Department of the Premier and Cabinet, Treasury, the Department of Housing, the Department of Transport, the Department of Employment and Training, the Department of Energy, and, of course, the Department of Natural Resources and Mines.

Initially, the Coal Infrastructure Coordination Group will focus its efforts on the northern Bowen Basin. This area in particular is set to experience a significant increase in demand over the next few years. On top of that, the group is currently examining accommodation facilities for mining towns right around the Bowen Basin. It will also be examining infrastructure priorities for the Surat and Moreton basins.

This group will be complemented in its efforts by five planning groups. These groups were established to identify the necessary infrastructure development, in particular in areas such as transport, energy, skills and housing. Once again, these groups will comprise representatives right across the government. They will also draw on the expertise of members from government owned corporations and industry stakeholder groups. It is a great time to be in the mining industry.

**Mr SPEAKER:** Order! Before calling the member for Nicklin, I welcome to public gallery a second group of teachers from Moranbah East State School in the electorate of Charters Towers.

### Horse Riding Trails

**Mr WELLINGTON:** My question is to the Premier and follows on from his answer to my question on horse riding which I asked during the last parliamentary sitting. Why does the Premier need another four years to investigate locating horse riding trails on private land when the government has already spent many years looking into this issue? If the government negotiates an agreement with an owner for horse riders to ride on their land and it spends taxpayers' money on building a horse riding trail on the private land, what will happen if the land is sold and the new owner does not want the horse riders riding on their land?

**Mr BEATTIE:** I thank the honourable member for his question. He asked me last time if I would meet with representatives of the horse riders, and I will. I am meeting at midday today with the delegation that he has organised, and I thank him for that courtesy. I want to reiterate where we have been in relation to this issue, and I welcome those who have come today to Parliament House to protest and exercise their democratic right on this issue.

**A government member** interjected.

**Mr BEATTIE:** I know that they will clean up the mess. I know that will be done before they go. I have no doubt that that will be done.

We need to be very clear about this. National parks are areas set aside to be protected and to be kept as close as possible to their natural state. That is what they are designed to do. To achieve this, one of the important principles of management is that domestic animals are excluded. This means no dogs, cats, cows, horses, goats, donkeys, camels and so on. This has been the case in Queensland since 1908 when the first national park was set aside on Tamborine Mountain. We entered into an agreement in 1998 with the timber industry and the environment movement to settle the historic South-East Queensland Forest Agreement. Our commitment was to establish a world-class park system and a long-term viable hardwood timber industry. It is an agreement that I intend to honour.

A park system with horse riding trails is not world class. But our use of horses is also a rich part of our heritage, and I want to see that preserved as well. That is why we have kept as much conservation park and state forest as possible where horse riding will continue. That is why we have also set aside areas called national park recovery where horse riding can continue for up to nine years. During that time we will be establishing a world-class series of horse trails where horse riders will have long-term secure places to ride. Progress on these trails will be reviewed by cabinet at the four-year stage to ensure that they are progressing well.

These great trails will continue on a mixture of private and public lands and will never be made national park. Over \$600,000 has been set aside to do this. It needs to be remembered that just over four per cent of Queensland is national park and 96 per cent of Queensland is open to horse riding. The Queensland government cannot be accused of being anti horse. We have put millions of dollars into horse complexes at places like Warwick and Toowoomba and we fund horse events across Queensland every year as part of our Regional Events Development Program. The Queensland government is very pro horse and will remain so.

In terms of the issues the member raised about legality, there are legal means for us to secure that. I am quite happy to arrange for a representative of my department or one of the other departments involved to actually brief the member for Nicklin about the legal protection of any trails that we determine over the next four years. I think this can be logically resolved. We have said that it will take four years to develop these trails, and we will do that. We will keep the member for Nicklin informed and everyone will benefit.

### Queensland Prison System

**Mr POOLE:** My question is to the Minister for Police and Corrective Services. Minister, I refer to the release of a report claiming that Queensland's prison system is dehumanising and violent, threatening community safety. How does the government respond to these claims?

**Ms SPENCE:** I thank the member for Gaven for his question and indeed his interest in Queensland's correction system. The report to which the member refers is titled *INCorrections*. It acknowledges on several occasions that Queensland's corrections system is indeed world's best practice. This report, which was done from the interviews of 10 anonymous ex-prisoners and the written submissions of 10 ex-prisoners—it is not clear whether they are the same 10 people—is also comprised of a literature review and the views of some service providers. While there is much that is worth while in the report, it does contain a number of unqualified statements and third-hand accounts and some serious allegations, many of which have already been investigated by the Ethical Standards Unit in my department and also by the Ombudsman and by the CMC.

Let us look at some of the allegations made in this report. It says that our system threatens community safety. The fact is that we have the lowest escape rate for 20 years in Queensland's correctional system. There has been no escape—not one escape—from secure custody under the Beattie government, and that is a fact that we should be proud of. This government—the Beattie government—has spent \$495 million on improving and enhancing prison security over the last six years.

Let us look at recidivism. The report claims that we have the highest recidivism rate in Australia. That is simply not true. I am told that recidivism is measured in five different ways. On three of those five measures, Queensland is performing better than the national average. Indeed, in the 2004 Productivity Commission report on government services, which is the nationally accepted measure of recidivism, 32 per cent of Queensland's prisoners released directly from prison returned in two years, and that is well below the national average of 37.2 per cent. We can do better in terms of recidivism, and that is what we aim to do.

Let us look at the violence figures and the claim that our prisons are violent. In that same report, prisoner-on-staff assaults were at or below the national average and we are the second lowest state in Australia in terms of our prisoner-on-prisoner assault rates. We take assaults very seriously, and if they can be proven prosecution results. As well, we conduct anger management courses to reduce violent tendencies in prisoners. As to the claims that our prisons are dehumanising, for most people any experience of prison is dehumanising, but I reject those claims outright.

### Racing Industry Inquiry

**Mr HOPPER:** My question is to the Minister for Public Works, Housing and Racing. Minister, I refer to the latest outrage by racing's 'Maxwell Smart', Bob Bentley, involving the secret recording of people dealing with Queensland Racing. Minister, how many other secret cameras have Chairman Bentley and his henchmen used to intimidate people connected with racing? Will the government give to the many people who have complained or may wish to complain to the Daubney-Rafter inquiry, including stewards terminated by Bentley, full legal protection from further intimidation? Will the government provide all people who give evidence to the inquiry access to appropriate legal advice and representation to the same extent as provided to Bentley and his henchmen at Queensland Racing from racing funds?

**Mr SCHWARTEN:** I thank the honourable member for the question and notice yet again another attack in this parliament on the independent inquiry that has been established. This morning I want to advise the House that yesterday my department received correspondence from the inquiry requesting that the inquiry be lengthened. I have had discussions with the Treasurer and the Premier to ensure that that will happen, and obviously we need to go through processes in that regard. That should forecast to anybody in this parliament how sincere and serious we are about any matters relating to the integrity of racing in this state. I can guarantee the House that no stone will be left unturned in this regard.

I again say to members of the opposition: if you have any problems or any complaints, take them to the inquiry. Anybody who goes before that inquiry is protected under the act. I asked the member opposite last time to peruse the act, and I again ask him to do that so that he does not make these unfortunate mistakes again, because he would not ask that question if he were aware of the powers and the protections offered under that act.

With regard to the other matters about security out at Deagon, I am advised that there have been ongoing concerns about the protection of the staff out there. The equipment that has been placed there, Mr Speaker, is no different from what your good self has placed in here in many ways to protect us. Mr Speaker, as you well know, you had to take certain steps in this parliament that we previously did not have to take. They have been a major inconvenience, dare I say, from time to time to people such as myself. I understand that if a person walks down the Queen Street Mall their activities can be recorded. I can tell members—

**A government member:** Ballymore.

**Mr SCHWARTEN:** Ballymore is another one. I can also tell members that the Roma Street Parkland is under surveillance 24 hours a day. Regrettably, it is a sign of the times.

Unfortunately, it has taken Queensland Racing some time to catch up with the security provisions for those people out at Deagon. Our employees, whether they work for statutory authorities or for government departments, deserve our full protection. Yet again, there is a lack of policy coming from the members opposite. Even now, we see that the members opposite want to have workers out at Deagon having no protection whatsoever.

### Christmas Card Competition

**Ms MOLLOY:** My question is for the Minister for Education and the Arts. Last year a student in my electorate won a highly commended prize in a competition for the design of the minister's official Christmas cards. Are there any other young, talented artists in my electorate who are going to be receiving any prizes this year?

**Ms BLIGH:** I thank the member for the question. I have some good news for her. It is four short weeks until Christmas and members' minds will be turning to sending Christmas cards to those people in their electorates who they want to make sure that they keep in contact with at this special time. Members may recall that last year I inaugurated a ministerial Christmas card competition. I am pleased to say that I ran the competition again this year and I am pleased to announce the winners today. I will be able to present prizes to some of them out on the President's Verandah outside the red chamber at 11.45 a.m. today.

There were more than 5,000 entries this year. That is 1,000 more than we received last year. I am very pleased to see support for the competition growing. This competition is a great opportunity for us to showcase not only to our electorates but also to Queensland, Australia and the world the talent that is in our schools across Queensland. This year, the theme was 'My school at Christmas'. I was presented with a short list and I have to say that it was a very difficult job to choose some of the winners because of the calibre of the work.

Today, I am pleased to advise the House that Brodie Hogan from year 2 at Sunshine Beach State School in the electorate of Noosa is a winner, as indeed is Adina West, a year 5 student from Eumundi State School in the electorate of Noosa.

**An honourable member** interjected.

**Ms BLIGH:** It was a great opportunity for the member for Noosa to hear about the talent in two schools in her electorate. Other winners are Samantha Gerrard, in year 10 at Aquinas College on the Gold Coast in the electorate of Southport; Brooke Lacey, a year 3 student from Taroom State School in the electorate of Callide; Sam Mason, a year 4 student at Windorah State School in the electorate of Gregory; and Elizabeth Meechan, a year 11 student at Collinsville State High School, and Clayton Vella, a year 3 student from Collinsville State School—both in the electorate of Burdekin. Tragically, Clayton Vella passed away in very tragic circumstances in October this year. It was the wish of Clayton's mother and his family that his artistic talents be shared, and his work remained in the competition. I am very pleased to see it come through to being one of the winning entries. It is a great piece of work. I am looking forward to sending his work around the world. Mr Speaker, I seek leave to table the designs of this year's winning students. I do have it in a more accessible form which I will give you later.

Leave granted.

**Ms BLIGH:** If members look at some of this work they will see that students have done a great job of capturing what it is to be at school in the last couple of weeks. That one from Windorah captures something about summer in Windorah.

**Mr Johnson** interjected.

**Ms BLIGH:** I knew that the local member would agree. Members would also be very pleased to see that we have a Smart State winner here: H plus 03 equals Ho, Ho, Ho. That is very talented work. The students' work will feature on more than 4,000 Christmas cards issued by me, the Premier and officers of Australia Post. Any member who would like the designs for distribution in their own electorate need only contact my office and they, too, can distribute these children's works.

### Stolen Wages, Compensation

**Mrs STUCKEY:** My question without notice is to the Minister for Communities, Disability Services and Seniors. Given that the government has rightly offered financial compensation to indigenous people for stolen wages, why then has compensation been refused for other people who also had money taken away as a result of previous government policy, including those who were wards of the state?

**Mr PITT:** I believe that the member is referring to people who now belong to the historical abuse network—the people who were in institutions beforehand. The decision to compensate people is not

one for my department, as the member would understand. It is a whole-of-government decision and that decision by the Queensland government at this stage has been that that will not be forthcoming.

But I must tell the member that the Beattie government has done a lot—more than any other state government in Australia—to attempt to redress some of the wrongs of the past where people were held in institutions, whether they were government-run institutions or institutions run by the various churches in Queensland. I must say that, as a society, we should all hang our heads in shame given what has occurred and how those people have had their lives seriously disadvantaged over a period. Many of those people are suffering even today.

**Mrs Stuckey:** Is this double standards?

**Mr PITT:** Would the member just wait for me to finish? The situation is very clear: the Beattie government has done its very best by establishing the Forde Foundation, which has been funded to assist people who have been in state care, to meet some of their daily needs and to provide them with an opportunity to participate more fully in life. Currently, the government is reappointing the board of management for the Forde Foundation. I understand that the Forde Foundation has made an application to the government for assistance for people who have suffered historical abuse.

In addition, my department and I are meeting on a regular basis now with representatives of the historical abuse network. We will be meeting in early December and each month thereafter. I have asked people who represent people who have suffered abuse in institutions to bring to me options that they think may be of assistance to them into the future. They can be assured that those options that they present to us will be seriously considered. I will work through those issues with them. Again, as to the matter of compensation, as I said at the outset, I think that the honourable member will understand that that is a whole-of-government issue and not one to be decided by one minister and one department.

### **Palm Island Community Youth Centre**

**Mr WALLACE:** My question is directed to the Minister for Public Works, Housing and Racing. Can the minister provide the House with an update on the construction of the \$5 million Palm Island Community Youth Centre?

**Mr SCHWARTEN:** I thank the honourable member for his ongoing interest in this project. I also thank the member for Townsville for his ongoing support in this regard and I also thank my colleagues the Minister for Sport and the Minister for Local Government, both past and present, for their support for what I believe is a showcase of the Queensland government's activities in Aboriginal communities. If we want any evidence of the champions policy, which was put in place by this government, we need look no further than the community centre that is currently being completed for \$5 million on Palm Island. I want to commend the Director-General of Public Works, Mal Grierson, and the Director-General of Communities, Linda Apelt, formerly the director-general of Housing—the two champions who have really got in at the ground level and made this happen. The member for Bundaberg is very acquainted with this. She put her shoulder to the wheel when I went to see her, when she was the local government minister, to throw some money into this project.

This is a whole-of-government approach. It is something that the community owns, something that the community designed and something that the community will value and benefit from. It has a range of facilities ranging from a radio station down to pool tables, places for kids to do study and elder support rooms. It is shaped like a boomerang, because the kids there thought that that was a great design brief to have.

This community centre is about empowering those communities; it is about building capacity in those communities. In this, the Year of the Built Environment, members would be well aware that it is the built environment that is the response that is required in these communities. It is all very well to say that the communities should come together, that kids should study or that kids should cooperate, but they need a building in which to do that. That building is a building of which all of us—the whole of this parliament—should be proud. It is a process that I believe should inform the government on how best to undertake projects. Honourable members on this side of the parliament will be aware of the worth of community renewal programs that are undertaken throughout the state. This building is yet another example of community renewal empowering local people to make decisions about their future. At the end of the day, the government provided the solution to what the locals raised as their solution. So it is government's solutions equalising local solutions. I think that the outcome of this building will serve future generations on Palm Island very, very well. As I say, it is a matter of great inspiration.

I thank the member for Townsville for his ongoing support for this. It is truly something that I invite honourable members opposite to become acquainted with. When they are thinking about putting a policy together—I am still waiting for the shadow minister for housing to do that—they should really look at this as a policy they could emulate.

### QRAA Enterprise Assistance Grants

**Ms LEE LONG:** My question is addressed to the Minister for Primary Industries and Fisheries. I refer to the Queensland Vegetation Management and Other Legislation Amendment Act 2004 and the subsequent QRAA enterprise assistance grants for affected land-holders of freehold and leasehold who are now unable to clear the whole of their property and have suffered from resulting devaluation of their land. Is the assistance grant only available to those land-holders who generate the majority of their income from that enterprise, thereby excluding many land-holders who have diversified into off-farm income streams?

**Mr PALASZCZUK:** Whilst QRAA comes under the province of the Department of Primary Industries and Fisheries, the management of the vegetation management incentive scheme is part of the Department of Natural Resources and Mines. I do not intend to comment on an issue outside of my portfolio area. I would therefore refer the honourable member to the Minister for Natural Resources and Mines to answer the question.

### Hotel Chaplaincy, Schoolies Week 2004

**Mr REEVES:** My question is addressed to Minister for Communities, Disability Services and Seniors. I refer the minister to the excellent work being carried out at schoolies week celebrations by Hotel Chaplaincy, led by Andy Gourley, a Mansfield resident and a member of the Citipointe Church, and I ask: what is the government doing to help Hotel Chaplaincy provide assistance to schoolies throughout Queensland?

**Mr PITT:** I thank the member for Mansfield for his question. In doing so I acknowledge the excellent work he has done in lobbying on behalf of Hotel Chaplaincy. Like me and most members of this House, he is acutely aware of the great work it is currently doing and has done in the past.

The safety and wellbeing of school leavers at the end-of-year celebrations throughout Queensland are a priority for this government. That is our main priority when it comes to young people enjoying themselves and entering into a rite of passage into their adult life, whether it be further study or the work force. It is also a priority for Hotel Chaplaincy, which is a volunteer based program that has been established to educate school leavers about celebrating safely during schoolies week. I must say, it does a magnificent job.

Last week I, along with the member for Mansfield, Mr Reeves, and the member for Springwood, Ms Stone, visited John Paul College at Daisy Hill to watch Hotel Chaplaincy in action. On that occasion I was able to present the organisation with funds to allow it to continue its good work. It provides valuable information for students attending the various schoolies celebrations. It also has a clear message for students. It is all about personal responsibility—responsibility for their own safety and responsibility for the safety of their friends and their mates.

I am pleased to say that the Beattie government has provided \$30,000 to Hotel Chaplaincy this year to enable it to extend the good work it does at the Gold Coast schoolies week and at other schoolies week venues right across Queensland. This funding is a one-off grant comprising \$15,000 from the Department of Communities and \$15,000 from the Department of the Premier and Cabinet. It is money, I believe, that is very well spent.

I visited schoolies celebrations last night at Surfers Paradise. I met with police, ambulance and SES workers and volunteers, including the Schoolies Support Team, Hotel Chaplaincy, Volunteers in Policing, Rosies and Drug-Arm, amongst many others. They are doing a fantastic job supporting schoolies, and I commend them for their efforts.

Schoolies has been running very smoothly so far this year. I think the young people are getting a great deal of enjoyment from the fantastic program of events put together for them by Media Rare. That organisation has a history of successful event management. The diversionary activities it puts in place are relevant to young people, and young people are taking them up with some enthusiasm.

I take this opportunity to acknowledge the good behaviour of the vast majority of schoolies at this year's celebrations. There has been general goodwill towards each other and to those who have been tasked to provide for their safety. Most of those who have been arrested this year by police during the celebrations have in fact been older people, aptly branded by the young people as 'toolies'. I think it is a credit to schoolies that they have taken on board the message to take responsibility for their own actions while they are celebrating. I would urge them to continue to take this responsible approach.

**Mr SPEAKER:** Before calling the member for Burnett, I welcome to the public gallery a third group of students from Moranbah East State School in the electorate of Charters Towers.

### Reading Recovery Program

**Mr MESSENGER:** My question is addressed to the Minister for Education. Given that it is a fact that Queensland's 15-year-old secondary school students are behind Australia's average when it comes

to reading literacy, can the minister advise why Education Queensland is now planning to pull teachers out of the Reading Recovery program?

**Ms BLIGH:** I thank the member for the question. This matter was covered in quite some detail in a story in the *Courier-Mail* last week. I think the answer the member is looking for was given in some detail, but I am happy to do so again.

Members will recall that during 2003 the Queensland Teachers Union was in a process of enterprise bargaining with the Queensland government. The primary claim the Teachers Union prosecuted was in relation to smaller class sizes. At the same time, the government was undertaking quite a bit of work about the needs of students in the middle years of schooling. As a result, through both the negotiations with the Queensland Teachers Union and the policy work that was happening, we determined as a government to reduce class sizes in years 4 to 10 from 1:30 to 1:28. That will bring class sizes in Queensland in those years down to the lowest target class sizes in the country.

By agreement with the Queensland Teachers Union, the staffing arrangements in relation to the reduction of class sizes over the next two years will see both the allocation of significant new teachers into classrooms and the redeployment of some categories of teachers who are currently providing services into schools but who do not have classroom responsibility back into classrooms to ensure that we can reduce those class sizes. That was part of the enterprise bargaining agreement with the Queensland Teachers Union. Over the past six months there has been quite a lot of discussion, consultation and negotiation about which teachers from which categories might be redeployed.

Queensland is part of a program called the Reading Recovery program. Part of the strength of this program is that it has a very comprehensive training element. There are now just over 1,200 teachers in Queensland schools who have gone through the Reading Recovery training. They take those skills into the classroom in the teaching of literacy whether they are designated Reading Recovery teachers or not, and those skills remain in the schools where those teachers are.

I can understand that there might be some concern about the redeployment of a small number of teachers. I think it is 30 full-time equivalents out of a teaching work force of more than 35,000. There may well be some concern about that but, as I have outlined on a number of occasions, the reduction of class sizes is an initiative that not only requires a significant investment and the best deployment of both new and existing resources; it is in itself a literacy tool. There is no doubt that properly sized classes will have an effect on academic outcomes and on the basics, particularly in those middle years. That, in negotiation with the Queensland Teachers Union, is a commitment that the Queensland government has made and we intend to keep it.

### Honouring Elders Initiative

**Mr SHINE:** My question is addressed to the Minister for Aboriginal and Torres Strait Islander Policy. Can the minister inform the House about a new project called the Honouring Elders initiative and what it will entail?

**Ms LIDDY CLARK:** I thank the member for Toowoomba North for the question. A very fine member he is indeed. I am very proud this morning to announce a new Smart State initiative to pay tribute to the wonderful elders throughout Queensland. In remote communities, urban centres and regional areas there are older Queenslanders who are guiding and nurturing the younger generations. Last week in Toowoomba I had the honour, along with the member for Toowoomba North, Kerry Shine, to launch the Honouring Elders initiative—a project not only to say thankyou to the people who are making so much of a difference throughout the state but also to build a permanent record of the contributions of these people.

The first elder in this initiative is Mrs Grace Weribone, a 94-year-old elder from Toowoomba and one of the oldest of the Toowoomba elders. Grace and her husband, Reg, worked and lived in the St George area for many years where they raised not only their own children but also 14 foster-children. At 94, she still clearly remembers her years of challenges. This woman is a wonderful example of the strength and leadership shown by many elders. This is a fantastic initiative—a smart initiative. I urge all Queenslanders to enter into the spirit of this tribute to our elders, and I urge them to nominate an elder of 65 or older who they really feel deserves this recognition. Hopefully we will have so many nominations and so many accolades that we will be able to form a book.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! The time for questions has now expired.

## MATTERS OF PUBLIC INTEREST

### Energex and Ergon; Horse Riding Trails; Education

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (11.30 a.m.): We saw more damage control and more spin in this parliament this morning particularly from the Treasurer. He

came into this place with a significantly prepared brief seeking to justify again the extent of his ignorance over the issue of Energex-Ergon and the status of GOCs in Queensland. Is it not amazing that the Deputy Premier, the person responsible for this, again largely did not know, or so he would have us believe? He has again today invoked the Sergeant Schultz defence: the defence that he knew nothing and he saw nothing, so he could be responsible for absolutely nothing.

We have been pursuing him for a long time on this issue, as we have pursued his other ministerial colleagues, and the extent of their knowledge and their complicity is slowly but surely starting to unravel in this place. First and foremost, they said that nothing existed with a signature from Mr Maddock on it which indicated that anything was prepared for shareholding ministers. They maintained that, but we found it. That little lie was unravelled. We continue to have sitting in this place five former and current Energy ministers who know absolutely nothing. They are as complicit and as ignorant as each other when it comes to this particular issue.

We have been pursuing this matter by way of freedom of information requests now for some time. I would like to table for the information of this House three recent FOI requests—one from 8 November asking for all the letters, emails, et cetera, from the Office of Government Owned Corporations prepared for shareholding ministers and two more recent FOI applications relating to those people mentioned this morning in the minister's statement to this parliament.

This morning we again saw the government being put in a position where it was going to be exposed. We saw this government being put in a position where it was going to be found out. We saw this government put in a position where it was going to be caught out. It does not do anything, it does not fess up to anything, it does not expose anything until it is about to be caught out or it has been caught out, and then it seeks to turn around and say that it is doing it because it is open, honest and accountable. The government cannot anoint itself open, honest and accountable when it is everything but. Mr Mackenroth would not have come into parliament today and released that information if it was not for the tenacity of the Nationals through the FOI process and the way that we have been beavering away and exposing his complicity and his knowledge with regard to this.

Is it not strange how everyone else knew about this except for Mr Mackenroth, who knew absolutely nothing, or at least until he was about to be caught out? I would like to highlight some of the press coverage given to this issue over the last 12 months. On 2 November 2003 the *Sunday Mail* reported the following—

BRISBANE faces a power meltdown if the city is hit by a long, hot summer, according to a State Government investigation.

The report said inner-city growth combined with ageing electrical equipment could lead to widespread blackouts. Authorities warn that a decision to build expensive new infrastructure must be made within weeks to avoid the energy crisis.

Some of the most alarming findings included:

- \* BACKUP transformers were so old and deteriorated they would probably fail if used.
- \* MAJOR electrical cables were 10 years past their shelf life.
- \* POWER failures could occur earlier than predicted if temperatures exceeded 35C and humidity exceeded 66 per cent.
- \* CONCERN at the increase of airconditioning units in city apartments and offices.

Four months before we had the Somerville inquiry we had this report which basically stated what the Somerville report concluded in the end. What was the response of the minister? Well, he knew nothing and nothing was a problem. Mr Lucas was asked about this issue on the same day, 2 November 2003. According to the *Sunday Mail* article, he—

... dismissed concerns over the report, saying Queensland built more power stations and spent more money on electricity infrastructure than any other state.

That was Mr Lucas's response. The authorities warned that corrective action needed to be taken. Mr Lucas sat over there and did not acknowledge the extent of the problem. This report said that we would have the problems we had last summer. Mr Lucas, the minister responsible, denied it and said that there would be no problem. They were talking about the 2005-06 outyear. Once again, the government knew and the government was inactive. The government did not do anything to ensure that consumers—its first responsibility—were looked after.

Mr Lucas said that there are plenty of power stations. Nobody is arguing against that. It is just that the distribution network has failed. Once again, he failed to see the point. He has said that more money has been spent on electricity infrastructure than any other state. Yet in recent times we have seen Mr Beattie jumping up and down saying that we have to have \$3 billion over the next five or six years. Once again, their little web of lies is starting to fall down around them. Let us hear no more of this nonsense from Mr Mackenroth and Mr Lucas that they did not know or from the litany of failed Energy ministers that they did not know. They did know, they were warned, they ignored it, they did nothing. They absolutely covered up and the evidence points to that absolutely.

I want to touch on the issue of horse riders in our national parks and state forest reserves. It defies logic that these people who are not environmental vandals are being excluded from the opportunity of using our public lands in this state. The Premier this morning admitted that the government has been silent on this since about 1908. The government has not acted to exclude these

people from these particular areas. We have always recognised that people should have the right to use these particular lands, and that is the commitment that I give today. By and large, Queenslanders, including young Queenslanders, who enjoy horse riding use old timber tracks. They use established tracks and trails. What is wrong with that? They are not environmental vandals charging up and down the hills. They are acting in a responsible manner.

We have a government which wants to exclude responsible, law-abiding Queenslanders from using national parks and state forests, yet it is prepared to turn a blind eye and do nothing about the infestation of wild pigs, wild dogs and other noxious pests and weeds in those particular areas. As far as it is concerned, the only thing it is going to act to exclude is law-abiding horse riders and beekeepers. How bizarre, how stupid and how twisted is that?

The other issue I would like to touch on is the response by the Minister for Education this morning regarding concerns that I have about threatened legal action against a parent who has raised concerns with the member for Burnett over the conduct of teachers at a particular school. When somebody makes a complaint to a member, a member in many cases routinely refers that to a minister. That is fair enough. The minister stood up in the House this morning and encouraged that course of action. Most people would think that is a reasonable course of action, but the reality is that we now have threatened legal action against one of those parents—

**Mr Messenger:** Two.

**Mr SPRINGBORG:**—two of those parents because of a complaint made to the honourable member which was forwarded to the minister—an appropriate process. The minister encouraged people to forward those complaints. I simply say that if people are going to be threatened with legal action they are not going to complain.

My encouragement to the minister today is to address this issue because it is contained in the Members' Ethics and Parliamentary Privileges Committee report into the correspondence between members and their constituents. Last year that committee recommended that there be an amendment to the Parliament of Queensland Act 2001 to protect people from those sorts of actions. The minister seems to agree that people should be able to forward those concerns, and I believe that. However, we have a situation where legal action is threatened against two people because of the action that they have taken, which was the rightful action. It is not good enough. It was not published publicly. It was done in good faith. It was a matter that should have been reported to the minister. It was reported, and now those people are going to be exposed to undue stress and possibly legal action being taken against them.

The minister should fix the processes in this parliament to protect people, to protect members and to protect their informants. That is what this parliament is about. Frankly, the member's constituents deserve far better.

Time expired.

### ***The Australian Book of Memories***

**Mr NEIL ROBERTS** (Nudgee—ALP) (11.40 a.m.): Jim McAuliffe left school at the age of 13 in the mid-1920s and started work for Fred Jones Menswear in Shield Street, Cairns. This was to start a relationship with the clothing industry lasting 70 years. Throughout his life Jim developed a passion for flying. For nearly four decades he flew in anything and with anyone he could. In May 2001 the Atherton Shire Council officially named the Atherton airport the Jim McAuliffe Field in his honour. Jim enjoyed life to the full and spent most of it laughing, joking and flying. He died on 15 October 2002, survived by his wife, sons, grandchildren and great-grandchildren.

Mabel Hope Annie Rive, nee Beckman, spent her early years in Wynnum and Coorparoo. Hope wanted to be a teacher, but after the death of her father and her mother's subsequent remarriage she left school to become a tailor. Her skills as a tailor were put to good effect when she married Les Rive in 1941. Hope made the suit that Les wore on their wedding day. Hope died on 18 February 1974 at the relatively young age of 55. During her short stay on this earth she touched many hearts and enriched lives and is remembered by many with great love and affection.

These are wonderful memories of some very special people, but how do I know such matters about people and families I have never met? The answer lies in an inspiring new publication created by the National Trust of Queensland named *The Australian Book of Memories*. *The Australian Book of Memories* is both a hard copy and electronic record of the lives and achievements of Australians from all walks of life. It aims to provide all Australians with the opportunity to create and record permanent tributes to family members, special friends, work colleagues and team members who touched their lives.

The National Trust of Queensland has created the book to fill a void not met by any other historical record. It enables anyone or any organisation to create a permanent reminder of the lives of special and respected people. Tributes are to be printed in volumes using 500-year archival paper. The text and photographs are written and supplied by the family or organisation submitting the entry. It is

therefore a story and an account of history from those who best know the person for whom the entry is made.

The National Trust of Queensland is a community organisation constituted under an act of the Queensland parliament. Its aim is to conserve Queensland's cultural, natural and built heritage. Their latest project offers, in their words—

The opportunity to leave an indelible reminder of the life of someone you have known; someone who perhaps gained neither fame nor infamy but nevertheless had a story to tell that is worth remembering; someone whose life was of importance to your family; someone you loved.

As an example of pages of the book, I table copies of the entries for Jim McAuliffe and Hope Rive, whom I mentioned earlier.

A single page in *The Australian Book of Memories* can be purchased for \$199. This is well within the reach of a group of family members or a community organisation and is a fitting way to commemorate the memory of someone who has made a significant impact on our lives. Copies of the bound volumes of *The Australian Book of Memories* will be held in the National Library of Australia, each state and territory library, and the National Trust in each state and territory. Each page will also be published on *The Australian Book of Memories* web site at [www.australianbookofmemories.com](http://www.australianbookofmemories.com).

Income from the sales of pages in the book is to be shared between the National Trust of Queensland and those community groups who sign up as partners in its promotion. Importantly, the trust has secured the agreement of all states and territories that Queensland will be the host state for its compilation.

*The Australian Book of Memories* is a valuable contribution to the preservation of our history. Anyone for whom a story can be told is worthy of an entry in this magnificent book. People have different views about the recording of history and the role it plays in our lives. Cicero said—

History is the witness that testifies to the passing of time, it illumines reality, vitalises memory, provides guidance in daily life and brings us tidings of antiquity.

Henry Ford had a different view. He said—

History is more or less bunk. It's tradition. We don't want tradition. We want to live in the present and the only history that is worth a tinker's damn is the history we made today.

Winston Churchill said—

History will be kind to me for I intend to write it.

Whatever a person's view of history, *The Australian Book of Memories* provides a unique opportunity to write and record the history of someone who is loved and respected. I am confident that the book will become a great success and will enrich the lives of everyone who traverses its pages. Congratulations to the National Trust of Queensland for providing this unique and special opportunity to all Australians, and particularly to Warren Oxnam, the project's Queensland manager for the book, who is present in the gallery today.

## Plastic Bags

**Ms NELSON-CARR** (Mundingburra—ALP) (11.45 a.m.): I was observing the movements of a jellyfish in one of the smaller display tanks at a recent visit to Townsville's world-class Reef HQ Aquarium. It is remarkable how much jellyfish resemble plastic bags, so it is not difficult to see why sea creatures and even birds make the fatal mistake of swallowing plastic bags because they look like something that they would normally eat.

Recent figures from the Department of the Environment and Heritage show us that Australians use about 6.9 billion plastic bags every year and that up to 80 million of them end up in our streets, in our parks and in our waterways. The World Wide Fund for Nature estimates that more than 100,000 whales, seals, turtles and birds die every year because of these plastic bags. Planet Ark, the not-for-profit environmental organisation, cites plastic bags and cigarette butts as being amongst the most common litter items in Australia, killing thousands of animals, clogging drains and spoiling the beauty of the Australian landscape.

Despite the statistics, there is a bright spot on the horizon. I welcome the mounting acceptance of inexpensive, reusable cotton and calico shopping bags. I find it very encouraging that more and more of these environmentally friendly bags are appearing in supermarkets as shoppers reduce their reliance on plastic bags for carrying groceries and other items. One example of this snowballing trend towards reusable shopping bags is evidenced in Townsville's Flinders Mall every Sunday morning during the very popular Cotters Markets, where I was last Sunday. It is now very common to see reusable shopping bags being used to carry fruit and vegetables that are purchased from the stall holders. With Townsville City Council advocating environmentally friendly bags with other local government authorities, including the Burdekin Shire Council—it is doing the same thing—the movement is at last catching on.

In April last year Coles Bay in Tasmania became the first place in Australia to ban plastic checkout bags. Ireland has a tax on plastic shopping bags. There was a big reduction in their use after

the 15 euro cent levy per supermarket checkout bag was introduced in Ireland in 2002. There have been suggestions that major Australian retail chains Coles and Woolworths should bring in a levy to help limit the use of plastic bags in our country even further. Such a move would have a definite impact because supermarkets are by far the nation's biggest plastic bag source.

Under notice to halve their plastic bag use, supermarket operators now sell those alternative shopping bags as a matter of course. Even when plastic bags are used at the checkout counters they often carry the words 'please recycle'. I think it would be even better to put on there 'please recycle or reuse'.

In Townsville and Thuringowa, which have excellent kerbside recycling services, plastic bags are taboo in recycling bins. However, many Coles, Woolworths and Safeway stores in the area now accept plastic checkout bags for recycling. With Christmas only a month away, let us give the environment a really big present by cutting back on our use of plastic bags. Could I make a suggestion about taking the revolution against plastic bags to another dimension by enticing members here today and others to reduce their use of Australian bank notes which of course, as we know, are made out of plastic. Plastic bags they are not, but I would be more than happy, as the member for Mundingburra, to keep a recycling bin for plastic bank notes in my office and I invite members of this House to feel free to deposit their bank notes there any time.

### **Timber Industry; Western Hardwood Forest Study**

**Mr SEENEY** (Callide—NPA) (Deputy Leader of the Opposition) (11.49 a.m.): This morning in question time I asked a question of the Minister for State Development concerning the western hardwood forest study and gave the minister the opportunity to put to rest the uncertainty that has been surrounding the outcome of that study and to address some of the rumours that abound about the government's intention for that vast area of Queensland.

For the information of members, the area covered by the western hardwood study covers almost one-third of the Queensland land mass and almost all of the electorate that I represent. It encompasses a number of communities that have depended for many years, and will continue to depend, on those forest reserves as an important part of their economic base.

Those communities and the stakeholders—the people in the timber industry, the people who hold the grazing rights, the timber millers and all the people who work in the timber industry—have for the last four years been faced with an increasing amount of uncertainty about their future and the future use of those forest areas. Since the South-East Queensland Forest Agreement was entered into, which saw a proposal to shut down the native forest timber industry in south-east Queensland, the emphasis has been for the conservation movement to achieve a similar result—a 'better' result from their point of view—in the western hardwood area.

What we received from the minister this morning was not the assurances that I sought on behalf of the people that I represent; what we received was an indication that that uncertainty is going to go on for at least another six months before any decision is made. That is simply not acceptable to the people who have lived with that uncertainty for some four years now. It is not acceptable because there is simply no problem with the western hardwood forest areas. Any member who would like to leave the comfort of Brisbane and the south-east corner and come out to that area with me, and other members who represent and understand that area, could easily see for themselves that there is no problem here to be addressed.

What we are talking about is some very large areas of native forest that were identified some 70 or 80 years ago as a source of native timber. These forests have been sustainably managed as a source of native timber for those 70 or 80 years. Forest management practices have evolved over that time to a point where that area can be used in perpetuity for the production of native timber. We are talking about large areas of dryland hardwood forest, which regenerates naturally when it is harvested as it has been harvested over the last 70 or 80 years. Most of that area has been harvested at least once or twice. Harvesting does not mean the sort of clear-felling type images that the Conservation Council and other misleading conservation groups like to put forward. In these forests, the timber logs are harvested on a selective basis and the cycle can be repeated on a 20- to 30-year time frame. Every 20 to 30 years these forests are harvested and then regenerate naturally. That is the timber industry that has provided a huge contribution to the economic base of towns like Monto, Eidsvold, Mundubbera and Jandowae and a range of communities throughout the central west of Queensland.

That is the timber industry where forest management practices have been developed over the last 70 or 80 years to a point where it is a world leader. That is the timber industry that the conservation movement that has the Beattie government in its control wants to close down. It wants to close that industry down without any regard for the people who work in that industry, without any regard for the proud history of sustainable management that that industry has built up and without any regard to the communities that depend on that industry.

It seems that the Beattie Labor government has learnt nothing from the mistakes that Mark Latham made in respect of the Tasmanian timber industry and is determined to repeat those mistakes with the Queensland timber industry and the western hardwood forests. It will be a sad day when that is allowed to come to pass. We have seen the protests here today about the significant effects that have occurred as a result of the South-East Queensland Forest Agreement. We do not want to see that in the western hardwood areas.

### Multiculturalism in Queensland

**Ms STRUTHERS** (Alger—ALP) (11.57 a.m.): 2004 has been a big year for multiculturalism in Queensland. The Premier has made a determined effort to promote the economic and social importance and benefits of cultural diversity in the Smart State. I want to give a wrap-up of some of those achievements and I also want to pay tribute to the many non-government agencies throughout Queensland, including those in my own local area, who have been doing their bit to promote harmony and understanding and provide much-needed services to migrants and refugees. This includes small but important activities, like Forest Lake State High School's actions to include the Pacific Islands children in their school and to ease any cultural tensions at that school, right through to the non-government agencies that are funded specifically to do migrant support work.

I also want to pay tribute to Multicultural Affairs Queensland. As the lead government agency on multiculturalism across the state it does a tremendous job in promoting systemic change and very positive change in Queensland. I have been privileged to have responsibility, as parliamentary secretary for multicultural affairs, for overseeing a raft of new initiatives and funding commitments. \$3 million was committed in the Beattie budget this year to provide more than \$350,000 additional funding toward the very successful Multicultural Festival at Roma Street and the Images of Queensland photographic awards. On 26 October all nine Queensland universities signed an affirmation to diversity committing their institutions to discrimination-free education and a partnership with the state government to foster inclusive teaching and learning.

This year community groups across the state are benefiting from \$300,000 increased funding through our election commitments for festivals, projects and events. As part of our election commitments we have also increased the funding for and numbers of community workers who undertake the frontline work in bringing communities together and fostering inclusive and equitable service delivery to migrant and refugee groups. The community worker program has been boosted by \$600,000 to more than \$1 million per year.

I want to commend the efforts of the many refugee advocacy and support groups throughout Queensland that I have met with that are doing great work. These are organisations like the Refugee Claimants Support Group at Windsor and the Red Hill Paddington Community Centre. Earlier this month I attended a Tashakuri or thank you party put on by the Hazara Ethnic Society. I would like to commend the asylum seekers and refugees who, despite living with the insecurity of having only temporary protection visas, have contributed so much to our local communities.

The Deputy Speaker would be familiar with this group at Red Hill-Paddington. I refer to part of a letter that the group sent me today in relation to their efforts. They are saying in this letter that they work with refugee claimants on bridging visas which allow people to remain legally in the country while their application for refugee status is being considered. While waiting they are not entitled to any government support through Centrelink, access to English classes or resettlement assistance, nor do they get access to public housing or other assistance through the federal government. All of those are federal government areas where they are not entitled to support.

Thankfully our state government has been providing support to groups like the Red Hill Paddington Community Centre and to this asylum seeker community. I want to make a plea to the federal government that it must take primary responsibility for ensuring that asylum seekers and refugees get full access to the sorts of services all of us enjoy in relation to health and housing. They must have the security and safety that they need. It is intolerable that many of these families are living in such insecure, uncertain conditions. For instance, an audit of the Refugee Claimants Support Centre identified 24 children under 18—this is just a handful of the Brisbane families; many others are affected in the same way—and 17 of those children are living in families whose visas do not allow their families to work. How are these families expected to survive? It is thanks to groups like the Red Hill Paddington Community Centre and the goodwill in that community that people do survive.

It is intolerable and totally unacceptable that the federal government does not provide more support to these people. Again today I make the plea that it must provide more humanity and more security for these families. I think it is important that the state government continues to do its bit. The Premier has advocated and will continue to advocate for TPV holders in the face of regressive federal policy. In my role I am very pleased to ensure that we continue our good work at a state level. We continue to support multiculturalism through a range of funding initiatives and programs that are providing much-needed support, which I outlined earlier.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! Before calling the honourable member for Gympie, I welcome to the public gallery teachers and students from the Kurwongbah State School in the electorate of Kurwongbah.

### Horse Riding Trails

**Miss ELISA ROBERTS** (Gympie—Ind) (12.00 p.m.): The matter of public interest which I will discuss in this House today is the imminent closure of state forests to the Queensland horse riding fraternity. As members would be aware, a huge proportion of horse riders are young children who have a real passion for horses and riding. Denying the continuation of this pursuit is beyond comprehension.

It appears that this government is pandering to one section of the community—that is, the greens—at the expense of another. The obvious political motivation of closing state forests, particularly in light of the dismal election results in Tasmania for the Labor Party, is not lost on those Queenslanders who will be facing the negative ramifications of the intended bans.

So far, in the limited negotiations and consultations which have taken place regarding the banning of horse riding in certain parks, the absence of compromise by this government can only be likened to the methods used by dictatorships to impose unpopular rules upon the masses. This whole scenario only manages to further perpetuate the public perception that the government's primary interest is to serve the party, with the public's needs and wants running a very poor second when it comes to wooing minor parties whose support is required to hang on to government.

Some of the ridiculous ideas mooted by the government as an alternative to the availability of state forests for riders, such as people allowing riders to ride on private property, are so far-fetched and unreasonable, particularly in light of the current cost of insurance, that once again it shows the government's level of contempt for Queensland horse riders and makes a mockery of those who are fighting for their rights in what they thought was a democracy. As horse riders have a strong sense of value for and understanding of the environment, many of them are miffed by the dubious excuses the government is using in order to justify the riding bans. Amongst the reams of correspondence I have received since people have heard about the closures, two in particular stand out. One is by a little girl called Tasha. She writes—

My name is Tasha and I am 10 years old. Last year I was sixth junior endurance rider in Queensland. I regularly train with my family in the state forest next to our house. I have been invited to ride and compete overseas. I need to be able to train in the state forest where it has hills necessary to train myself and my horse to be successful.

The next comes from Nikita, who writes—

My name is Nikita and I am six years old. I have done two 40km training rides in the state forest. Now I am a novice endurance rider. I like riding with my dad, sister, uncles and grandpa. We train on the tracks in the state forest where there are no cars. Miss Roberts please don't stop us from riding in the state forest because my horse and I get very frightened on the ride beside cars.

Nikita brings up a very valid point in her letter. That is the fact that her only alternative to forest riding would be in areas that are adjacent to traffic. No responsible human being would take away the only safe means of riding for a child and force them to ride anywhere near a motor vehicle. My cousin at the age of 13 was riding her horse beside a road. Her horse became frightened by the noise of one particular vehicle and threw my cousin onto the road and another car proceeded to run over my cousin's face, leaving her badly disfigured for life and with only one eye.

For this government to even contemplate children having to ride in such a dangerous environment makes me sick inside. I do not know how any member of the government or the department who is pursuing these closures could live with themselves if a similar tragedy were to occur as a result of the state park closures. If this government was genuine about its concern for the environment, it would completely cage the forests so that no wild pigs or kangaroos or koalas or birds could access these areas. For it is birds who in reality are the ones responsible for dropping seeds that may cause the growth of unwanted flora. It is not the horses which are kept in clean stables and on properties that transfer noxious weeds, et cetera. Once again, if this government's primary concern was for the environment, and not to serve a political agenda to placate the green vote, it would simply alternate each route on an annual basis so that any degradation could rejuvenate and revegetate while still allowing riders their access.

### Positive Peer Pressure Program

**Mr SHINE** (Toowoomba North—ALP) (12.03 p.m.): Notwithstanding recent occurrences in Toowoomba of two brutal crimes inflicted on elderly persons, the consequent negative publicity for Toowoomba in the media and the predictable calls for mandatory sentencing and stiffer penalties from the opposition, I bring to the attention of the House a most positive program with respect to youth crime prevention. It focuses on attacking the cause of crime in accordance with the government's crime prevention strategy and its belief in the proposition that prevention is indeed superior to cure.

The aim of youth crime prevention initiatives is to prevent those young people who are at risk of offending from doing so. Like all crime prevention, it has a heavy community development basis. The

Positive Peer Pressure program at the Toowoomba Police Citizens Youth Club deservedly won the Queensland Police Citizens Welfare Association award for excellence. The program is a community based crime prevention initiative which is open to any 12- to 17-year-old who may be at risk of offending.

Whilst the program is designed for any young person, it is estimated that up to 95 per cent of participants are indigenous. The reality of crime prevention is that there is no quick fix. Crime reduction is the result of multifaceted strategies that are broad in scope, proactive and have strong community input. In community sector language, the peer program is described as nonstructured youth activities in a positive environment with mentoring and youth development by youth workers, police and positive peers conducted during peak offending times—that is, Friday nights. Such language does not reflect the remarkable success noticed by the attitudinal and behavioural change of the participants, which can be attributed to the positive role modelling and support provided.

Alfred Orcher began by assisting the program at the beginning but soon became so involved that he left his position in Queensland Health to take up the role of coordinator, along with John Lear. As crime prevention involves input from a variety of areas, not just those of policing and justice, support for the peer program not only comes from the PCYC and coordinators but also comes from a diverse range of community members who volunteer their time.

Whilst the list of supporters is exhaustive, many are professional people working in related areas who share their valuable skills and their own time and who go far beyond the necessary duties of their respective positions. These people include Stacy McCarthy from the Community Justice Group; Sharon Gray from the Southern Queensland TAFE; Trent Savel, a psychologist; Lauren Willbank from Harlaxton Neighbourhood Centre; and Donna Smith from the Department of Communities.

All involved contribute tremendous efforts towards the program. For example, John Lear travels throughout Toowoomba to pick up and drop off participants. When the program began eight months ago it had about 10 participants. It now has 55 to 60 regular attendees. This exceptional regular attendance reflects the genuine need for the program.

The PCYC received one-off funding of \$15,000 for 2003-04 from the then Department of Families and now Department of Communities under youth crime prevention funds. The program is temporarily supported by the Queensland Police Service to carry it through to the end of year. The Community Justice Group is seeking further funding to maintain this most valuable program throughout the following year, which I support greatly.

Official statistics indicate that there has been a significant drop in offences since the beginning of the program. Whilst the factors that can lead to crime are complex, the peer program manages to address some key factors very simply. By providing positive support and role modelling through positive activities in a positive environment, positive behaviours are nurtured. This approach leads to fostering a more positive outlook on life by participants thus resulting in not only preventing criminal participation but most importantly encouraging worthwhile contributions to the community now and in the future from the participant.

Toowoomba would be at a dramatic loss without this most exceptional program. I congratulate and wish every success for the future to all those involved in the Positive Peer Pressure program. It is a splendid example of what can be achieved in partnership between Aborigines and non-indigenous people. It is greatly improving the lot of indigenous youngsters and consequently the community at large.

In this context I congratulate, as did the minister this morning, Mrs Grace Weribone—a 94-year-old mother of 10, foster-mother of 14 and Toowoomba Aboriginal elder—for the receipt by her of the inaugural award under Minister Clark's wonderful Honouring Elders initiative. This remarkable lady has done so much for young indigenous children, instilling a sense of pride and keeping young people on the right path.

### **Tilt Train Derailment**

**Mr MESSENGER** (Burnett—NPA) (12.08 p.m.): I wholeheartedly agree with the sign standing outside the Rosedale State School which says, 'Our prayers are with the crash victims and their families.' I was not prepared for the size of the wreckage and mechanical devastation which accompanied the tilt train derailment. I am convinced that ultimately it was really only divine intervention that prevented the loss of life.

Some 163 miracles happened in a matter of seconds in the early hours of last Tuesday morning as the Cairns diesel electric tilt train left the tracks and crashed just north of Rosedale, one of the most beautiful townships in the Burnett electorate. As well as thanking the good Lord, it is only right that the heroic efforts of the Bundaberg-Burnett community and all personnel in the local police, fire, ambulance, medical and emergency services who attended and cared for the victims of the Rosedale train derailment be praised and thanked. While the rescue was a magnificent team effort, I feel that certain outstanding individual efforts need to be mentioned in this place.

The Queensland ambulance was well served by Service Commissioner Tim Higgins. Assistant Commissioner Murray Excell also performed admirably. Queensland Health's Emergency Services Coordinator Trevor Barnes also provided great service, as did Assistant Commissioner Ray Eustace from the Queensland Fire and Rescue Service. In the Rural Fire Service Ken Simpson, George Lloyd, Col Schaeffer and Bruce Johnson performed magnificently. The same can be said of Bargara's police sergeant Lawrie Nauschutz. Bundaberg Inspector Mal Churchill specifically asked that I speak of Sergeant Lawrie Nauschutz. He was very calm and was one of the first senior officers on site. It is because of his calmness and professionalism that the overall rescue effort proceeded smoothly. Rosedale SES's Vivian Brown was one of its first members on scene. She and all of the members at the Rosedale SES performed magnificently. The same can be said of Miriam Vale SES's Ivan Sbresni.

The skill of the engineers and Maryborough workers who built the rail carriages also needs to be acknowledged. During the derailment tremendous force was applied to the carriages, which did their job: they remained in shape and protected the 163 Queensland Rail passengers and staff. Every person who was involved with the crash and the subsequent rescue effort I spoke with reserved special praise for the Gladstone Salvation Army members who received the call-out at 1.20 a.m. They arrived at the crash site at 3 a.m. and then immediately had hot coffee, sandwiches, friendly smiles and of course words of comfort which flowed along with the coffee.

Crash victims Dianne and Harry Page, whom I met at the Bundaberg airport as they prepared to fly home to Brisbane, asked me to especially thank the Salvos as well as all of the other emergency service and medical personnel involved in their rescue. Mr and Mrs Page also said to me that they felt sorry for the train drivers and would simply note that accidents sometimes happen and that they were all still there. Mr Page described to me how for approximately an hour he and his wife lay in the pitch black of the tilt train wreckage and that torches were desperately needed. Passengers were crying out that they needed torches. It was so dark that the passengers could not identify emergency exit windows, which rescuers finally broke to allow crash victims to escape. Consequently, Mr Page suggests that Queensland Rail carry a store of torches strategically placed in the carriages. He believes that this simple safety measure may save lives in the future. This lesson could also be applied to many other forms of public transport.

If at midnight anyone were tossed about inside a train carriage like Saturday night's lotto balls and in a clamour of screeching, tearing metal thought that the end of the world had come and were then rescued from the twisted and tangled wreckage by incredibly brave and calm people and transported to hospital for treatment by people who they swore were wearing halos rather than stethoscopes, the last person in the world they would want to see making a beeline for their hospital bed would be a politician. But after some reflection they realise that the person talking to them may actually care and be there to find out how they can help them—maybe contact a loved one, get rid of some red tape, share a prayer of thanks or praise the mighty efforts of the medical staff.

I would have loved to have visited and personally offer my help to the crash victims who were cared for most magnificently at the Bundaberg Base Hospital. But unlike the Premier, the Transport Minister, the Minister for Emergency Services and the Minister for Health, I was not allowed to visit the crash victims. I believe I was being punished for speaking out about the deficiencies and underresourcing that I have identified at the Bundaberg Base Hospital. In times of crisis, elected community leaders' access to information through contact with emergency services workers and eyewitnesses should not be determined by party political biases. This is a message from not only me but also emergency services workers who witnessed the Premier's and other Labor ministers' behaviour. Lift your sights, Mr Beattie! Care more for the crash victims and a little less about the cameras. The Bundaberg ambulance call centre performed magnificently—

Time expired.

### **Stafford Heights, Public Works and Housing Department Land**

**Mr TERRY SULLIVAN** (Stafford—ALP) (12.14 p.m.): Lord Mayor Campbell Newman and Councillor Norm Wyndham have deliberately misled the residents of Stafford Heights regarding the 6.05 hectare parcel of land at 818 Rode Road at Stafford Heights, locally referred to as the Remick Street Reserve. Over the past decade vigorous debate has occurred about the future use of this land that was set aside in the 1960s as a possible school site. When Education Queensland decided in 1994 that the land would not be needed for Education needs, the Department of Housing purchased the land and planned to build a mixture of both private—80 per cent—and public—20 per cent—residences.

Over the past decade the position taken by the Labor state MPs and the Labor city councillors has remained constant, and Labor representatives held public meetings to inform the local residents about the government's intentions. In stark contrast, Liberal Party MPs and council representatives have not been honest with local residents. In 1995 before the state election Liberal Party representatives including the now federal member Teresa Gambaro, federal Senator Santo Santoro, former state MP John Goss, Jim Wilding and Zenia Belcher told residents both in their election material and at public meetings that they would save the bushland. Yet when the coalition took the Treasury benches in the

state in February 1996, it set about selling off this land. Under Liberal housing ministers Ray Connor and David Watson, the Liberals put a proposal through the Brisbane City Council to develop 50 housing blocks on the site. The only difference between the Liberal proposal and the Labor proposal was that the Liberals had promised the local residents that there would be no public housing on that site. This showed up the true agenda for some of the residents and for the Liberals—namely, they did not want public housing tenants as their neighbours.

The most recent example of the Liberal Party broken promises occurred this year when the Liberal council candidates promised one thing before the municipal election and then changed their story after they achieved power. Worse still, when these backflips were raised in the media, both Lord Mayor Campbell Newman and Councillor Norm Wyndham lied about what they had promised. I will table a copy of certain documents that will show conclusively that before the election the Liberals were prepared to say and promise anything to get people's votes, yet after the election when they won the lord mayoralty and the McDowall ward the Liberals reneged on their promises and then lied about their position.

Some of the documents that I will refer to include a flyer to residents with a photo of both Campbell Newman and Norm Wyndham telling residents the following—

It's now up to Council to save this bushland. One option is for Council to buy the land with funds from its bushland levy.

They also made reference to the Brisbane Labor council's levy and how much it had purchased through it. They said that the Brisbane Labor administration had—

... spent only \$61 million of the \$114 million collected from ratepayers for bushland protection.

They were therefore indicating that there were millions of dollars available. Norm Wyndham went on to say—

Together with Lord Mayoral candidate Campbell Newman, I will fight to protect our local environment. It's time for a Council that listens to locals and cares for our environment.

In another document—I was not sure whether this was going to be a firm promise or not—I wrote to Councillor Norm Wyndham and asked him whether it was to be a firm promise and suggested that, because he was part of the Lord Mayor's team, he could get candidate Newman to respond. Councillor Norm Wyndham wrote to me saying—

Should the State Government not be prepared to undertake this action—

that is, giving the land to the council—

on behalf of local residents then a future Newman Council would be prepared to enter fruitful negotiations with the State Government to acquire this land on behalf of, and in the interests of, residents.

You have been in parliament long enough to be aware that Council has several sources of potential funding, including the bushland preservation levy, to acquire this land.

Yet when the chance came for the state minister to offer this land, the Lord Mayor refused to purchase it.

I will table a series of documents concerning this whole proposal, which showed that Lord Mayor Newman and Councillor Wyndham lied to the people of Stafford Heights. They promised one thing before the election and then reneged on it. When they were caught out, they told the media that they had never promised it.

They now have an opportunity to tell the truth. It is unfortunate that Councillor Wyndham on another issue to do with Hamilton Road told the residents one thing before the election and changed his mind after it. Lord Mayor Newman and Councillor Wyndham are in the habit of lying and they will get caught out. I table this documentation.

Time expired.

### **Public Servants, Psychiatric Testing**

**Dr FLEGG** (Moggill—Lib) (12.20 p.m.): I want to speak about section 85 of the Public Service Act and how it empowers a public sector employer to order an employee to undergo a physical or mental examination with a doctor and also provides that the employer under the act may receive a copy of that report. It is hard to imagine a more onerous or invasive attack on a person's privacy than to have their employer in the public sector empowered to compulsorily require psychiatric testing and to obtain copies of the report with minimal restriction on the circumstances under which this draconian provision can be used. In practice, substantial numbers of public servants have been subjected to this provision, often on questionable or inappropriate grounds. Public servants who have raised problems with their workplace through proper channels report a high rate of being punished by referral under section 85. Many of the public servants referred for psychiatric assessment have a long and satisfactory work history within the Public Service. Almost none have demonstrated mental illness and many are senior people.

On occasions people have been referred for psychiatric assessment under section 85 on multiple occasions. This provision can and has been used against school headmasters, who clearly have years of service with the Education Department and have been considered satisfactory for multiple promotions over the years. It has also been used against senior medical personnel, including senior clinical nursing

and medical staff. If a superior feels threatened by a talented, performing work colleague or if there is a personality conflict or a superior's human resources skills are inadequate to sort out the staff, section 85 can be used as a handy tool. Could members imagine a well-run private business needing to resort to this sort of compulsory referral to manage its human resources?

Section 85 referrals have almost invariably had nothing to do with mental illness. Such referrals are used as a convenient, lazy and inappropriate tool for managing staff matters that ought to be dealt with by competent HR management. The basic principles of openness, fairness and protection of privacy, including the right of appeal, have been enshrined in New South Wales regulation, but in Queensland section 85 is just a convenient tool to be used to bully and intimidate staff and create a climate of fear.

Part of the referral process is the completion of a six-page questionnaire, the psychiatric assessment questionnaire. I table a copy for members' information. This questionnaire is clearly degrading and intimidating as it contains very personal questions about sexuality; previous drug use, including alcohol and caffeine; adoptive history; and previous litigation history, including personal injury claims. Public servants find this questionnaire extremely demeaning. It is clearly information that has no place whatsoever in the routine management of HR issues within the Public Service.

Since I began raising this issue I have been contacted by many victims of section 85. Many of them are people who are suffering bullying at work or work related stress who are simply doing their job or have reported issues through appropriate channels. Almost all of these people found that their work stress was greatly compounded by this unacceptable practice. They are further harmed by the secrecy of the referral process where they are not given access to all the information involved in the referral. They are not given appropriate avenues through which to respond. They are not permitted to be accompanied at the examination or to record the proceedings. They have limited rights of appeal. They have to live with the knowledge that this information can come into the possession of those with whom they must continue to work. Then on top of all of this, they can be referred on multiple occasions despite a long and satisfactory career in the Public Service and the clear absence of psychiatric illness.

No psychiatric information should be provided to a public sector employer—or any employer, for that matter. This is a government that is all too fond of bullying people to keep public servants quiet and to keep issues from being addressed, even through the appropriate channels within the workplace. Section 85 has no place in the Public Service in Queensland in the 21st century. I call on the government to implement appropriate human resource management techniques so that this bullying, intrusive breach of people's fundamental right to privacy or of their personal information can be done away with.

### **Ozcare; Drug and Alcohol Treatment Facility, Kelso**

**Mr WALLACE** (Thuringowa—ALP) (12.25 p.m.): I rise to draw the attention of the House to a petition that was lodged this morning from over 1,300 petitioners regarding the location of a drug and alcohol rehabilitation centre in Hammond Way, Kelso. As the principal petitioner, I was unable to sponsor the document in the House. Thus I would like to thank my colleague the member for Greenslopes for helping me in this regard.

I would like to give honourable members some background and reasoning as to why I undertook to present this petition to the House. Some months ago residents in Hammond Way were informed that a decision had been made by Ozcare to site a drug and alcohol rehabilitation centre in their street. The selection was presented as a given and residents were not allowed the chance to voice their objections. Indeed, as the local member of parliament, the first I heard about this centre was when I read about it in my local newspaper, the *Townsville Bulletin*. The lack of consultation from Ozcare was, to say the least, breathtaking. I must say that the outrage expressed by local residents was well justified and, through working with their local Thuringowa city councillor, Councillor Irene Stewart, they articulated their concerns to both Ozcare and the Thuringowa City Council.

It is not that the residents of Thuringowa believe that these services offered by Ozcare are not needed. On the contrary, most of the people I have spoken to have expressed their support for such treatment facilities. It is just that we were not told about this Hammond Way site and were not given a say in its location—a location which we believe is less than ideal. The site chosen by Ozcare, which will cater for up to 12 clients at a time, is not sewered and is subject to flooding when Thuringowa experiences a severe rainfall event. I have been informed that the septic will be upgraded and contingencies put in place in case of flooding. However, it is not good enough that this site was chosen and we think that a better site could have been chosen all round. If only Ozcare had bothered to speak to the residents before it went ahead with this project it would have learned about these misgivings.

Citizens have also expressed concerns about antisocial behaviour that this site might attract from both clients and their visitors. People are concerned that this facility may resemble another centre that is run by Ozcare in Echlin Street, Townsville which in the past has attracted much notoriety. I hope that Ozcare is genuine when it states that this site in Hammond Way will cater for clients who are different from those who attend at Echlin Street.

I have explained my concerns and those of the residents to the Health Minister, as some of the funding for such a facility comes from Queensland Health. I appreciate the minister's offer to examine his department's role in this process. I understand that the government has limited options in stopping this centre from proceeding. Should we be unsuccessful in stopping this centre, I urge Ozcare to play a vigilant role in ensuring that this facility does not impact negatively on the local community. They must ensure that it is adequately staffed at all times and antisocial behaviour must not be tolerated.

### Homework

**Mr McNAMARA** (Hervey Bay—ALP) (12.28 p.m.): Let no-one in this place attempt to continue the fiction that young people are disinterested in or disengaged from politics. I can assure the House that today's young people not only have an agenda but also are fully prepared to vigorously advocate and lobby in pursuit of their goals. As I move around the schools in my electorate, I am regularly engaged by students as young as nine who argue cogently and passionately for issues as diverse as library acquisitions, airconditioning, laser levelling of school ovals, and homework loads.

On the particular issue of homework loads, recently I was viciously lobbied in the car park of the Fraser Coast Anglican College by Jake and Brandon, a pair of highly articulate year 4 students. They were aware that the government is reviewing the issue of homework and took the opportunity to put to their local member succinctly the case against homework. They put to me that if they have done all their work at school and got it all right, why are they required to do it again at home. They asked whether homework should be about fixing weak spots rather than repeating concepts already understood. Tellingly, they asked why being free of homework was not being used as a motivational tool to get their work done correctly in class time. They suggested that if their classmates had the lure of being rewarded with no homework to do, they would be better behaved and highly motivated to get their work done correctly. They argued that they would be better off riding their bikes after school than repeating work they had already done and done properly. They were compelling in their arguments. They made them cogently. I promised Jake and Brandon that I would bring their concerns to the parliament. I believe that their representations to me were very genuine, and I can assure the House that they were very persuasive.

I know that educators value homework as a method of developing the ability to work independently and as preparation for the time when studying does require work in the evening, but I also know that we have an epidemic of childhood obesity in this nation. I know that homework is a constant source of stress and dissension in many houses. I am aware that many teachers see marking the homework of good students to be a less than optimal use of their valuable skills and time. I know that the members of the Queensland Teachers Union in my area view behaviour management as the No. 1 issue in schools today. They see that homework can be a carrot to be used to improve classroom discipline.

I commend the views of Jake and Brandon and their fellow classmates and ask that the minister take them into account in conducting this review into homework. You do not have to have made it to parliament to be able to advocate a position very successfully. We have some outstanding young people doing just that. They persuaded me to their point of view.

## VOCATIONAL EDUCATION, TRAINING AND EMPLOYMENT AMENDMENT BILL

### First Reading

**Hon. T.A. BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (12.31 p.m.): I present a bill for an act to amend the Vocational Education, Training and Employment Act 2000, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

### Second Reading

**Hon. T.A. BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (12.31 p.m.): I move—

That the bill be now read a second time.

It is my privilege today to introduce legislation which is aimed at improving the functioning of Queensland's already world-class vocational education and training system. I have had great pleasure in noting the degree of attention that has been given nationally to the challenges facing Australia in ensuring that we have the skilled work force that we need to drive our economy.

Queensland is on the brink of the next phase of the Smart State journey. This bill will improve advisory and regulatory arrangements to ensure that the vocational education and training system is a leading contributor to our state's continued economic and social development.

As members are aware, the Training and Employment Board and the Training and Employment Recognition Council both perform advisory and executive functions of value to the state's vocational education and training system. However, I consider there is an unnecessary layering and division of functions between the two bodies. I have therefore decided to merge the advisory and executive functions of the board and council. This will be achieved by abolishing the board and transferring most of its functions to the council.

The proposed bill therefore abolishes the board and transfers the following board functions to the council—

- providing high-level, strategic advice to the minister;
- recommending to the minister guidelines for the council about the performance of its executive functions;
- recognising industry training advisory bodies and group training organisations; and
- performing the functions of an approving authority under the Workplace Relations Act 1996 (Commonwealth) and the Industrial Relations Act 1999.

The act presently lists the types of matters on which the board may advise the minister. To avoid the need to specifically prescribe certain matters the bill will give the council a broad-ranging brief to provide high-level, strategic advice on current vocational education and training issues and strategies. The council will also be asked to provide advice on current employment issues and strategies as they relate to vocational education and training.

The bill will improve the performance of the transferred functions by avoiding inefficiencies generated by splitting the functions between two separate bodies. For example, currently the council is required to advise the board on policy and guidelines necessary for the performance of its functions. The board may then make recommendations to the minister about guidelines for the council. This layering of responsibility is unnecessary and will be avoided by transferring the board's functions to the council.

Improvements in performance will also be gained by immersing the advisory body in the executive functions that provide it with direct knowledge about issues in the vocational education and training sector. The current separation of the board from the performance of the important executive functions performed by the council has separated it from a body of hands-on knowledge that it needs to advise the minister of the day about Queensland's vocational education and training system.

Two of the board's current functions will be omitted from the act. The board's function of recommending an annual training plan will now be performed by the department as part of its core functions. The board's role under the VETE Act of performing the functions of the state training agency for the Australian National Training Authority Act 1992 (Commonwealth) will also be omitted as the Commonwealth act empowers the state minister to nominate the state training agency for their state. The Commonwealth has in any event announced its intention to abolish the Australian National Training Authority from July 2005.

The proposed amendments to the act affecting TAFE institute councils are designed to increase their effectiveness and flexibility. TAFE institute councils provide advice to TAFE institute directors and the minister on policy and strategic issues which affect the delivery of vocational education and training in their local communities. Currently, a TAFE institute council may consist of up to 20 persons appointed by the minister as well as the institute director. To avoid the potential for these bodies to become too large and unwieldy for effective and timely decision making, the bill proposes to reduce the maximum number of persons on a TAFE institute council from 20 persons to 15 persons.

At present only six institutes have councils with more than 15 members. To ensure a smooth transition for those institutes with more than 15 members, it is proposed to reduce council size through natural attrition rather than by removing members. Consequently, members of councils with more than 15 members at the time the amendments commence will be able to remain members of their councils until the term of their appointment expires.

Second, to achieve greater flexibility in appointments to TAFE institute councils, it will be optional rather than mandatory to appoint a young person to each TAFE institute council. However, I will continue to ensure membership of young people where appropriate to assist the government in delivering its ETRF agenda.

The proposed amendments will also remove the legislative recognition of college councils from the act so that the minister does not need to be involved in their establishment. TAFE institute council's will, however, still be able to establish a college based body to assist in the discharge of its functions if it chooses to do so.

Finally, the bill will also insert heads of power into the act in relation to three regulatory fees. This follows extensive consultation as a part of a broader review and reform of the fees charged by the department in regulating training organisations.

Debate, on motion of Mr Lingard, adjourned.

## **POLICE AND OTHER LEGISLATION AMENDMENT BILL**

### **First Reading**

**Hon. J.C. SPENCE** (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (12.37 p.m.): I present a bill for an act to amend legislation administered by the Minister for Police and Corrective Services, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

### **Second Reading**

**Hon. J.C. SPENCE** (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (12.37 p.m.): I move—

That the bill be now read a second time.

I introduce a bill today that reflects the Beattie government's commitment to continually addressing law and order issues in the best interests of the community. This bill is an example of the continuing evolution of police legislation in Queensland. It is an indication of the commitment this government has to sensible law reform.

Members will remember that the passage of the Weapons (Handgun and Trafficking) Amendment Act 2003 and the Police Powers and Responsibilities and Other Legislation Amendment Act 2003 made major changes to the weapons licensing and acquisition framework in Queensland. This bill will provide legislative amendments to the Weapons Act 1990 to ensure continued public and individual safety by continuing to impose strict controls on the possession of weapons, requiring the safe and secure storage and carriage of weapons. In addition, the bill will provide necessary legislative amendments to the Police Powers and Responsibilities Act 2000, Police Service Administration Act 1990 and Security Providers Act 1993.

This legislation is the result of extensive consultation with many representatives from various organisations including sporting shooters associations and firearms dealers, who were exceptionally supportive during the development of this bill. I thank them for that support. I will now address the specifics of this bill.

#### **Secure Storage of a Weapon—Unlicensed Person**

Firstly, section 50 (Possession of Weapons) of the Weapons Act is amended to require a court, when deciding a penalty for an unlawful possession offence, to consider whether the illegal weapon was kept in accordance with secure storage requirements. This amendment will ensure the duty to securely store a weapon will apply to any person in possession of a weapon. This amendment continues to address the December 2002 COAG agreement on handguns which included a review of secure storage requirements in all jurisdictions.

#### **Shooting Galleries**

Part 4 (Possession and Use of Weapons) of the Weapons Act details the approval and specific conditions that may be imposed on a permit issued for a shooting gallery by an authorised officer. Although shooting galleries are regulated in a similar way to approved shooting clubs, approved ranges and approved historical societies—within the framework of the Weapons Act—the authorised officer of the Queensland Police Weapons Licensing Branch is unable to modify or suspend approval of a gallery or change the conditions of a shooting gallery permit. The bill will amend the Weapons Act to allow an authorised officer to modify or suspend approval to conduct a shooting gallery and change conditions imposed on a permit issued for a shooting gallery.

#### **Affixing Serial Numbers to Firearms**

Currently there is no requirement under legislation for a serial number to be affixed to a firearm that currently has no serial number. The bill will allow an authorised officer to require the affixing of a serial number to a firearm in a manner approved by the authorised officer. A provision of the Weapons Act allows for commissioned officers or other delegated police officers to be authorised officers. An authorised officer is generally the officer in charge of weapons licensing. The registered owner of a firearm must comply with a written notice issued by the authorised officer and affix the serial number to the firearm within 28 days after being given the notice. However, an authorised officer may grant an

extension of this compliance period to allow enough time for the serial number to be placed on the firearm.

When considering the method in which an antique firearm is to be marked, the authorised officer must have regard to the impact that the marking will have on the value of the firearm. Also, the authorised officer may consider an alternative method of affixing a serial number to a firearm if an application is made by the registered owner. The amendment is aimed at improving the accuracy of records contained within the commissioner's register and assisting police in detecting unregistered firearms.

#### Application for Renewal of Weapons Licence under Power of Attorney

The bill will allow for an individual weapons licensee to apply for the renewal of a weapons licence under a power of attorney if the licensee is temporarily absent from Australia for a genuine occupational reason or is temporarily a hospital patient. An application may be made by a licensee under this provision despite the requirement under the Weapons Act for the licensee to personally attend a police station. However, the amendment will limit people to use this provision to a single occasion. This is only if the person exercising the licensee's power of attorney provides the authorised officer with a statutory declaration stating that the attorney is not entitled to a fee or other benefit for making the application. Furthermore, the amendment will provide that it will extend only to the renewal of a licence application signed by the licensee and with additional information provided to a police officer.

The additional information for an application to renew a weapons licence under a power of attorney must include photographic evidence of the attorney's identity, the original instrument bestowing power of attorney, or a certified copy of the instrument and a statutory declaration providing details of the circumstances in which the licensee is either temporarily a hospital patient or is temporarily absent from Australia for a genuine occupational reason.

#### Definition of Organised Crime and Covert Return of Lawfully Seized Evidence

The bill will amend the Police Powers and Responsibilities Act to allow covert searches to be undertaken with respect to designated offences such as murder, attempted murder, conspiracy to murder, manslaughter, and offences that attract a punishment of life imprisonment and involve a serious risk to, or actual loss of, a person's life or serious risk of, or actual, serious injury to a person. In addition, the bill will give police the power, if authorised by a Supreme Court judge under a covert search warrant, to take a vehicle to a police garage or workshop which will allow police to examine it for evidence of a designated crime. The amendments will also allow the return of a thing or vehicle seized under the warrant.

The authority to extend covert searches for the investigation of these offences is extraordinary but necessary powers. Where this is an increased level of inquiry, people expect an increased level of safeguards to ensure police powers are not abused. The Public Interest Monitor will continue to perform an independent role and will be able to overview applications to a Supreme Court judge for such a search warrant. This overseeing function will continue to include the authority to ask the applicant police officer questions and make submissions to the judge with respect to the application. The use of these intrusive powers is considered justifiable and is subject to appropriate safeguards presently contained within chapter 4 of the PPRA. Consequently, it is suggested that an acceptable balance will exist between the power and safeguards provided.

#### Section 209 (Additional Case when Arrest of Adult may be Discontinued)

Section 209 of the Police Powers and Responsibilities Act provides additional cases where it is the duty of a police officer to discontinue the arrest of a person. The provision enables an arrest to be discontinued if it is more appropriate to take the person before a court by notice to appear or summons and the notice to appear or summons has been served on the person.

The bill enables an arrest to be discontinued for the service of an infringement notice. The amendment will allow a police officer to remove the person from the place of interception to serve the person with an infringement notice for the offence before releasing that person. The amendment will reduce the need for a court appearance and thereby reduce costs to the criminal justice system.

#### Support Persons

The bill amends the Police Powers and Responsibilities Act to insert a new division that will apply when a police officer reasonably considers a support person, who is generally a relative or friend, is unable to properly perform the role of a support person and, in particular circumstances, it is in the interests of the relevant person to exclude the support person. The new division will be in addition to and does not limit division 4 (excluding persons unreasonably interfering with questioning).

The bill will detail circumstances in which a person may be unable to properly perform the role of a support person. They include when—

- the person's ability to perform the role is impaired by the effect of something the person has ingested, for example, alcohol, a drug or a potentially harmful thing, and the impairment prevents the person from acting in the best interests of the relevant person;

- the support person has an impaired capacity and that impairment prevents them from acting in the best interests of the relevant person who is being questioned—an example of this would be if the support person was intoxicated;
- the support person is, or appears to a police officer to be, unwilling to perform the role of a support person because, for example, of illness, injury, pain or tiredness;
- the support person has an affiliation, association or other relationship with a police officer questioning the relevant person;
- the support person has a relationship of authority with the relevant person that may prevent the person from acting in the best interests of the relevant person being questioned (for example, a teacher who recently excluded the relevant person being questioned from a school);
- the support person is a victim of the offence for which the relevant person is being questioned or a friend of the victim; or
- the support person witnessed the commission of the offence for which the relevant person is being questioned.

Accordingly, should a police officer consider the person is unable to properly perform the role of a support person, the police officer will be required to exclude that support person. Furthermore, a police officer who has excluded a support person from being present during an interview will be required to explain to the support person the reason for their exclusion. The explanation must be written or electronically recorded. The amendment is consistent with existing provisions under Police Powers and Responsibilities Act.

The bill continues to ensure that, should a support person be excluded by police from an interview, and the person being interviewed is a child, the right of that child to choose the support person to be present during an interview with police is maintained. It is considered that these amendments will provide an alternative to simply not interviewing the person for a police officer who identifies an unsuitable support person.

#### Lawyers Employed by QPS to Prosecute Matters

Section 10.24 (Representation of Officers in Court) of the Police Service Administration Act consolidates the authorities and clarifies that a police officer may appear and prosecute matters under various statutes in a Magistrates Court or Children's Court. The provision is in addition to section 72 (Lawyer) of the Justices Act, which limits such functions to a lawyer.

Issues of concern have been raised that section 10.24 may be interpreted as an exclusionary provision that prevents a lawyer from appearing and prosecuting a matter for police in a Magistrates Court or Children's Court, instead of being interpreted as an inclusionary provision to allow a police officer to appear and prosecute in a Magistrates Court or Children's Court.

The bill provides an amendment to this provision to clarify that a lawyer employed by the Queensland Police Service is not prevented from prosecuting matters. It is considered that the amendment to this provision will provide consistency with legislation already contained within the Justices Act.

#### Amendment of section 7.2 (Duty Concerning Misconduct or Breaches of Discipline).

Section 7.2 (Duty Concerning Misconduct or Breaches of Discipline) of the Police Service Administration Act declares that it is the duty of any police officer or staff member who knows or suspects a police officer of any misconduct or breaches of discipline to report such conduct to the commissioner and to the chairperson of the Crime and Misconduct Commission. While the section enables the commissioner to grant conditional exemptions from the duty to report misconduct or breaches of discipline, it is considered that the conditional exemptions may be limited to alleged contravention of the Anti-Discrimination Act 1991. It is considered likely that in circumstances when a police officer or staff member self-reports an alcohol or drug addiction problem under part 5 of the Police Service Administration Act, the officer taking the report will be required to report the issue in accordance with the provisions of section 7.2. Without the insertion of a specific legislative exemption from section 7.2, the effectiveness of part 5 may be diminished. The bill amends this provision to clarify and exempt a police officer or staff member to whom another police officer or staff member has self-reported a drug or alcohol problem from compliance with section 7.2 of the Police Service Administration Act.

There are many aspects to the bill, and I do not intend to address each and every part of the bill as the explanation of them is provided in the explanatory notes. However, all members of this House will agree that this legislation is drafted in an equitable manner for all Queenslanders. The Beattie government has protected, and will continue to protect, the safety and security of members of our community and punish those who break the laws of this state. I commend the bill to the House.

Debate, on motion Mr Lingard, adjourned.

## EMBLEMS OF QUEENSLAND BILL

### First Reading

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (12.52 p.m.): I present a bill for an act relating to the state arms, state badge, state flag and other state emblems, and to prohibit unauthorised assumption, use or publication of the state arms or state badge. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

### Second Reading

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (12.52 p.m.): I move—

That the bill be now read a second time.

I am pleased to introduce the Emblems of Queensland Bill 2004. This bill effects the adoption of the Barrier Reef anemone fish as the state's aquatic emblem and modernises the Badge, Arms, Floral and Other Emblems of Queensland Act 1959. This bill has its genesis in a suggestion I received from the Australian Underwater Federation last year for Queensland to adopt an aquatic emblem. This suggestion highlighted the fact that, despite its unique and diverse aquatic life, Queensland does not have an emblem to symbolise our connection, on many levels, with the water. We therefore set out to identify an aquatic creature worthy of representing our state and taking its place beside our existing state emblems: the Cooktown orchid, the koala, the brolga and the sapphire.

It was most important that the people of Queensland had the opportunity to nominate their favourite aquatic creature. To help in the process, we established an expert panel to select species which would be suitable for adoption as the aquatic emblem. This panel consisted of expert representatives from the Queensland Museum, the indigenous community, James Cook University, the University of Queensland, the Australian Marine Conservation Society, the Freshwater Fishing and Stocking Association of Queensland, Sea World, the Australian Underwater Federation, the Queensland Seafood Industry Association, Sunfish Queensland and the Museum of Tropical Queensland.

I thank the panel members for their contribution. The panel short-listed 11 species which were then put to Queenslanders for their views. People could also nominate any species of their choice. The 11 species identified by the expert panel were the Australian brain coral, the Lamington spiny crayfish, the blue sea star, the dwarf minke whale, the barramundi cod, the Barrier Reef anemone fish, the Queensland groper, the humphead wrasse, the channelled volute, the white-spotted eagle ray or the zebra shark.

From 30 May to 19 July the community was able to nominate their choice for the aquatic emblem through a web site or nomination forms published in Queensland newspapers. The process attracted an overwhelming response from the public, who made 19,202 nominations. This process clearly showed Queenslanders' support for the Barrier Reef anemone fish, which received 5,162 of the 19,202 nominations, or 26.88 per cent of the popular vote. The nearest contenders were the blue sea star. Which did the member nominate?

**Ms Nolan** interjected.

**Mr BEATTIE:** The Hervey Bay clown! Anyway, the nearest contenders were the blue sea star with 3,088 nominations and the white-spotted eagle ray with 1,566 nominations—that was obviously the member's nomination.

Prior to making a final recommendation, we consulted with Aboriginal and Torres Strait Islander community representative bodies on the top three to ensure there were no potential cultural sensitivities associated with these species. No cultural sensitivities with the Barrier Reef anemone fish were identified. Therefore, I am pleased to propose the selection of the Barrier Reef anemone fish as the state's newest emblem, and I table a picture of the fish for members' information. This was a comprehensive consultation process in which all key interest groups and all Queenslanders were invited to participate. I am delighted that the Barrier Reef anemone fish, which encapsulates the vibrancy of our outdoor lifestyle and the colourful spirit of Queensland, is being put forward as our aquatic emblem. This fish will be a wonderful ambassador for Queensland's warm, colourful lifestyle and our magnificent aquatic environment.

The official adoption of the aquatic emblem requires amendment to the Badge, Arms, Floral and Other Emblems of Queensland Act 1959, which sets out our existing emblems as well as providing protection against the unlawful use of the state's coat of arms and state badge. Given the age of this act, we have taken the opportunity to modernise its content through a new Emblems of Queensland Bill

2004. This bill will repeal the Badge, Arms, Floral and Other Emblems of Queensland Act 1959 to reflect the modernised content in both title and year of enactment.

The bill modernises the provisions of the 1959 act to align the bill with current drafting practice and more appropriately reflect the contemporary environment while continuing to provide an appropriate level of protection for the state coat of arms and the state badge. The state coat of arms and state badge are important symbols of Queensland and it is important that we continue to protect these symbols from unauthorised use, particularly for commercial or business purposes. The bill does make clear, however, that the restriction on the use of the state badge does not extend to where it appears as part of the state flag. We do not wish, in any way, to restrict the flying of the state flag. In fact, all Queenslanders are encouraged to do so.

We have also included a depiction of the state flag in the bill. Notification of the adoption of the state flag was published in the *Government Gazette* in 1876, but it is not currently reflected in Queensland statute. The inclusion of the state flag in the bill will consolidate depictions of important Queensland symbols into a single act.

I now turn to the bill. Clause 4 of the bill prohibits the unauthorised assumption, use or publication of the state arms or state badge unless lawful authority has been obtained from the responsible minister, the Queen, the Governor in Council, an act or a law of the Commonwealth. The prohibition applies to activities performed in connection with a relevant enterprise which is defined as activity associated with a club or association, business, profession, trade or calling or for other reasons without reasonable excuse. The clause provides that in a proceeding a defendant must prove that they had lawful authority to assume, use or publish the state coat of arms or badge. Although this clause, which exists under the current act, reverses the onus of proof, the defendant would be able to prove that they had obtained the required authority, whereas it would be problematic for the state to prove such an absence.

Clause 5 of the bill imposes a duty on executive officers to ensure that corporations comply with the bill. In this respect, if a corporation commits an offence of unauthorised assumption, use or publication of the state coat of arms or state badge, each executive officer commits the offence of failing to ensure the corporation complies with the bill. Appropriate grounds for a defence are provided for executive officers, namely that they took all reasonable precautions and exercised due diligence to ensure the corporation complied with the clause or that they were not in a position to influence the conduct of the corporation in relation to the offence.

This clause updates the current provision in the act by limiting liability to executive officers of corporations rather than all members of governing bodies and officers of unincorporated clubs, bodies or associations. The clause is considered necessary to ensure that individuals are unable to escape prosecution for unauthorised assumption, use or publication of the state coat of arms or state badge by acting through corporations which would bear legal responsibility for their actions. Depictions of the state's coat of arms, badge and flag are set out in schedules 1, 2 and 3 of the bill, and the state's emblems, including the new aquatic emblem, are set out in schedule 4 of the bill.

This Emblems of Queensland Bill and the adoption of a new aquatic emblem is important in marketing the state. It is not just the recognition of the Great Barrier Reef as one of the great wonders of the world, it is also an opportunity for us to use the anemone fish to market Queensland to the world. I will certainly be doing that as part of my trade delegations. We will certainly be doing it in publications; we will be highlighting it to the world. The Great Barrier Reef is not just one of the great wonders of the world, it also returns billions of dollars to the Queensland economy. I commend the bill to the House.

Debate, on motion of Mr Lingard, adjourned.

Sitting suspended from 1.00 p.m. to 2.00 p.m.

## **MINERAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL**

### **First Reading**

**Hon. S. ROBERTSON** (Stretton—ALP) (Minister for Natural Resources and Mines) (2.00 p.m.): I present a bill for an act to amend the Mineral Resources Act 1989, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

### **Second Reading**

**Hon. S. ROBERTSON** (Stretton—ALP) (Minister for Natural Resources and Mines) (2.00 p.m.): I move—

That the bill be now read a second time.

The Mineral Resources and Other Legislation Amendment Bill 2004 proposes amendments to a number of acts within my portfolio, including the Mineral Resources Act 1989; the Coal and Oil Shale Mine Workers' Superannuation Act 1989; the Fossicking Act 1994; the Geothermal Exploration Act 2004; the Petroleum and Gas (Production and Safety) Act 2004; the Land Act 1994; the Aboriginal Land Act 1991; and the Nature Conservation Act 1992. The amendments are largely of an administrative nature, forming part of our strategy to continuously improve the efficiency of the Mineral Resources Act. I seek leave to incorporate the rest of my speech in *Hansard*.

Leave granted.

I recently announced a comprehensive review of the Act, since it is now 15 years since it was passed in this place, but in the interim these amendments ensure that until the review is complete, the Act will continue to serve us well.

One significant amendment proposes that yearly rental for an exploration permit will be payable within 20 business days of a grant or renewal, and after that rent will be payable no later than the anniversary of the date of grant or renewal.

In addition to improving consistency with other exploration permits and tenures, for which rentals are paid in advance, this amendment will improve the administration of the Act itself, allowing time spent by officers of my department on related monitoring and compliance to be channelled elsewhere.

Another important change is proposed to the renewal process for exploration permits and mineral development licences. This change will list matters that the responsible Minister must be satisfied on prior to renewing the tenement.

The current provisions for these tenures do not specify the criteria for making the decision, so the amendments will improve the certainty and transparency of the renewals process.

A number of provisions need to be amended within the Mineral Resources Act to ensure that compliance with other mining-related legislation, like the Coal Mining Safety and Health Act and the Explosives Act, is a condition of tenure.

These proposed amendments highlight the importance of integration among our mining laws in this State.

To help further boost mineral exploration, a new provision in the Mineral Resources Act will include native title compliance costs in the proposed financial resources for exploration work of a granted permit. This recognises the cost to industry of addressing native title as an essential prerequisite to starting exploration. It's an amendment that's supported by both the industry and by indigenous groups, and it's another example of the Beattie Government's practical approach to native title.

This Bill also brings before the House amendments to the Coal and Oil Shale Mine Workers' Superannuation Act, which covers the contributions by both employers and workers to the Queensland Coal and Oil Shale Mining Industry Superannuation Fund, which will soon merge with the New South Wales COALSUPER Retirement Fund to form the AUSCOAL Superannuation Fund.

This is a commercial arrangement, but it is necessary to amend our definition of the term "superannuation fund" and include a transitional provision to allow for the merger.

This Bill contains a number of amendments to the Geothermal Exploration Act, some of which address issues raised by the Scrutiny of Legislation Committee, and others that correct some minor inconsistencies of terminology and process in the Act.

Now that the petroleum and gas regime is finalised, it also gives us the opportunity to ensure that the two Acts are operating consistently and effectively.

The proposed amendments to the Petroleum and Gas (Production and Safety) Act will ensure that all the necessary safety provisions from that Act are applied to the Geothermal Exploration Act as well.

The proposed amendments to the Aboriginal Land Act 1991 and the Nature Conservation Act 1992 will ensure that Aboriginal people who have land transferred to them have the same ability as all other landholders to voluntarily enter into conservation agreements under the Nature Conservation Act.

These proposed amendments will also ensure that agreements already entered into with a view to them being recognised as conservation agreements, are recognised as such under the Nature Conservation Act 1992.

Minor proposed amendments to the Land Act are designed to ensure that agreements and undertakings arising from the Cape York Heads of Agreement are taken into account when deciding the most appropriate tenure to allocate to a parcel of unallocated State land.

This proposed amendment is designed to last ten years after it commences, as all tenure related issues are anticipated to be resolved during this period.

Mr Speaker, this Bill will improve the efficiency of a number of Acts that fall within my portfolio.

I commend the Bill to the House.

Debate, on motion of Mr Messenger, adjourned.

## PETROLEUM AND OTHER LEGISLATION AMENDMENT BILL (NO. 2)

### First Reading

**Hon. S. ROBERTSON** (Stretton—ALP) (Minister for Natural Resources and Mines) (2.04 p.m.): I present a bill for an act to amend the Petroleum Act 1923, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

### Second Reading

**Hon. S. ROBERTSON** (Stretton—ALP) (Minister for Natural Resources and Mines) (2.04 p.m.): I move—

That the bill be now read a second time.

The Petroleum and Gas (Production and Safety) Act 2004 and the Petroleum and Other Legislation Amendment Act 2004 received assent on 12 October this year, replacing the Gas (Residual Provisions) Act 1965 and amending the Petroleum Act 1923. The Petroleum Act will continue to operate for some current authorities to prospect and petroleum leases. These laws underpin an entirely new regime for the administration of the petroleum and pipeline industries in Queensland, including implementing our nation-leading coal seam gas regime.

When this House was debating those laws, I indicated that these amendments would be necessary in the very near future, as many of the areas covered by this bill had already been identified. During drafting of the regulations to these laws and a final review of the legislation, it became clear that there were certain areas of inconsistency and irregularity between the amended Petroleum Act and the new Petroleum and Gas (Production and Safety) Act—not an unexpected issue, considering the size and the complexity of the legislation in question.

The correction of the irregularities will ensure that there is an appropriate balance between the two acts and the upcoming regulations, which are currently out for public consultation. This bill will amend the Petroleum Act 1923 to ensure that Queensland's petroleum industry is operating under an entirely uniform administrative regime. The major inconsistency in relation to the petroleum legislation is the inclusion into the Petroleum Act 1923 of provisions in relation to existing bores and water monitoring authorities as defined by the Water Act 2000.

Water is necessarily taken as a part of petroleum production, but our new laws have protected land-holders whose bores are affected by the petroleum activities. We want to make it crystal clear that this protection extends to all land-holders—regardless of whether the petroleum tenure falls under one act or another. Including water monitoring authorities in the Petroleum Act 1923 will ensure petroleum tenure holders meet their make-good obligation relating to bores that fall outside the tenure area.

Another important amendment will ensure that any water taken as a result of petroleum production can be made available to third parties—a particularly important provision. Without the proposed amendments to the Water Act 2000, this water would not be able to be made available to a third party for beneficial use.

Correcting these irregularities will ensure the maximum certainty possible for everyone involved in or affected by petroleum production and will mean that Queensland's new petroleum framework is operating as efficiently as possible. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

**Madam DEPUTY SPEAKER** (Ms Jarratt): I welcome to the public gallery students and teachers of Kurwongbah State School from the electorate of Kurwongbah.

## COMMISSION FOR CHILDREN AND YOUNG PEOPLE AND CHILD GUARDIAN AMENDMENT BILL

### Second Reading

Resumed from 9 November (see p. 3300).

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (2.08 p.m.): The opposition will be supporting the Commission for Children and Young People and Child Guardian Amendment Bill 2004. I would just like to make a few general comments along the way. The blue card process which the government introduced with some fanfare some while ago has been in place for some time. There is no doubt that it has had some effect, but it contains some deficiencies in relation to some issues which have had to be amended and clarified. One thing that has concerned me from day one—and I have expressed these views in the past—is that it puts the high bar up to a very, very high standard. People assume that having a blue card system in place will ensure that children are going to be safe now and in the future. That is not necessarily the case. It depends upon the government's capacity to be able to properly administer the system to ensure that those people who have convictions or matters of concern that would stop them from getting a blue card are actually detected and stopped from getting a blue card and that those people who may potentially be a threat can also be filtered out of the system.

This is only one part of a protective mechanism to ensure that our most vulnerable citizens—that is, our children—are protected. There have been some deficiencies that have shown up. There was a case involving a bus driver on the south-eastern side of Brisbane. There is another example which I have been made aware of—and no doubt some of my colleagues will speak about it—where a person who had some convictions for offences against children had actually been able to get through the system. We need to make sure that we work out those aspects. Whilst it is here and we need to support

and enhance it, I wonder if there is not a better way of doing it. However, it is here and we have to work with what we have.

An approach that I advocated a couple of years ago prior to the blue card being brought in in Queensland was an approach modelled on what the Blair Labour government did in the United Kingdom. That system was to make it a criminal offence for a person not to disclose convictions for particular offences when they applied for work in an environment involving children. The onus is on the person themselves to disclose that. If they failed to disclose that and subsequent random checks or other matters which were brought to the attention of the authorities revealed that that person did have convictions for disqualifying offences, that person would have been the subject of criminal sanction.

That approach would have been well and truly worth thinking about, but, as I have said, we have this blue card system. It is not absolutely perfect. It does need some refinement. Like any system, if we start to qualify and enunciate procedures and who is to be caught up in it then we expose ourselves to further deficiencies or ridicule. That is the process that has brought about what we are doing today.

This bill extends the blue card system to cover people working or volunteering with children, including religious representatives employed before 1 May 2001, non-teaching school staff employed before 1 May 2002 and child accommodation service providers such as home-stay providers and staff of hostels for rural children and school crossing supervisors. I would imagine these are the people we know as lollipop ladies. I would not think that too many of us would think that lollipop ladies would be a big threat to our children as they assist them across the road. I suppose if we have a system that exempts some people and we have, because of deficiencies, to fix up the system to not exempt some people then we have to basically include everyone. I would not have thought that lollipop ladies—I suppose they are not all ladies, but most of them are—would be a big threat. They are no doubt caught up in this.

Others who must have a blue card include people involved in children's recreational activities such as sporting programs and camps, but amusement parks are excluded. I would like to hear a little more explanation from the minister why we are seeking to exclude amusement parks when we are including the others I have mentioned. Supervisors overseeing emergency service cadet programs must have a blue card.

The bill also enables the Commissioner for Children and Young People to issue the blue card to take into account a wide range of information, including disciplinary and investigative information such as that held by the Queensland Nursing Council and health registration practitioner boards regarding health personnel and information held by the departments of Child Safety and Communities in relation to foster-carers and child care workers. It enables the commissioner to notify employers that employees in child related employment are being reassessed in relation to their blue card if they are charged with an excluding offence thus requiring the employer to suspend the employee until the charge is determined.

The bill seeks to remove the commissioner's discretion about issuing a negative notice where a person is convicted of a specific serious offence called an excluding offence—that is, a serious child related sexual offence or an offence of child pornography—and a period of imprisonment or a lifetime disqualification from holding or applying for a blue card is ordered by a sentencing court. The bill also provides a sentencing court with the discretion to order a lifetime disqualification from holding or applying for a blue card in relation to a person convicted of an excluding offence where a period of imprisonment has not been ordered by the court.

Volunteers will be prohibited from commencing work in regulated employment until they have actually received their blue cards. Employers will be required to implement appropriate risk management strategies to ensure child safe work environments. The bill revises the list of offences used in assessing blue card applicants so that it is more apparent from conviction for the offence that the person concerned would be regarded as unsuitable to work with children. The list covers all offences relating solely to children, all sexual offences including those of a perverse nature, very serious offences of violence against a person where intent is an element or an aggravating feature such as being armed is involved and serious drug offences.

The bill also links the list of serious offences with the Australian National Child Offender Register so that the commissioner must issue a negative notice where an applicant has a conviction for a serious offence or mandatory registration on the child protection register. The applicant does, however, have the right to demonstrate that it is an exceptional case and therefore a negative notice should not be issued.

The bill empowers the Commissioner of Police to supply information to the Children's Commissioner, even if no charge has been laid, where: one, there is evidence of acts or omissions that constituted a serious child related offence; two, police have investigated the alleged offence; three, the applicant had been given the opportunity to answer the allegations; four, there was sufficient evidence capable of establishing each element of the alleged offence; and, five, a decision had been made not to charge the applicant with the offence because the complainant was unwilling to proceed or the complainant's guardian considered it was not in the complainant's best interest to proceed, or the complainant died before the matter was analysed.

The applicants in such cases must be notified in writing that police have supplied such information to the commissioner. They may apply to the Magistrates Court to review the decision of the police to supply the information to the commissioner. They may appeal to the Children's Services Tribunal in relation to the decision of the commissioner to refuse to cancel a negative notice.

Some people might say that those provisions sound rather reasonable. In the current environment it becomes extremely difficult to argue against them. We can argue that nothing we can do is too much when it comes to protecting our children, our most vulnerable. There is a matter that we should mention in this parliament. There is a civil liberties concern. I do not always have truck with that civil liberties issues put forward by people who can basically see no wrong with what some offenders do, but there are issues that need to be raised from time to time.

We need to be very careful that we do not judge a person to be guilty because certain matters have been raised against that person. If charges have been laid, then obviously the standard required to prove an offence has started to ramp up. It then gets more and more reasonable. It then goes into the court process. If the person has been committed and is then convicted, there would be a sentence of some sort. I have very little problem with that.

In some cases we are talking about the detrimental effect on a person against whom allegations have been made. The commissioners have the capacity to take that into consideration as part of their decision to issue or not to issue a blue card. We could run the risk of causing a detrimental effect on somebody who does not really have a case to answer. Not all allegations made against people are made for the right reasons. Sometimes people have malicious or vexatious motivations for making complaints. I am sure the minister would be aware of them. Even though those people are in the minority, it does happen from time to time.

I suppose the minister would argue that the safeguard here is that the commissioner considers those matters and if the commissioner is satisfied that the complaint did not have any real basis in fact, then that person will not be affected detrimentally. I issue a caution that sometimes we get a bit carried away and a bit rampant in our approach to some matters.

I have absolutely no problem in dealing with people in the most harsh way once they have been convicted. That is also the case even when charges have been laid against a person because a certain standard has to be reached. A matter may be brought to somebody's attention. The people involved deal with this all the time. There are reasons why people make allegations and not all of them are made for fair and just reasons. We need to be a bit careful. This is the expectation of the day. Given that, we will support the approach the government has taken. This does however need to be put on record for the future and we need to consider it properly.

The government also justifies this presumption based on the desire to avoid any risk to children. That is far enough. I touched on that a moment ago. I think that there are some interesting contrasts that we need draw attention to. We can look at those people who have been subject to the mental health system in Queensland—that is, those who have committed very serious offences and, in some cases, even killed people. Some of them have been let back into the community, even though it has been established that they are no longer a risk to the community, and they have gone about and done something else that is rather diabolical and had a physical or psychological effect on somebody.

We are leaving no stone unturned whatsoever to protect our children. We have removed certain natural justice principles that have been long established. This may cause detriment to a person. That is the value judgment that needs to be made. In other cases, such as those involving the mental health system, people who have been found to have committed quite serious crimes have been allowed to walk back into the community after a short period—if not just a matter of months, within a couple of years. We do not extend the same sort of protection to the broader community.

We need to be more consistent in the way that we approach these things. There is an element of inconsistency when we compare this with other aspects of the law as it operates in this state. We need to consider those things as we go through the finer detail of this bill and its practical effect post implementation. With those words and those guarded concerns, the opposition will be supporting the bill. We look forward to its practical effect.

Debate, on motion of Mr Springborg, adjourned.

## TRANSPORT INFRASTRUCTURE AMENDMENT BILL

### First Reading

**Hon. P.T. LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (2.20 p.m.): I present a bill for an act to amend the Transport Infrastructure Act 1994, and for other purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

## Second Reading

**Hon. P.T. LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (2.21 p.m.): I move—

That the bill be now read a second time.

In the early hours of last Tuesday—at one minute past midnight—a diesel tilt train travelling from Brisbane to Cairns derailed near Rosedale, 50 kilometres north of Bundaberg. Eight of the nine cars left the section of track including the locomotive. Some 128 of the train's 156 passengers and crew were injured, but thankfully no-one was killed or sustained life-threatening injuries. Emergency services arrived at the site by 1 a.m. after being alerted by nearby residents who were the first on the scene to help. All passengers were evacuated from the train by 3.40 a.m.

The objective of the Transport Infrastructure Amendment Bill 2004 is to introduce provisions which will ensure that complete and thorough investigation of rail safety incidents can occur in Queensland. The Transport Infrastructure Act 1994 establishes a legislative regime which contributes to overall transport effectiveness and efficiency, provides for adequate levels of safety and provides a high level of accountability. With respect to rail safety, the Transport Infrastructure Act contains provisions which set out the arrangements for both the accreditation of railway operators and the investigation of railway incidents in Queensland.

Queensland Transport is the independent state regulator for rail safety and has responsibility for the coordination and/or conducting of independent investigations into rail safety incidents in Queensland. Queensland Transport's Rail Safety Unit was established in 1995 to undertake this role and perform a number of other functions relating to rail safety. Queensland's railway track network of 10,400 kilometres is the second largest in Australia. Queensland is also the third largest in terms of kilometres travelled and the biggest freight carrier in terms of distance. There are 29 accredited railway operators using rail infrastructure in Queensland, including heritage railways, with Queensland Rail being the major commercial operator, now being joined by Pacific National.

Queensland has an enviable rail safety record. There has not been a fatality involving a passenger train derailment or collision in almost 20 years, and Queensland's record in relation to rail safety incidents in general is better than any other Australian state, excluding Tasmania. The number of rail fatalities, excluding suicides, per 100,000 population in Queensland is 0.053. This is compared to 0.211 in New South Wales and 0.226 in Victoria, which has the highest fatality rate. These statistics include level crossing incidents, car collisions and pedestrians.

A crucial element in rail investigations is the revelation of the truth without fear of further judicial proceedings for witnesses. Queensland Transport adopts a 'no-blame' approach to rail safety investigations with the sole purpose of revealing the causes of an incident so that lessons can be learned and action taken where necessary to prevent further reoccurrences and improve safety for all Queensland rail users. In this regard, rail safety investigators' powers of investigation have been adequate. Following the diesel tilt train derailment on 16 November 2004, which occurred on the north coast rail line approximately 50 kilometres north of Bundaberg, it became apparent that it was necessary to modify existing legislation to allow for the best possible investigation to be undertaken for the tilt train incident.

The recent tilt train derailment should not detract from Queensland's excellent rail safety performance record. However, the amendments in the Transport Infrastructure Amendment Bill 2004 have the potential to significantly empower the investigation into this incident and future rail safety investigations and are largely based on Commonwealth legislation. I will provide more detail on the amendments shortly. However, in summary, they will introduce provisions to protect witnesses in a rail incident to speak freely without fear of future judicial proceedings and will assist in revealing the true cause of incidents to improve rail safety.

An investigation by rail safety officers appointed under the Transport Infrastructure Act commenced immediately after the recent tilt train incident. The investigation team is chaired by an officer from the Australian Transport Safety Bureau and brings together the best skilled resources for undertaking this task of conducting an independent investigation. It is preferable that this investigation continues through to its completion. These amendments will ensure that this investigation and any future investigation conducted under these provisions identifies the causes and contributing factors to the incident. These amendments are pertinent to providing the appropriate level of protection to witnesses so that they are prepared to make information available in an investigation to determine the truth. Any abrogation is balanced by the protection of excluding the use of that information in any judicial proceeding.

The amendments will ensure that any answer, document or thing required by a person to be given to a rail safety officer conducting a rail safety investigation will not be admissible in evidence against the person in a criminal, civil or administrative proceeding. Amendments also introduce both restrictions on disclosing information gathered during an investigation or board of inquiry and exemptions under the Freedom of Information Act 1992. These amendments are complementary to the amendments I mentioned earlier which protect witnesses from civil, criminal and administrative proceedings against

the person. The information discovered in a rail safety investigation is solely for the purpose of determining the cause of the incident, and access to such information must be restricted.

To properly complete the protection afforded to witnesses, the amendments also provide that rail safety officers not be compelled to give evidence in any criminal, civil or administrative proceedings about any information or evidence gathered by them in an investigation. Amendments will also require the government to table a report in parliament within 14 days of it being received. This includes the report which will be prepared at the conclusion of the current tilt train derailment investigation. This report will offer full transparency on the findings of the investigation.

Given that the investigation into the tilt train incident has now been under way for seven days, I consider that the legislative amendments I have outlined will ensure that the real cause is revealed. Therefore, provisions have been drafted to have a retrospective effect to 16 November 2004, being the day of the incident, to ensure all of the investigative procedures are afforded the protection of these amendments.

In summary, the provisions within the Transport Infrastructure Amendment Bill will ensure that rail safety investigations conducted by Queensland Transport can reveal as far as possible the true cause of rail safety incidents in Queensland and that action can be taken as far as possible to prevent reoccurrences to ensure rail safety is improved in the future. It is essential that the current tilt train derailment investigation can also continue, and these amendments will extend to that investigation. I commend the bill to the House.

Debate, on motion of Mr Johnson, adjourned.

## COMMISSION FOR CHILDREN AND YOUNG PEOPLE AND CHILD GUARDIAN AMENDMENT BILL

### Second Reading

Resumed from p. 3617.

**Ms NELSON-CARR** (Mundingburra—ALP) (2.27 p.m.): How often in media reports do we read, see and hear about adults who committed sex offences against children in their care 10, 20 and even 30 or more years ago? Grown-ups who are working or volunteering in positions of trust with children were committing crimes that they thought nobody other than their victims could ever possibly know about. That is still happening, but at least it is becoming a whole lot tougher to get away with it. As a government, as Queenslanders and as parents, we have become all too aware of the extent of these revolting crimes against children. No community was or is immune. I am all too familiar with offences committed in north Queensland that only came to light after the child victims grew older and could see that it was no longer considered a shame to come forward and reveal what took place.

If governments of yesteryear had been more wise and open-minded with regard to the extent of sex offences being committed against children and if there had been something like a blue card system operating much earlier, then who knows how many young people might have been spared the suffering and indignities that they were forced to endure. Let us not delude ourselves though: no matter how stringent the blue card laws, children will still fall prey to molesters. But by extending the reach of the blue card, it is going to become much harder for adults with evil intent towards children to be in work or voluntary situations where they have ready contact with them. I would like to think that the vast majority of people in paid employment or who volunteer in roles to which the blue card provisions are being extended will welcome these reforms. Some may find the formalities inconvenient, but inconvenience is a very small price to pay for shielding our children against sexual predators.

Last month I was privileged to attend an entire morning session of the Townsville Children's Court under the considerate control of Magistrate David Glasgow. The children who appeared before Mr Glasgow were there for a range of offences, some of them quite petty. I found it to be hugely enlightening and I was very pleased that I was given the opportunity to attend. On a broader basis it led me to wondering how many young people who commit crimes, whether of a petty or a more serious nature, have at some time been victims of sexual abuse. Certainly, it is common knowledge that many adult sexual offenders were themselves victims of abuse when they were children. If by extending the blue card provisions we save even a handful of children from being sexually abused, it will prove to be worth while.

We may feel frustrated by our inability to prevent the sexual exploitation of millions of children in Third World countries, but through this bill at least we can do something positive to help protect children in our home state of Queensland. I am very pleased to give the Commission for Children and Young People and Child Guardian Amendment Bill my unequivocal support.

**Mr JOHNSON** (Gregory—NPA) (2.30 p.m.): As the Leader of the Opposition stated in the House this afternoon, the National Party opposition will be supporting this very important legislation. At the outset, can I say that it is a sad day when we in the Queensland parliament have to introduce legislation of this calibre to protect our young kids. I see in the chamber today the Minister for Child Safety. He would be well aware of the ramifications of not introducing this legislation, as would the Minister for Communities.

It sends a shiver up my spine to think that the most vulnerable people in our society—our children—are not safe from some citizens of this state in which we live and with whom we work. I remember one night I sat across the chamber with the member for Mount Isa, the former minister for corrective services, Tony McGrady, and had a private conversation with him. He said to me, 'A lot of these child sex offenders in jail do not think that they have done anything wrong.' I think that is an indictment on our society. It is a slur on our society that this scum think of our kids as something for their enjoyment.

I know that we may debate legislation introduced by the Minister for Police and Corrective Services during the course of this week. I will be conveying the opposition's support for that legislation. It relates not only to protecting our children but also to protecting people in society. As I see it, the real issue here is: who do we trust? I just heard the member for Mundingburra say 'trust'. I do not care whose kids they are; they are the responsibility of all of us. We see a child with its mother and father. We do not take our eyes off that child in case the parents have taken their eye off that child for half a minute. Being a little one, that child may run out onto the road or run somewhere else. But it is sad to think that somebody else could be out there watching that child or other children or could be preying on those kids or could even be preying on them in the workplace. When the Premier introduced this legislation he stated in his second reading speech—

Home-stay providers and staff of hostels for rural children, school crossing supervisors and people involved in children's sporting programs and camps, will be required to have a blue card.

I am a pony club instructor and I have been to pony club camps with kids. I knew full well that I trusted those people I worked with. You have somebody else's kids in your care. But to think that today we do not know whether we can trust the people who work in these voluntary capacities. We have to bring in these safeguards. The blue card is certainly going to be a way to make certain that people are screened.

I hope that the strengthened provisions regarding the blue card are going to be law after this week. The minister responsible will oversee these blue card applications. There will be many people who will apply for one. I am going to apply for one, because I want to continue as a pony club instructor.

**Ms Struthers:** I've got one.

**Mr JOHNSON:** Yes. I know that a lot of people have one. I know that my colleague Mike Horan has one. The point I am making is that some of my colleagues have received complaints from some people—and I have not actually had any complaints from people in my electorate—that it is taking a long time to process these blue card applications. That is unfortunate. I call on both the ministers in the chamber this afternoon to make absolutely certain that the process is expedited. I know that there has to be an appropriate screening of a certain person to make sure that if there is a blemish on that person's record, that person is notified. I know that the confidentiality provisions of the privacy legislation cover these things, but at the same time some people could be hindered in their place of employment. We have supervisors overseeing the kiddies crossing streets to get to our schools—most of them doing that in a voluntary capacity. That is a beautiful thing; people out there trying to contribute positively to our society. But now we are subjecting those people to the blue card screening, just as we are subjecting many other people to it.

I do not know whether many people watched the news on television this morning, but I heard New South Wales Police Commissioner Ken Moroney blame the increase in sexual attacks and violence against women and kids on a lack of respect that the wider community has today for women. I believe that every male in this society should take heed of those words. Abuse and sexual abuse against women and kids cannot be tolerated and should not be tolerated in Queensland and, for that matter, in Australia. These perverts—whoever they may be or wherever they may be—must be brought to justice and they must be locked away for the protection of those innocent young people who could become their victims.

An article in today's *Courier-Mail* referred to that out-of-his-mind father who murdered his two little kids and then took his own life—the gutless wonder. He has left behind a distraught mother and a distraught family. They are going to carry the scars of those murders forever and a day. It is all very well people saying, 'We wish we had known so that we could have helped.' Many times we do not know when things like that are going to happen. I do not know where it is going to end. I have spoken to people about this matter. I often think, 'I know what I would like to do with them; I would like to slit those blokes' throats.' At the end of the day, they are certainly a burden on society. They are of no benefit at all to our community.

Today we are debating legislation to protect the most vulnerable people in our community—our kids—from the people who work with them. It really makes me wonder what are we doing in 2004. A while ago I heard the member for Mundingburra refer to previous governments. I really do not think that we should be blaming previous governments or anyone else. Times are changing. As the former minister said, there are a lot of people out there who believe that they have a right to be able to do these things. Our jails are becoming clogged up with them. At the same time, we have to be more understanding, more caring and more observant of our young people so that we can get this horrible element out of our lives and out of society.

**Ms Nelson-Carr:** But it wasn't the fashion for governments to delve into that. Governments and church groups were more inclined to ignore it.

**Mr JOHNSON:** That is a fair comment. The member for Mundingburra in her interjection just now has touched on church groups. Over recent years we have heard a lot of criticism of church groups and churches in particular. We have seen inquiries into Christian churches about sex abuse and child abuse. A lot of times the people who are the closest to these kids—the families and close friends—are the culprits. That is another sad indictment on our society.

I say to the Premier: while I do not like to see this legislation introduced, sadly enough we have to introduce it. I just hope and pray that as a result of this legislation we will see a better community.

Recently on the international stage a big child pornography ring was smashed by police from nearly every corner of the globe. When we see that police officers, schoolteachers and doctors—professional people in our society whom we respect and look up to—are part of this ring, we have to wonder where we are going and where we are coming from. As the member for Mundingburra said, whom can we trust? If our kids do not have trust in us, whom can they trust? We have to make certain that they can trust us. We should ensure children can remain innocent, can become adolescents and ultimately young adults and can enter the workplace without being interfered with or violated in any way.

I note that in his second reading speech the Premier made reference to young people entering the workplace. I know that a lot of kids go to work when they are 16 or 17. I think we have to be more observant of not only the kids in the workplace but also some other people in the workplace when it comes to bullying. In society today there is no room at all for bullies. As far as I am concerned they are a thing of the past. I have never tolerated them and have never had any time for them. Even as a child at school I put my right foot forward on more than one occasion, sticking up for somebody who could not defend himself. That is the way it should still be today. The bullies of the world are all gutless wonders—Hitler, Idi Amin, Saddam Hussein and Mussolini. All of the dictators were bullies and cowards. They all ran scared. This is the element we are dealing with here today. That is why we are putting this legislation in place.

I have great delight in supporting the Premier and the government on the implementation of this scheme. I just hope that the government ensures that genuine applications are processed expeditiously so that people can go back into the workplace and do what they do best—working with kids, the most important natural resource we have in our state.

**Mrs SMITH** (Burleigh—ALP) (2.42 p.m.): The primary focus of the Commission for Children and Young People and Child Guardian Amendment Bill is to extend and enhance the provisions of the working with children check, better known as the blue card. Both the commission and the blue card are initiatives of this government, and I am extremely proud to be part of this legislation.

Since its introduction in 2001, the blue card has been the centrepiece of our efforts to protect Queensland children wherever they are. When my own children were young the fear was stranger danger, and children were encouraged to stay away from strangers—to not accept lollies or lifts from people they did not know. We felt that this ensured their safety. We now know that it does not. Social research proves that children are far more at risk from someone they know than from a stranger. This makes protecting children a much greater challenge. The blue card is an important part of our response to this challenge. It is not a guarantee; it is a safety net. And it is only one of a range of child protection initiatives which include education programs, mandatory notification provisions and early intervention programs.

Nowadays the world is a very different place from when I had small children. Although I was employed for much of their young lives, outside of school hours my children were rarely out of the care of either me or their father. Things are very different for my grandchildren. Their mother is working and studying, and they spend a great deal of time in the care of others. On many mornings I drive Jordan and Elliot to their preschool and hand them into the care of teachers who are not personally known to me. I know that every parent here understands the anxiety of that. It is even worse when you are a grandparent. I am reassured to know that their carers have been vetted by the commission and that the government is working to protect all children.

Amongst the provisions of this bill are those governing the lifetime ban on holding a blue card. Individuals who have had a custodial sentence imposed on them for a crime involving children will automatically receive a lifetime ban from receiving the card. There will be no right of appeal in relation to

the cancellation or the ban, and the commissioner will no longer have any discretion in these matters. This is the type of tough legislation we need to protect our children. I commend the Premier on bringing this legislation to the House, and I commend the bill.

**Mrs MENKENS** (Burdekin—NPA) (2.44 p.m.): I rise to speak on the Commission for Children and Young People and Child Guardian Amendment Bill 2004. I do take great interest in the passage of this bill and the outcome amongst the general community following its adoption. Certainly the National Party fully supports this legislation.

As we all know, the Commission for Children and Young People and Child Guardian Act 2000 required people who work with children under the age of 18 in certain categories of employment to apply for a criminal history check, the working with children check. This criminal check aims to ensure that only suitable people operate businesses or work as employees or volunteers where they have regular contact with children or young people. I must say, I am proud to have a blue card. I have had one since the very inception of the blue card system. I think I am now on my second or third card. I have lost count.

It is very interesting that the blue card has been brought in in relation to volunteers. I feel that most people have been very receptive to it and have also been very receptive to actually applying for and having a blue card. The act imposed penalties on those deemed not suitable if they applied for, engaged in or continued to work in child related employment without a suitability card.

The implementation of this act was the first step by the Queensland government to recognise the disturbing increase of paedophilia within the general community. Most members of this House certainly recognise that, as the world gets smaller through globalisation and improved technology, associated problems of increased access to children need to be addressed. This amendment bill, including improved reporting and criminality checks, does address them to an extent but probably in the long term does not go far enough. I believe that we still have further to go.

As the parliamentary body that all Queenslanders look towards to provide legislative reforms, addressing the mountainous problems faced by the Queensland community, we must remember that our best is still not good enough. The government must continue to think outside the square when it comes to stemming the tide of paedophilia and criminal activities in Queensland. This must be done for the security of all our children and every one of their concerned parents. But certainly this is a very good step towards it.

The reason I say this is that, as late as September this year, we saw an incident occur at the Townsville youth shelter which showed the vagaries of the current legislation—an event that I hope will never be repeated following the implementation of this amendment bill. At the youth shelter in question, a man with drug convictions and on a court directed intensive drug rehabilitation order was hired to work night shift with children under 16. Having satisfied his employers and the provisions required under Queensland law, the man duly began working with children whilst he awaited the consideration of his blue card application. Surely we should all be conscious of the potential damage that could occur to children during this period of consideration and the detrimental effects lingering long after the removal of individuals found to be unsuitable.

In this well-publicised incident, the fact that at any one time there were eight to 10 youngsters under the care of the Department of Child Safety at the shelter should send a shiver down the spine of all of us and of all members of the government who are held responsible for the care of those children. For as much as this isolated incident can be defended by the penalties, including fines of \$7,500 for providing false information on a blue card application or for anyone hiring or continuing to employ a person who was a known criminal, it is a fact that children are placed at risk and in the road of potential harm because of civil liberties. I note that the *Alert Digest* commented on the civil liberties aspect of this bill. However, I think the need to protect children is far more important.

Is it not pertinent to legislate that all individuals who wish to work in areas involving children be forced to obtain blue cards before applying for a position in this area? I realise the impact this has on a lot of volunteer groups to recruit help and keep programs in place, but, if it is allowable for an employer to specify that only applicants with a class A drivers licence need apply, then the government should legislate that, for those people wishing to work in industry areas including children under the age of 18, possession of a blue card is a strict requirement upon applying for the job. It was less than 16 months ago that an individual who was a twice-convicted paedophile was approved by Queensland Transport to drive school buses. It is this sort of example which needs to be considered when the civil libertarians jump up and down at the loss of an individual's right to be employed in an industry of an individual's choosing.

I hope the implementation of this and other bills has a long-term and far-reaching effect on young people who perhaps do not think of their future but who should be fully aware of the implications of many of their rash acts at a young age. I have in mind a person who came to see me who has been driving taxis for many years. With the implementation of these new rules, suddenly he lost his taxi drivers licence because of a conviction in his early years. He understood the reasons. We know it is the law. However, young people must be aware that this is final and this affects them for the rest of their life. Perhaps in time young people can accept the message that these horrendous acts affect their ability to

accept forgiveness so that they can go on to lead a normal life. This has affected their whole life in that they cannot choose their jobs from then on.

One of the most serious areas of potential danger in the implementation of the blue card system is the need for coordination and immediate cancellation of a card if a current blue card holder incurs a new offence. This requires a very sophisticated system of identification, and no doubt there always remains a danger where perhaps a simple typographical error in spelling or—hopefully not—even a deliberate error could allow this situation to go through unchecked. The danger of this type of situation occurring only once has the potential to put children at risk.

The majority of our citizens, of course, are wonderful, genuine, good people wanting to help children. As we all agree, it is a sad indictment upon our society that it has become essential to implement a huge bureaucratic structure such as this. It is commendable of the government to move amendments to the current legislation. However, they probably do not go far enough. In the true spirit of being vigilant in the area of child protection, I request that the Queensland government undertake to ensure that all of its employees who work in any area dealing with children under the age of 18 apply for a blue card, hold a blue card and undertake criminal screenings before they are given employment positions. I do see the need for the government to extend its powers further to provide proper child protection measures. I commend the Commission for Children and Young People and Child Guardian Amendment Bill to the House.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (2.53 p.m.): The main objective of the Commission for Children and Young People and Child Guardian Amendment Bill is the implementation of recommendations resulting from a review of components of the Commission for Children and Young People Act 2000. A report on the outcome of the review was tabled in the Legislative Assembly on 22 April 2004. This government ensures that we act on issues of vital importance and do not just talk about them. Therefore, we are also committed to additional funding to the commission to implement these important amendments to enhance the safety of our children.

There are nine schools in my electorate, with over 6,000 schoolchildren attending them on a daily basis. I want to ensure that they are as safe as possible and therefore I fully support this bill and the recommendations. The blue card is an initiative which helps to do this. The blue card is one component in a suite of coordinated child protection initiatives which include education programs, mandatory notification of alleged harm, prevention and early intervention programs, multidisciplinary teams supporting children at risk and appropriate risk management strategies on the part of employers that have been initiated by the Beattie government.

Vigilance and care by parents, families and communities is absolutely crucial in resolving the complex social issues of child protection. With the help of organisations such as Safety House committees, parents and citizens associations and Neighbourhood Watch groups, these government initiatives will contribute to better protection of our children. This bill enhances these initiatives.

More than 291,200 Queenslanders already possess blue cards, which are an effective deterrent against potential child predators working or volunteering with children. The amendments in this bill include expanding the categories of people who must hold a blue card to include all school crossing supervisors, all supervisors overseeing cadets in the Emergency Services Cadet Program, home-stay providers, staff of hostels for rural children, providers of recreational activities such as sporting camps and programs, and religious representatives employed before 1 May 2001. Those employed from that date are already screened.

The bill will also implement the four recommendations made by the ministerial task force on sex abuse of children in schools regarding non-teaching employees. It is important that everyone whose role in the community involves working with children is cleared through the blue card process. This means some peace of mind for parents who leave their child's care in the hands of people or authorities they do not know much about. Seventy thousand people who do not currently need blue cards will need them under the new laws.

The Queensland blue card is distinctive because it represents a criminal history clearance by a single independent agency—the Commission for Children and Young People and Child Guardian. Volunteers will not be able to begin volunteering with children unless they have a blue card. Significantly, it is also transferrable across categories of regulated employment, businesses and volunteering in Queensland. This means that the community can be assured that the commission has screened each blue card holder to the same rigorous standard.

Child sex predators are hit with lifetime bans on working and volunteering with children. As a government that gives children's safety their No. 1 priority, we will strive to continue to open up communications between departments and non-government agencies to ensure that, where possible, child abuse is prevented. The new laws will take effect in early 2005 and there will be a 12-month transitional period to assist with compliance. I commend these measures to the House.

**Mr HOBBS** (Warrego—NPA) (2.57 p.m.): I am pleased to speak to the Commission for Children and Young People and Child Guardian Amendment Bill 2004. There are a number of issues that I would

like to canvass today. The blue card was put in place in May 2001. It is a system that was put in place as a result of certain activities that happened, sadly. It is disappointing that we have to do that in this day and age, but that is the way it is. I certainly do not have a better solution. Unfortunately, there is a lot of bureaucracy that goes with this system.

An issue I would like to raise is one which I have written to the minister about only last week, and that is a situation involving a constituent who was advised that her blue card was going to expire. It is normal in such cases for a letter to be sent out. The letter states—

Invitation to renew employment screening under the Commission for Children and Young People Act 2000.

Reference is made to your Suitability Card which is due to expire on 08 October 2004.

If you wish to apply for a new card, please complete the attached application form and return, together with the prescribed fee of \$40 ...

This is a long story. After being issued with that notice, the application form was completed and returned to the commission on 20 August. On 28 September my constituent rang the commission inquiring about her card and was advised that her card was in the final stage of processing. On 5 October she rang again and was advised that the renewal was approved but that the card was in the card making process and the officer did not know when the card would be ready or when it would be sent to her. On 8 October the card expired. This is when she would get into trouble because she could not work. This resulted in my constituent being suspended until the blue card was reissued. On 11 October, after more consultation with the commission, my constituent was promised an interim letter stating her suitability would be provided and a copy would be sent to my constituent's employer. On 12 October she phoned the commission again and was advised that her interim letter had not yet been processed but would be faxed to her employer and a copy would be posted to her. On 14 October the employer received the interim letter and she was able to go back to work. It worked out okay in the end but it was a lot of drama for her. The interesting thing is that the card did not turn up until 3 November—a month after the approval process. Perhaps something can be done about that. I presume that this matter falls within the minister's responsibility.

The minister is indicating that it does not fall within his responsibility. Maybe through the minister's efforts he can poke the commission along a bit because I do not think it is very satisfactory where, first of all, there is stress placed on this lady who in some way has almost been refused a card. Even though the commission was saying she was right, what would other people think? The other staff, her employer and others might think, 'Oh, maybe she is not suitable' or 'Maybe there is something there'—which there was not; she was fine. That is certainly an issue that needs to be resolved.

Further to that, I note in correspondence from the commission to my constituent that in future the commission will only be issuing renewal notices two weeks prior to the expiration of a blue card. My constituent advised me that she was verbally informed by an officer of the commission that the commission allows six to eight weeks to process an application. This has the potential to detrimentally affect workers and children for a period of four to six weeks while the commission processes renewals. While we believe in the concept, there is certainly a need to have a look at the system and to get it working a little bit better.

As the shadow minister and Leader of the National Party said, we agree with the amendments, but I have a few problems with them. On the last page of the minister's second reading speech, he said—

As a result, the commission will now be able to take into account certain police investigative information even if the investigation did not result in a charge or subsequent conviction against the person. This may result in a person being refused a blue card even when they are not charged or convicted or the matter is not determined in court... This is needed to better protect the best interests and safety of children...

This is one of those hard ones. I appreciate the problem that the minister has, but the reality is the person is still not convicted. While there may be a suspicion, at the end of the day the law of the land is that for a person to be convicted there needs to be clear evidence. It is a matter of whether the person is suitable, but how can it be determined that that person is not suitable if there is not any hard evidence against them? That is one of the queries that I would like the minister to explain in his summing up. Overall, the legislation is one more step along the way. I commend the bill to the House.

**Mr CHOI** (Capalaba—ALP) (3.03 p.m.): I rise this afternoon to speak in support of the Commission for Children and Young People and Child Guardian Amendment Bill 2004. In doing so, I say at the outset that it gives me absolutely no pleasure to speak on this bill at all. In fact, it is a very sad indictment of our society that the working with children check or so-called blue card had to be introduced in 2001. This government, with the introduction of the blue card, was trying desperately to reduce opportunities for child sexual offenders to prey on children by restricting or avoiding the possibility of interaction between the groups. This is being achieved by screening people working in certain categories of child related employment. It represents a criminal history clearance by the Commission for Children and Young People and their guardian.

The blue card is never going to be the be-all and end-all of child protection. It is not a guarantee card. In fact, it does not guarantee anything at all. It should be treated simply as a way of protecting our

children against sexual predators in our society. It should never replace vigilance by parents, families and community involvement, risk management and education of our young people. It is a clear indication, however, of this government's commitment to prevent child sexual offences in our community. However, after the introduction of the blue card in 2001 it has become necessary to enhance the operation of the blue card by expanding it to cover, for example, home-stay providers, staff of hostels, road crossing supervisors as well as religious representatives.

Just now I heard the honourable member for Gregory talk about child abuse done by clergymen, by religious institutions and by the churches. I share his sentiment—as I am sure all the members of this House do—of the horror that we have felt in the last few years as we learned about the sexual crimes committed by clergymen in our religious institutions. It is true that they are people in a position of trust and responsibility. It angers us when they abuse the very people they are called on to protect. We hear stories about churches covering up sexual mistakes or crimes committed by their members—by the clergymen. We also find that sometimes churches put first the institution that it represents rather than the wellbeing of the people it cares for.

It is also necessary to have some balance here. For every single clergyman who has done something wrong there are thousands of clergymen and hundreds of churches that are doing the right thing by the community. We need to be very careful as politicians not to jump on the bandwagon of criticising any religious institutions or body simply because some of them have done the wrong thing. As politicians we should know this because at any one point in time that one of us does wrong thing every one of us gets criticised. If one abuses the travel allowance we are all branded as travel rorters, and we do not like it. It is only fair that when we criticise some of the members of the religious institutions for doing the wrong thing by their members we need to perhaps maintain some balance in our view.

I also state very clearly that this legislation is not about adults working in the industry I mentioned before because they have caused any concern for the government; it is simply because of the fact that they deal with minors on a routine day-to-day basis and are in a position of trust and sometimes even authority.

This bill also implements the four recommendations made by the ministerial task force on sexual abuse of children in schools. It amends the serious offences list used in the assessment of the blue card applications. It allows the Children's Commission to use and take into account other disciplinary information from other agencies as well as allowing the police commissioners to provide certain investigative information to the Children's Commissioner. This bill provides further power for the commissioner to immediately suspend a person's blue card if the commissioner becomes aware that the person has been charged with an excluding offence. It also allows provision for a lifetime ban when the offence resulted in a custodial sentence.

Some people may be offended by the requirement to have a blue card to begin or continue their employment. They believe it is a reflection of their perceived risk to society. I understand that sentiment. However, children are very trusting by nature and we collectively as adults have failed them terribly in the past. This bill is about the safety of our children. I believe most members of the community are prepared to be inconvenienced for the sake of the most vulnerable members of our society, our children. I commend this bill to the House.

**Ms LEE LONG** (Tablelands—ONP) (3.11 p.m.): I rise to speak on the Commission for Children and Young People and Child Guardian Amendment Bill 2004. The focus of this bill is entirely on the protection of children, in particular their protection from sexual assault and abuse. It is a result of a review required under the 2000 version of this bill. More people will now be required to secure a blue card before being allowed to work in contact with children. This includes school crossing supervisors, staff at hostels for rural youth and religious representatives employed before screening began on 1 May 2001 among others. Non-teaching school staff are also to be covered by the blue card system.

The interests of children are paramount. That is clear and something I can agree with. In the process, however, there are several provisions which cause me great concern. In essence, what we have before us is a bill which creates this situation: someone may have an allegation of a child related sex offence made about them to police; police investigate; no charges are laid. There is nothing other than the original allegation. Yet the person about whom the allegation was made can have their blue card withdrawn, lose their job, lose their community standing, have their reputation tarnished at best and destroyed at worst. Their comeback? They can argue with the commissioner that they should be reissued with a blue card. This seems to me to be leaving those people against whom mistaken or even malicious allegations are made to carry a very heavy penalty indeed. It is not at all beyond the possible that families could break up, careers be cut off and so on—all on the basis of nothing more than an allegation.

If the community wants to place the safety and interests of children on such a high pedestal then so be it. I do not argue with that. But I cannot accept that it should be done in a fashion that leaves innocent individuals to carry such a potential heavy burden. Why cannot blue card holders against whom allegations are made simply be placed on leave pending the results of the investigation? The community wants this level of protection for children so I think it is reasonable that the community,

through government coffers, pays for this leave. Otherwise the burden falls on the employer—again unfair.

If the investigation results in a conviction then the appropriate steps can be taken—the criminal can have their blue card stripped. But if it does not result in a conviction then the person must, in the interests of natural justice, be allowed to return to their chosen employment. There is, I believe, a great level of naivety on the part of the government in regard to how this will work. For example, the explanatory notes referring to the automatic suspension of a blue card when a person is charged argues that while this will mean the person cannot work in regulated employment, it does not prevent them from being redeployed in non-regulated employment. In essence, once charged the person cannot work with children anymore, but the government thinks that their employer will be able to simply redeploy them elsewhere. In the real world this will be highly unlikely. There are very few, if any, child related workplaces so large that they can offer no child contact alternative placements.

I have already said that I think it is appropriate if a charge is laid for the blue card holder to be separated from children, but there is no provision for automatic reinstatement if the person is found innocent. The minister might like to explain why, when our judicial system finds someone innocent, it is not enough for him, his government or his department. Instead of automatic reinstatement, being found innocent does nothing more for our blue card holder than give them the chance to apply to have their blue card reinstated.

I note in the community consultation process that the Queensland Council for Civil Liberties was involved. The minister might like to indicate what the organisation's position was on the civil liberties implications of this bill. I do not have any sympathy at all for child abusers. I do not want to be misunderstood on this. But I fail to see why fundamental legislative principles are breached so severely when it appears that alternatives are available.

I will speak up every time I see a reversal of onus of proof, arbitrary powers of entry and search, and denials of natural justice. They are becoming the stock-in-trade of this government. It has reached the stage where sentences imposed by courts can be ignored and people kept in prison indefinitely and, under this bill, where people against whom no conviction is made or even charges laid can lose their livelihoods.

We live in a state where an allegation can see children torn from their parents and now it seems that people could be made jobless and unemployable while innocent of any offence. Yes, we need to place the interests of children first, but surely we must also consider the kind of society that we are creating for those children to grow up in. When it comes to the shape our society is taking in Queensland, George Orwell was more of a prophet than anyone expected.

**Mrs DESLEY SCOTT** (Woodridge—ALP) (3.14 p.m.): The Commission for Children and Young People and Child Guardian Amendment Bill will further enhance the protection this government offers to our vulnerable children. Anyone who has a child of their own or has had a close association with children will understand the innocent, trusting nature of a child. On the other hand, anyone who takes an even fleeting interest in public media will know just how many perverted people there are in society today. It is very hard to understand the mind of a person who would abuse a young child, but they are out there ready to take advantage of any situation where they may be able to perpetrate their evil intent.

It was just last week that I had yet another alert that a child who attends one of my primary schools was approached on her way to school and chased by two men. She had the presence of mind to run into a home she knew to be safe and where help was available. This then resulted in other schools being alerted and the young children being warned to look out for strangers and for parents and teachers to be extra vigilant.

While this is not exactly the scenario we are dealing with in this legislation, it does highlight the fact that we need to take extra care with our children at all times. Wherever there is an opportunity for people to be closely associated with children we need to ensure their safety. While teachers are subject to checks prior to their registration, there are many people who, in the course of their work, their volunteering or some community activity, also need to undergo checks. We need to ensure that each one has the best interests of our children at the heart of what they do.

In the previous bill some categories were covered from the date the act became law. However, this bill will make checks retrospective for those in these positions prior to 1 May 2001. These categories include employees of religious organisations, supervisors of cadet programs such as emergency services, road crossing supervisors and non-teaching staff at schools. It now also encompasses those involved in providing sporting and recreational activities, including camps and people involved in hostels such as those for rural children.

The background of students in universities who are seeking to enter such occupations as teaching also require verification, as well as any other student who may receive a placement in a regulated employment position. This legislation gives wider powers to the Commission for Children and Young People to take into account wider considerations other than convictions, such as investigations

which may have taken place. Courts will also be allowed to disqualify for life someone who has been convicted of a serious child sex offence or pornography.

No legislation is able to offer absolute safety for children. I have mentioned previously in this place that my own sister-in-law and her family have been devastated by the actions of a teacher, a formerly well-respected teacher, who groomed and abused their eldest son. The perpetrator is now in jail, but I have seen first-hand the agony and distress caused by this sinister crime. Parents and, in fact, all well-meaning adults should be constantly vigilant. Parents would do well to spend time getting to know the parents and other family members of their children's friends. If they are spending a lot of time at another child's home it is imperative that parents are aware that children are being supervised by a responsible, safe adult and that their activities are appropriate and equate with the values they hold as important.

Parents should be careful when children are invited to sleep-over parties or to camps. We need to remember that those who have in mind to abuse a child are devious and will manipulate a young person, maybe by offering them gifts or with threats, into being secretive and possibly frightened to disclose what has happened. Historically, abuse has occurred over long periods. I would like to think that we live in a more enlightened era. However, sadly, this is not so. I commend the Premier and Ministers Warren Pitt and Mike Reynolds for their efforts to improve child safety in this state. This legislation will improve safety for children, but there is no substitute for constant vigilance. I commend the bill to the House.

**Ms STRUTHERS** (Alger—ALP) (3.19 p.m.): Parents need confidence that when they send their kids off to school, to sport, to scouts, to church, to camps or to any other activity they will be safe. As we have heard from many members in this House this afternoon, tragically there can never be any guarantees given. There are far too many predators who seek out contact with kids, build their trust and then abuse them.

The Beattie government has been very responsible and very determined to weed out these predators and prevent them from having access to children and prosecute their actions. The blue card employment screening system initiated by the Beattie Labor government is a world leader in this field. It is not a guarantee of safety, but it is a vital tool in the prevention of abuse of children.

I support this bill as it takes further important steps to safeguard children. The net is cast wider in this bill with an additional 70,000 volunteers and people working with children being required to apply for a blue card. This will include home-stay providers, people providing sporting camps to children and many others. Parents and members of the general community can be very confident that the Commission for Children and Young People has teeth—that is, it is a very powerful, effective agency with strong support from our government. Its powers are further strengthened under this bill.

One of the realities that makes it difficult to keep children safe is that they are at greater risk of harm from someone known to them rather than from a stranger. We all want to trust adults who coach, care for or counsel children, but the sad reality is that we must have our antenna up—always be on the lookout for signs of harm. This has made it extremely difficult for people who are in caring roles or are volunteering for a sporting group or other group. We have to err on the side of caution and make sure that the rights of children and the safety of children are paramount.

A Christian Science Ministry report revealed the disturbing findings that 70 allegations of child abuse are made against churches each week in the USA. Thankfully, many church agencies, and particularly those in Australia, have introduced antiviolenace and child abuse protocols. They must remain vigilant in the implementation of these. As there are no guarantees in keeping children safe, all parents, all organisations and all workplaces must be vigilant in their efforts to look out for the early warning signs of predatory behaviour and take fair but decisive action. I, too, commend the Premier, the Minister for Child Safety and others who have been involved in the further development of the provisions contained within this bill that give further strength to the Commission for Children and Young People and further strengthen the blue card system in Queensland.

Finally, I make a plea for a further area of action that is not covered in this bill but relates to the area of child safety. I am prompted to make this comment in relation to the tragic death of the Olsen children in Eagleby this week. Children are often at greatest harm when their parents are separating and going through family law processes. I do not think the Olsen children were involved in any formal family law court process. The process of separation puts enormous distress on couples and poses enormous risk to the children of the relationship.

A study by Jenny Mouzos and Catherine Rushforth from the Australian Institute of Criminology found that, on average, 25 children are killed by their parents in Australia each year. Many of those involve a separation of parents. There has to be greater cooperation and information sharing between the federal government and state child protection agencies to identify children who are at risk during the process of separation and family law court processes. There has to be greater information sharing. There has to be uniform protocols between the states and the territories and the federal government. The federal government has to assist and resource this. My understanding is that the federal government does not have the powers to investigate allegations of child abuse. So it is reliant on state

based agencies. There needs to be better triggers and better cooperation so that these issues are acted on effectively.

Research conducted this year by Kathryn Rendell noted that there is a continuing systemic failure to protect children from serious abuse within the current family law system. She expresses concern about the 'right to contact' principle whereby children are exposed and put at great risk to non-custodial parents even though there may be abuse and risk to them. She is arguing, as many other practitioners are, that the needs and safety of children have to be paramount. If there is any risk at all that a parent getting access to those children is likely to harm them then that access has to be supervised or halted.

I certainly urge action in this regard. I know it is not particularly relevant to this bill so I am being a little indulgent, but I have had discussions with the Minister for Child Safety about this. He certainly understands these issues and will be taking action to address this. I certainly make a plea this afternoon, in light of the tragic death of the Olsen children, that this has to be a priority. This area of family law and the process of separation where there is a heightened risk to children has to be addressed more effectively in order to protect children. I commend the bill to the House.

**Mr MESSENGER** (Burnett—NPA) (3.25 p.m.): I rise in support of the Commission for Children and Young People and Child Guardian Amendment Bill 2004 because our children deserve protection. They deserve to feel safe. When it comes to protecting the safety of children we cannot cut any corners.

Currently the blue card system is inadequate. It allows many people to fall through the cracks. By allowing for the changes outlined in this amendment bill I am led to believe that it will further reduce the risk of children being subjected to child sex offenders as there will be a further 70,000 people required to obtain blue cards. This is in addition to the more than 291,000 Queenslanders who already hold blue cards.

This morning my staff made contact with Greg Donaldson, the manager of state operations for the Queensland Council of Parents and Citizens Association. He stated that the organisation is quite happy with the way the blue card system is progressing, but takes the view that the more stringent the process the safer our children will be. Greg said that the safety of our children is paramount, and if this means that the background of adults who work with our children is closely scrutinised then so be it. The commission needs this legislation to assist with enforcement and to ensure compliance by all people who work with children.

Greg also made the point that the changes strengthen an already efficient process and make it that much harder for those who would take advantage of a position of trust with our children. People with nothing to hide will not have any issue with the reviews and changes proposed in the act. If these changes prevent even one child being harmed, then they are worth while.

Mr Donaldson said that the association takes the view that one child who is abused because of people slipping through the cracks is one too many. He said we should have tough but fair regulations in examining people who work with children. As members can hear, Greg and the QCPCA are in total support of this legislation we are speaking about today and believe that everything should be done to make it harder for child sex offenders to access children.

Steve Ryan, the acting President of the Queensland Teachers Union, also makes comments with regard to the situation of blue cards. Steve commented that there seem to be some people going into schools who do not need blue cards while others do. He would be referring here to such people as religious representatives and non-teaching staff at schools who were employed before 1 May 2001. There has been a bit of a grey area that needs to be cleared up. The idea of this amendment is seen as good by the QTU because it will clear up the grey area and make schools and other organisations a safer place for kids.

I have previously spoken of the current situation of child carers in the Bundaberg-Burnett area. I have made this House aware of comments made to me by a private psychologist working in the field of counselling for children who have suffered abuse. I feel it is necessary to speak out once more about the background checks of carers who are looking after children who have nowhere else to go. I have asked this same psychologist his opinion of background checks for child carers and what he thinks of the current legislation.

This psychologist and two other psychologists working at the same practice believe that the legislation put in place is appropriate and adequate on paper legally and theoretically, but the implementation of this legislation is another thing. He believes that the department does not always follow through properly and is cutting corners in this process. Instead of carrying out thorough background checks before a child is placed in a home, he is aware of many cases where it is putting children in homes with carers who have not had the full background check completed. In fact, this psychologist is aware of a case in Howard where a child has been placed with a carer who has never had any checks carried out, and that child has been with that carer now for 14 months. The department apparently labels this as risk management. The private psychologists believe that it can call it whatever it likes, but it is still cutting corners, which has the potential to be very dangerous to children. He said

that this is happening frequently, especially in an area like Bundaberg-Burnett where there is a shortage of carers available and the system is therefore under pressure to find carers for children.

The department took the risk and placed these children who have nowhere to go with a carer prior to their background checks being completed. Where else will these children go? It all comes back to the fact that there are not enough adequate carers. A question I would ask the Minister for Child Safety, which is slightly outside the scope of this legislation, is this: can the minister tell us how many carers are working in the Department of Child Safety compared to the previous Department of Family Services? It is a critical comparison.

I also want to speak particularly to one clause of the bill that specifies that providers of sport and active recreation for children will need to obtain blue cards. This clause can be related to the Bundaberg Swim Academy where there are a number of staff involved in this sporting facility who do not hold blue cards although there are many children enrolled at the academy. Caroline Simms took over this business in 2000—four years ago—and was informed that any of her employees who worked in the business prior to her taking over the business did not have to apply for a blue card. One of her employees has been working for nine years at the swim academy and was not required to obtain a blue card. She felt that this was not a very efficient system as someone could easily have fallen through the cracks. Miss Simms believes it is a good idea that this legislation is being amended to be on the safe side and will also be good for business to promote to parents that all employees working at the swim academy will have blue cards, meaning that it is a much safer and secure environment for innocent children to learn how to swim.

I also want to bring to the House's attention a very serious matter relating to inappropriate practices adopted by some Education Department officials recently. The issue was also raised with the Leader of the Opposition and was the subject of a question asked in this place this morning. According to the document I received, the author raised the matter with the Minister for Education, the Hon. Anna Bligh, as well as the department's Ethical Standards Unit. The document questions how a now convicted paedophile operated unchecked in a Queensland state high school for approximately 14 months after suspicions were raised despite repeated requests by the whistleblower for the matter to be investigated. The allegations were disregarded and later the whistleblower was subjected to acts of intimidation and vilification. The issues will be presented to the Crime and Misconduct Commission for investigation. In the meantime, the parliament needs to be aware that, contrary to the minister's protestations, correct and due process is not necessarily occurring in the department under her jurisdiction.

To outline the matter in question, the agricultural science department of the Nanango State High School shows cattle. To have the cattle well presented at various agricultural shows, students and supervising teachers are required to attend and camp overnight. A male teacher and a female teacher plus support staff members accompany the students. In February 2002 an incident occurred involving the now convicted paedophile Anthony Boughen. The accompanying and supervising female teacher lodged a complaint of sexual misconduct with the school principal against Mr Boughen. Unfortunately, the teacher's complaint was not taken seriously and she was forced to undergo counselling to address alleged problems with her state of mind. It is understood that Mr Boughen wrote a note of apology to the teacher with the added remark that he would kill her if she showed the note to anyone else. The whistleblower teacher handed the note to the principal. As members would appreciate, the incidents were extremely stressful and humiliating for this teacher, particularly when the teacher was cautioned by the principal for speaking out as a first-year teacher. Further, the principal threatened to fail her in her first-year reports.

In December 2002, following a police raid on his home, Anthony Boughen was charged with possession of child pornography obtained over the Internet on his home computer. Despite repeated complaints, including complaints from parents regarding disturbing behaviour and inappropriate comments made to female students, Anthony Boughen was not suspended from duty. After sentencing in early 2004, Anthony Boughen was dismissed from teaching. It appears that the Education Minister and her department think that the issue is over. However, there is still the issue of indifference or negligence displayed by the school principal, the department's ethics unit and the minister's office. Very serious matters were raised by a whistleblower, but for some 14 months the principal failed to act. The pattern of behaviour and the nature of the complaints were unmistakable and the principal was duty bound to thoroughly document and report the incidents to appropriate authorities in accordance with the Child Protection Act.

In her response to question on notice No. 1228 asked on 5 October 2004 by the member for Burdekin, the Education Minister stated—

Under the child protection policy introduced by the Beattie government, allegations of the physical or sexual abuse of children by an employee of the department are referred to the department's crime and misconduct liaison officer in the first instance for assessment. Allegations of a sufficiently serious nature, including all allegations of sexual misconduct, are referred to the Crime and Misconduct Commission and/or the Queensland Police Service for investigation by those bodies.

Further, the minister stated—

To better protect students, processes for dealing with allegations of physical or sexual abuse of students by departmental employees were further improved by the establishment of a new Ethical Standards Unit, now the Work Force Standards and

Performance Unit, in the Department of Education in July 2002. Amendments to the Education (General Provisions) Act 1989 which commenced in April 2004 make it mandatory for any staff member at a school who becomes aware or suspects a student at their school has been sexually abused by another employee of the school must report the case to their supervisor who must notify the police.

They are commendable words, provided of course they are applied. I have outlined a case whereby key people did not adhere to correct procedure. As a consequence of their negligence, a now convicted paedophile remained within a school environment for more than 14 months. A whistleblower was ignored and then intimidated and vilified. Despite repeated attempts by concerned citizens, the department's ethics unit failed to act and so, too, did the minister herself. The inactivity and indifference in the Nanango State High School case shows that it is imperative to have vigilant and robust application of the law. Child protection takes more than the preparation of theoretical documents. Child protection needs—and I remind the minister that society demands—attentive and robust application. I commend the bill to the House.

**Mrs CROFT** (Broadwater—ALP) (3.38 p.m.): I rise to speak in support of the Commission for Children and Young People and Child Guardian Amendment Bill 2004. The protection of our young Queensland children from abuse, in particular sexual abuse, is a priority for this Beattie government and indeed every member of this House. In 2001 the Working with Children Check or blue card was introduced by the Beattie Labor government. By screening people working in child related employment, volunteers working with children and people involved in the running and management of child related businesses, the blue card system has significantly reduced the opportunities for child sex predators to prey on young children.

People applying for a blue card are screened for a criminal history clearance by the Commissioner for Children and Young People and Child Guardian—an independent agency. Currently in Queensland, more than 291,000 people hold a blue card. The provisions in this bill ensure that the safeguards protecting children through the blue card system are expanded and strengthened. The bill provides that people working or volunteering with children, including religious representatives, non-teaching school staff, child accommodation service providers, school crossing supervisors and people involved in sporting programs and camps for children will now have to apply for a blue card. As a result of the changes presented in this bill, about 70,000 people who do not currently need a blue card will need them.

The bill also implements the four recommendations regarding non-teaching employees made by the ministerial task force on the sexual abuse of children in schools. Of those recommendations, the changes in this bill include that non-teaching staff employed before 1 May 2001 will now be required to hold a blue card and that non-teaching school staff employed before 1 May 2001 will be required to declare a change of criminal history to the Children's Commissioner.

The blue card system has been recognised as a successful deterrent against potential child predators working and volunteering with children. However, no system, even the blue card system, can be replaced by or work solely without the vigilance of the community, parents and families. The government has established a suite of coordinated child protection initiatives, including education programs, the mandatory notification of alleged harm, early intervention programs, multidisciplinary teams supporting children at risk, and appropriate risk management strategies on the part of employers. Other wide-ranging reforms provided in this bill include enlarging the definition of 'serious offences' affecting a person's ability to successfully apply for a blue card to include an offence under the Australian National Child Offender Register; and enabling the Commissioner for Children and Young People and Child Guardian to receive and take into consideration disciplinary information from the Queensland Nursing Council, health registration practitioner boards, the Department of Child Safety, and the Department of Communities. It also includes empowering the Commissioner for Children and Young People and Child Guardian to automatically cancel blue cards when advised of convictions for serious child related sex offences and child pornography offences without asking holders to show cause as to why they should not be counselled. It also allows for clarifying that people in particular child related employment environments need a blue card if they work or volunteer with children over at least eight consecutive days, at least once a week for a four-week stretch, at least once a fortnight over eight weeks, or at least once a month for six months. It also ensures that our Police Commissioner, under strict conditions, supplies investigative information to the Commissioner for Children and Young People and Child Guardian even when the investigation does not lead to a charge of an offence.

I strongly believe that these new laws will give children better protection from abuse in its many forms: exploitation, sexual offence, and also neglect. I congratulate the Premier and the ministers. I know that the Premier leads a government committed to address the issues of child protection. I commend the bill to the House.

**Mrs STUCKEY** (Currumbin—Lib) (3.43 p.m.): I rise to speak to the Commission for Children and Young People and Child Guardian Amendment Bill 2004. In doing so, I wish to inform the House that the Liberal Party supports this bill. The blue card is a great initiative of the Queensland government and, going by reports to date, it seems to be an effective screening process to ensure that only suitable

people are working with our children. This bill is aimed at increasing the scope of the blue card to encompass another 70,000 workers.

Whilst I recognise the good intentions that this bill expresses, I have some reservations with regard to civil liberty issues that arise as a result of some of the amendments. Before I outline these reservations, I would like to emphasise early in my speech, and in my capacity as Liberal shadow spokesperson for child safety, that I endorse wholeheartedly the government's priority to put children's safety first. Having said that, it is important that as members of parliament we amend this legislation in a responsible manner without taking away the liberty of innocent people. I realise that there is a fine line between doing our utmost to protect our children and having sufficient regard for the rights and liberties of individuals. Putting a child's safety first is the driving force guiding this bill.

Currently, volunteers working with children can commence their duties while waiting for their blue card to come through. These new amendments will stop this current practice. Unless the administration and the processing of blue cards become more efficient, that will have a huge direct effect on programs such as Work for the Dole. A considerable proportion of projects require participants to work with or in close proximity to children. According to the Commission for Children web site, Work for the Dole participants fall under the definition of 'volunteer' for the purpose of obtaining a blue card.

All Work for the Dole participants who have a close proximity to children have to undergo a Federal Police clearance as well as having their application for a blue card accepted. The Federal Police check is normally provided within one or two weeks. However, the blue card is often not received until a couple of months later. If projects are forced to wait months for participants to get their clearance, then the normal six-month project will not be viable. This will alienate day care centres and schools from participating in and benefiting from Work for the Dole assignments.

In this regard I can speak from personal experience. A project in Coolangatta—to renovate and refurbish an old house which had been relocated from another suburb to turn into a community house—almost lost the Work for the Dole contract to another project. Although the house was fenced separately, it was located within the grounds of a primary school and was in the final stages of renovation. After two and a half years of hard slog, the Coolangatta Community Renewal Association's committee had been successful in securing a Work for the Dole team to paint the interior and exterior of the house. Bathrooms were finished, but sewerage need to be connected so that the workers could use toilets as they were told that, as they had not applied for blue cards, they could not access toilets within the school itself. That caused a dilemma as the council seemed to be taking forever to approve the plumbing connection. We were daunted by the fact that we would have to spend extra time filling out paperwork to get approval for the participants and that the project would have to be postponed for a week while we got everything in order.

If a similar scenario occurs next year minus the plumbing factor, these amendments would mean that we would have to stop the project altogether, breaching the contract with the community work coordinator. The project ran for only six months. If we could not get participants for two months because they were waiting for their blue cards, the project would have failed and a community house could not have been opened this year. I ask the government to take into consideration the Work for the Dole scheme project and others that these amendments will adversely affect and to find a way that blue cards can be issued with a two-week turnaround, as occurs with the Federal Police check. Alternatively, the government should make an exemption so that Work for the Dole participants do not come under these amendments.

We support the lifetime ban on serious child sex offenders and the legislation that prevents those who have been jailed for these heinous acts from ever being able to work with children. This ban is necessary due to the fact that paedophiles are rarely rehabilitated. The high rate of repeat offences is undeniable.

The Liberal Party also supports the amendments that home-stay providers and hostel staff for rural children, together with providers of recreational activities such as sporting camps and lifestyle programs, should also be required to hold blue cards. We also recognise that religious representatives and non-teaching staff employed before 1 May 2001 be required to undertake the same requirements as post 1 May 2001 employees and obtain a blue card.

I find it hard to fathom the requirement for lollipop ladies to hold a blue card. This job classification does not have a close relationship with children, has minimal opportunity for personal contact, and has workers out in the middle of the road in full view of the public gaze. These women gather at their designated school just prior to finishing time, put on their uniforms and collect their signs—or, should I say, lollipops—and head out to stand on the edge of the road at a pedestrian crossing. They bring traffic to a halt and escort their young charges across the road. When the bulk of the children are safely across the road, these women go back into the school, remove their uniforms, give back their lollipops, have a bit of a chat and go home.

It is interesting to note that there are already close to 300,000 people with blue cards and a further 70,000 more are expected to apply when this legislation has been passed. That is nearly 400,000 people who are required to hold blue cards. According to Queensland labour force statistics,

there are 1.8 million Queenslanders already employed with just over 100,000 currently looking for work. With 400,000 people out of two million people requiring blue cards, this represents 20 per cent of the Queensland work force having to apply for the blue cards. That statistic does not include teachers, police and others who have their own criminal screening. I simply note that point.

A concern that has been raised by civil libertarians regarding these amendments—it is worthy of comment—relates to the commissioner's ability to use investigative information obtained by the Queensland Police Service, even if that information did not result in a charge or conviction. This means that a person who has been accused of abuse and investigated can be rendered by the commissioner to be unfit to work with children. The Australian Council for Civil Liberties has called this a draconian and dangerous proposal.

I refer here in particular to a situation where a person who is the target of a possible malicious and false complaint will in the first instance have their blue card suspended under this legislation until the court case is heard but then may lose it altogether at the discretion of the commissioner. I agree with Commissioner Salmon that children's concerns should be the highest priority. I support this addition but believe it should be carefully monitored. It is my hope that the commissioner will only use this discretionary power in appropriate cases. The safety net of allowing affected persons to apply to the Magistrates Court for a review of the decision will hopefully prevent innocent people from being refused a blue card and losing their ability to pursue their desired career.

The blue card cannot be waved as the magic wand of child safety, but it is a very strong precautionary tool. It is up to each and every one of us to be vigilant and alert to people who interact with our children. We really do have an obligation to look out for the little ones and to observe their body language and demeanour around people. As responsible parents, relatives and friends, we must instill in our children the meaning of personal boundaries and encourage them to talk openly and honestly about their feelings.

All too often children suffer at the hands of people they know and trust—this is a sickening fact of child sex offenders—and any measures we can employ to protect children from these depraved creatures need to be considered but considered with insight and not fear. Existing and new education programs for both adults and children would reinforce this message, raise awareness of the importance of freedom of communication and hopefully give our young the self-confidence to act with a degree of assertion in potentially threatening situations.

Knowing what is acceptable adult behaviour and taking action when someone acts untoward is the best preventative measure available. Most paedophiles lure their victims by offering them rewards, affections and privileges. If your child is feeling loved and needed and has been taught the dangers of what can happen, they will less likely be susceptible to the devious charm of child sex offenders.

According to the Australian Institute of Criminology, it is not uncommon for offenders to befriend the parents before they make contact with the child. Once they gain the parents' trust and confidence they find ways to spend time alone with the child. It can often take over a year before any sexual contact is made with the child. The motive behind this careful planning is that if a child then complains the adult is less likely to believe them. When parents trust other adults they are seldom willing to accept that their trust might be displaced and find other reasons why the child would be acting out. Open, clear communication between parents and children is one of the best preventative methods to child abuse. Unfortunately, this does not protect children from blitz attacks or abductions from sexual predators.

Of course parents cannot watch their children every minute of the day, which is why the implementation of thorough, well-designed reporting systems such as those outlined in this bill are a critical factor in addressing this issue. As mentioned, child safety is everybody's responsibility, and we should all be vigilant in identifying warning signs of inappropriate behaviour. The care and protection of our children is paramount. I commend the bill to the House.

**Mr BRISKEY** (Cleveland—ALP) (3.53 p.m.): The Commission for Children and Young People and Child Guardian Amendment Bill is about protection of children. There can be no greater duty of government, of our schools or of our community groups. Of course, there can be no greater duty of society as a whole. Our children should be able to live and play safely, without a care in the world. Unfortunately, as we all know, there are those in society who prey on children and, worse, there are those who hurt children that they have in their own care.

Parents have an expectation that their children are going to be safe in any environment. We send them to attend activities that we ourselves attended when we were young. Fortunately, 99 per cent of the time they are going to be safe and well cared for. But it only takes one deviant volunteer, and unfortunately they are out there.

In May 2001 this government introduced the now-famous blue card. Today, this bill will further enhance the protection afforded by this card. Of course, the blue card will not provide absolute protection of children, because those who wish to hurt children will find a way. Unfortunately, they will always find a way. Parents need to be ever vigilant.

I take this opportunity to congratulate the acting commissioner, Barry Salmon, and his staff, who are doing an excellent job in the Commission for Children and Young People. I congratulate them for their work and I thank them on behalf of all children of this state.

**Mr WELLINGTON** (Nicklin—Ind) (3.55 p.m.): I rise to participate in the debate on the Commission for Children and Young People and Child Guardian Amendment Bill. I echo the sentiments of the previous speaker that, today more than ever, the government has a duty of care to respond and to provide the best legal framework for the protection of our children—a very clear duty of care, a very clear responsibility. No longer can we simply assume that everything is right and rosy and that everyone does the right thing.

We need to look at our rights and our obligations as members of parliament. It is great to be involved in this debate and echo the sentiments of so many speakers from both sides of the political fence who have spoken in support of the need for this legislation to be introduced in Queensland. This is the start of legislation to cover the issue of sexual abuse in our community.

There is no doubt that more and more people will have to go through the process of getting clearances to work with children and young people. My question to the minister is: in light of the requirement that more and more people get a blue card or some clearance to work with children, what resources will be allocated to undertake the checks? It is very easy to pass a law and say, 'These categories of workers have to have special clearances from the various departments,' but we need to make sure that people are not waiting two, four or six months for the paperwork to be processed because of red tape. We have to ensure that when we pass these laws the machinery is in place to fast-track the searches and the delivery of the relevant approvals or, if there are rejections, notifications of refusal for a blue card and an explanation.

As I go around my electorate and meet with parents and families at parents and citizens associations, parents and friends associations and so on in our school communities, I realise that today more than ever there is an awareness of the issues of child abuse and sexual abuse. There is no doubt in my mind that this will become a more prevalent issue of importance not just for today but also for the future.

I know that time is getting on. It is now almost 4 o'clock. I understand that the Leader of the House was on the radio this morning talking about the number of bills she wanted to ensure were debated and finalised before this parliament recesses. I do not intend to add anything further to this debate. I know that the government has many other bills of equal importance that it wants to debate and finalise for gazettal in the new year. I commend the bill to the House. I certainly look forward to the minister's clarification in terms of the additional resources that will be allocated to ensure the fast-tracking of the searches for the many people who need to get clearances to work with children and young people in this great state of Queensland today, tomorrow and in the future. I commend the bill to the House.

**Mr REEVES** (Mansfield—ALP) (4.00 p.m.): It gives me great pleasure to rise to support the Commission for Children and Young People and Child Guardian Amendment Bill before the House. The member for Nicklin said that there are a lot of bills of equal importance to be passed in parliament this week. I disagree with him. I think this bill is one of the most important. Due to its subject matter, it is probably one of the most important bills that we need to debate in this House because it is about the protection of our young people and our children. It is a vitally important bill.

As I said, I support the bill and all aspects of it. It is a shame that in our society we need legislation such as this and the blue card itself, but we need it for the reasons that we have all discussed. I want to talk about one aspect of the blue card which I would like the government to have a look at in the future, and that is the need for the blue card to show photo identification. I am fully aware of the costs that would be involved, particularly the cost to people in having to provide the blue card, and the logistics of such photo identification. However, I firmly believe it is something we need to examine because in the future unscrupulous people could use a blue card which does not belong to them for other means.

In the meantime, it is imperative for organisations such as sporting groups and schools which use the blue card to be able to identify that a person in possession of a blue card is the legitimate holder of that blue card. Photo identification would ensure that the person who has access to the blue card is actually that person. It is vitally important. In the future I would like to examine the possibility of having photo identification on the blue card, but I support the bill.

**Mr TERRY SULLIVAN** (Stafford—ALP) (4.01 p.m.): I rise to support these essential amendments which the Premier has brought before the House. The old saying that it takes a village to raise a child is still applicable in our very complex society. The problem is that we do not have the village close at hand surrounding the child as we have had in previous societies. That is why governments have stepped in to put formal processes in place in a number of areas, including child protection. These amendments are sensible and worth while. I agree with my fellow whip who just spoke that photo identity is an important issue that should be investigated and should be included on the blue card. I also pass on my congratulations to Barry Salmon, Tony Benedetti and the others at the Children's Commission for the work that they do.

It is important that we put these processes in place because of the complexity of our modern society. We need formal notifications and processes in place that cover volunteers and people working in sporting, cultural and social areas where children are participating. While it is important that we cover the areas intended to be covered by this bill, the main area of abuse of children is still occurring with people whom they know, often in a family situation in an apparently normal suburban home in apparently normal heterosexual relationships. While it is important that we tackle this form of abuse and this area of abuse that is occurring within community groups within society, all statistics from those involved in this area point to the fact that the majority of sexual and child abuse occurs in familial situations. We must not take our eye off the main game. We have to provide support and easier mechanisms for reporting in that area.

I congratulate the Premier on his initiatives regarding the Department of Child Safety, which has been given extra resources and extra legislative powers to deal with issues. That is where the majority of abuse occurs. That is where we must put the majority of our effort. I support the Premier in these practical amendments to this formal process.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (4.04 p.m.): I rise to support the Commission for Children and Young People and Child Guardian Amendment Bill. I concur with the statements of the member for Stafford that statistically the greatest amount of abuse occurs in situations where it would be reasonable to expect that children are safe. The reality is that in many instances they are not. Abuse can occur by the paternal or maternal parents, it can occur in de facto relationships and it can also occur when relatives come and visit. It is assumed by the parents that the situation would be safe and trustworthy.

This legislation expands the categories of people who need to hold a blue card to include school crossing supervisors, supervisors overseeing cadets, home-stay providers, staff of hostels for rural children, providers of recreational activities such as sporting camps and programs, and religious representatives who were employed before 1 May 2001. The ones employed since are already covered. All of those are additional positions of trust. It is that area that was identified when this legislation, or the blue card, was first introduced. That is, it is people in positions of trust who have the opportunity to build up the confidence of the child in that adult and then for that adult to abuse that established trust.

There are a number of other areas that this legislation amends in terms of allowing universities to verify the identity of student teachers and other students going on placements. That, again, is important. It requires non-teaching staff employed before 1 May 2001 to hold a blue card—the others since then are already covered. It requires non-teaching school staff employed before 1 May 2001 to declare a change of criminal history to the Commissioner for Children and Young People, and that obligation is important. There would be those who may have an incident who would be prepared to advise the commissioner of that change, but there are a number who would not, and placing an obligation on them is important. It also enables the commissioner to notify the Non-State Schools Accreditation Board of the outcome of blue card applications of directors of governing bodies of non-state schools. Again, I say that is important because they are in a position of trust not only with the school students but also with the school parents.

The legislation also will prohibit volunteers from working in regulated employment until they have received their blue card. My only comment to the relevant minister is that in the past there has been a significant wait time in the processing of the blue cards. That has been covered by the statement that, once the application is in, the person can continue in those activities. However, with this necessary exemption to that process where it is regulated employment, it is vitally important that the processing of the applications is done in a timely manner. I would seek the minister's response to that in terms of the current wait time and what mechanisms he will put in place to ensure that those volunteers working in regulated employment will have their applications processed quickly.

Amendments to the legislation will introduce positive obligations on employers to implement appropriate risk management strategies to ensure child-safe work environments. It will enable the commissioner to take into consideration certain disciplinary information when making an employment screening decision received from the Queensland Nursing Council, health registration practitioner boards and the Department of Child Safety.

A number of previous speakers have talked about the clause in the bill that enables the Police Commissioner to provide certain investigative information to the commissioner about an alleged serious child related sexual offence where the investigation does not lead to a charge for that offence. Some members have expressed concern about how easy it is to make an allegation about child sexual offences and how that allegation can create situations for applicants that perhaps they do not deserve.

I remember a briefing with Minister Bligh when she was in the family services portfolio, and we discussed the consideration that was going to be given to allegations that do not result in charges. I believe this element in the legislation is important. I do not believe it will catch people who have had one allegation made against them that is not substantiated unless there are special circumstances in that situation. I do not believe that it will catch people where things have turned sour in a relationship and one or other of the partners make repeated unbased—

**An honourable member:** Unsubstantiated.

**Mrs LIZ CUNNINGHAM:** Yes, unsubstantiated allegations against that estranged partner. History shows that there are people in our society against whom a number of allegations have been made—often from different people and sometimes from different states—which shows their propensity to hurt children. Substantiating child sex offences is very difficult. It depends on the age of the child, the amount of fear that was caused to that child when the offences were occurring, and the personality of the child. There are so many different issues. Some parents make a decision not to progress an allegation for fear of the harm that the prosecution process can cause to a very vulnerable child, in spite of the fact that they already know problems have been caused by the alleged offence.

If there is a history of allegations against a person and it has been difficult to substantiate those allegations—often because the perpetrator is a mongrel who can hide his tracks well—then that history should be taken into account, and it should have an effect on whether that person is allowed unfettered access to vulnerable children. I support that part of the legislation. I would expect that the Police Commissioner and the person making the decision in relation to the approval of those blue cards to be a person of maturity and a person of good judgment so that somebody who has had one or perhaps a couple of malicious or baseless allegations made against them will not be caught but the ones who should be caught will most definitely be caught. I support this legislation. We have had many people talk here about how important our children and young people are, and I am pleased that this parliament is taking further steps to protect them as much as possible.

**Mrs PRATT (Nanango—Ind) (4.11 p.m.):** I rise to support the Commission for Children and Young People and Child Guardian Amendment Bill 2004. This bill focuses on the protection of children. It expands the categories of persons required to hold a blue card in order to undertake employment or operate a business in child related areas. It is a very sad reflection of society that we are debating a bill such as this, but that is the way it is and that is the way it has been for a long, long time.

Hiding abuse, as occurred in the past, did everything to protect the perpetrator and nothing to aid the children who were abused. Society as a whole pays the price in the form of the emotional and antisocial behaviour of those who have been abused. I have no problem with the tightness of any legislation that is designed to protect children because I believe that people with nothing to hide have nothing to fear. This is one time that the civil libertarians and their defence of an individual's rights will get very short shrift from me.

I do have concerns that a person who presents with a blue card is actually the person it was issued to in the first place. That was mentioned a little while ago. I support the calls that perhaps there be some sort of photographic identification, because cards can be stolen. They can be picked up when someone loses a wallet. They could then be used quite easily in a manner adversely affecting our children.

One of the members mentioned the Nanango High School. I will not go into that issue too deeply as it has already been raised. Unfortunately, the people who were involved did not act appropriately. That is the big hole in the whole process. They must be prepared to act, they must listen and they must not discount for one second the concern that has been raised. They should not shoot the messenger, as was the case in this instance. Unfortunately, too often this happens and too often those involved in the situation gang up because it looks bad for them or their industry. That is not helpful; it just compounds the problem.

There is another issue in regard to alleged abuse which occurred at a school in my electorate. The school head was witnessed dragging a child across the playground and up the stairs. The department was notified and it investigated itself. I have a problem with that. The parents were not happy with the investigation, so they asked the police to investigate. The police took witnesses' statements, of which I have copies. They talked to the parents, et cetera. The police investigated, and they verbally informed me that no action would be taken as they could not, on the evidence, be assured of a conviction. In my mind that does not necessarily mean that the act did not occur; it just means that they could not be assured of a conviction. The parents are now very sceptical of ever seeing justice achieved for their child. The witness fears for the long-term safety of her children who attend the school. There are others who, when asked, refused to step up and tell of witnessing similar behaviour to other children. They were very pleased they had kept their mouths shut. That is extremely sad for the whole school.

There are some people who can cover their tracks, and they do it well. I do have concerns about a department investigating itself. If that continues to happen I cannot see people having a lot of faith in the system as it stands. On the other hand, there are allegations that are made maliciously, and they are pursued and pursued. The person against whom the charges are made suffers a lot of anguish, especially in small towns, because word spreads like wild fire, but no charges eventually get laid. The truth is that mud sticks. If they had a blue card it is removed. If they did not have one they are never going to get one, and they will never work with children again.

I have real concerns that people who are accused falsely cannot and never will be able to work with children again. I will talk about a case that I do know of which is very close to my heart. It is to do

with the maliciousness—and I can call only call it maliciousness—of a young child. She was 11 years old. She and her mates were using bad language and engaging in bad behaviour, and they were called to account by a local resident. The truth is that children—not many, but some—can be calculating and vengeful. I witnessed a group of these children, led by this particular girl, bring allegations against this particular gentleman. All the accusations were proved to be groundless, but the damage was already done. The man no longer aids the community through the community activities that he once undertook. He no longer works with the elderly. He no longer works with the youth group that he has worked with for five years, and that youth group is with his church. He no longer does Meals on Wheels. He does not get involved in any activity which involves women or children. Most of the time he stays home. The case of this particular gentleman is a very sad one.

Child abuse has been occurring for a long time. Warning our children of stranger danger is, and always will be, an essential part of their growing up. However, it is not always the stranger who is proven to be the most common perpetrator of abuse but the close relative or friend, people who are seen every day. Even today there are still people who do not disclose that they have been abused. They cannot bring themselves to let what they see as a smear on their family be aired in public. It is very sad that they go through their own private hell forever in their minds.

Protecting children is essential. I applaud measures to protect them, and I applaud these measures that have been brought in. Parents cannot be with their children all the time. The reality is, as others have mentioned, that there are many predators who have infiltrated areas that children frequent, and they must be stopped.

I have concerns about the reverse onus of proof and malicious allegations against an innocent person. The truth is that, one way or the other, mud sticks, regardless of what, how or why the allegations are made. I also have concerns about identity fraud and that inappropriate persons may, through theft, obtain a blue card. For that reason I would ask that a photographic ID be supplied. Children need to be protected; they are, on the whole, innocent. I commend the bill to the House.

**Hon. P.D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (4.19 p.m.), in reply: I thank all members who contributed to the Commission for Children and Young People and Child Guardian Amendment Bill 2004. I thank them for their participation in the debate but I also want to thank them for their support for this extremely important and unfortunately necessary piece of legislation. It is good to see that we can agree in a bipartisan way to support legislation that protects children.

I will now respond to the issues raised by the individual members and I will start with the member for Southern Downs. In response to the member's query as to why we are including school crossing supervisors, commonly known as lollipop people, the answer is this: in developing the bill it was considered that the regular and frequent nature of the contact between children and school crossing supervisors, in addition to the position of trust that the school crossing supervisor is in, warranted the screening of these people under the blue card system. That was a view that cabinet and I reached on the basis of frequency of contact and the position of trust.

The member for Southern Downs also raised an issue as to why we are excluding amusement park employees. The same test applies. These employees were excluded because of the nature and frequency of contact with children—namely, it is not on a one-to-one basis and is generally not unsupervised and there is no evidence based research to support the inclusion of these workers. Furthermore, because of the transient or seasonal nature of the work force there would be significant administrative difficulties generated.

The member for Southern Downs and a number of other members have mentioned civil liberties issues. The bill certainly breaches the civil liberties of persons, especially in relation to malicious complaints. However, these breaches are considered justified in the interests of child safety which, of course, is paramount. Moreover, the bill enables persons to have decisions of the commissioner reviewed by the Children's Services Tribunal, including whether the commissioner has made a decision based on wrong or incomplete information.

The member also raised the issue of equity between the application of the blue card system in relation to people convicted of certain offences and people who have caused injury to others but who have been found unfit to stand trial on the basis of mental illness or have a defence of unsoundness of mind. In particular, the member for Southern Downs raised the issue of these people being allowed back into the community after these incidents. The blue card system does not deal with the release of offenders into the community. It is a scheme for screening people already in the community who are seeking to work in a specific context, that is, child related employment or operating a child related business.

Therefore, the provisions and considerations under the blue card legislation are not comparable with those under the Mental Health Act 2000. I think that is self-evident, I must say. Queensland's forensic mental health system places a significant emphasis on managing risk to the community. The Mental Health Review Tribunal, which reviews forensic patients, must not release a patient from a forensic order or grant community leave unless it is satisfied the patient does not represent an unacceptable risk to the patient or community.

The screening process for the blue card includes consideration of the criminal history of the applicant. The criminal history includes all charges that have been brought against the applicant. The system would capture those people referred to by the member who have been charged with a criminal offence and were later diverted into the mental health system. I think that answers the member's questions.

The member for Gregory and other members raised the issue of processing times. At present the average turnaround time for issuing a blue card where the applicant submitted a complete application form and has no criminal history is 35 days. The commission currently processes an average of 3,000 applicants a week, or up to 12,000 a month. Turnaround times are longer where the applicant has a criminal history, and that is understandable. Times to process applications vary depending upon factors such as the nature and extent of the person's criminal history, gathering of information from external agencies such as police, prosecuting authorities and courts to enable the commissioner to make an informed decision, whether or not an applicant is requested to provide further information or submissions in relation to the criminal history and suitability for child related employment.

I want to make it clear that while we want these matters dealt with expeditiously, we should not sacrifice the competency of this process through the consideration of time expediency issues alone. Of course we want them done quickly but they need to be properly researched and examined and an informed and considered decision made. After all, we are about protecting children. That has to be the paramount consideration.

The commission is continually reviewing its processes to reduce turnaround times. For example, the commission recently implemented more efficient quality assurance procedures and has established processes such as the automatic exchange of information with the Queensland Police Service. The commission is also currently undertaking an external audit of the business processes of the employment screening services unit with a view to further reducing turnaround times and improving efficiency.

The review is aimed at identifying methods to meet the growing demand of the unit and recommendations will focus on implementing immediate improvements as well as catering for the longer term. That project is due for completion in February 2005. The commissioner is aware of those matters and so am I.

The member for Burdekin raised an issue regarding establishing a system whereby a blue card is obtained before a person commences employment. The bill now introduces a 'no ticket, no start' system for volunteers working with children. The majority of blue card applicants and holders are volunteers and are in unpaid employment, and as they are in unpaid employment there are no industrial relations issues in ensuring that they hold blue cards before commencing work.

The member for Warrego raised an issue in relation to the use of investigative information. Investigative information may only be classed as such by the Police Commissioner in relation to particular offences and may only be passed over to the Commissioner for Children and Young People and Child Guardian in very specific circumstances. These are where there is or was evidence of acts or omissions that constituted a serious child related sexual offence; where the police investigated the alleged offence and formally notified the person being investigated; there was sufficient evidence to charge the person but a decision was made not to do so because the complainant died before the charge was brought; the complainant was unwilling to proceed or the complainant's parent or guardian decided at the time that it was in the interests of the complainant for the matter not to proceed.

The member for Tablelands raised issues in relation to the reversal of onus of proof, specifically when a blue card holder is charged with an offence. The member suggested that rather than withdrawing the blue card the person should be placed on paid leave as redeployment is impractical. This was an issue we agonised over but in response I wish to advise that under the system, when a blue card holder is charged with an offence, unless it is an excluding offence, the person is permitted to continue working in child related employment until the person is reassessed. Under the legislation, a person's rights are safeguarded as far as practical in that the commissioner must issue a blue card where a person has been charged unless it would not be in the best interests of children to do so.

Obviously the nature and seriousness of some offences are such that even if a person has only been charged with that offence it would be inappropriate for that person to remain in child related employment until the charge is finalised, which could take months. I just say to the member for Tablelands again that is self-evident. If someone is charged with an offence the choice is they are either removed or a set of circumstances is created where they can be dealt with or they can remain in a position where children are at risk. It is very simple: we are not prepared to allow children to remain in a position where they are at risk. The member's suggestion that rather than withdrawing the blue card the person should be placed on paid leave as redeployment is simply impractical. Some community groups would be sent broke because they have to employ someone else.

It should be noted that only for charges relating to excluding offences is the person's blue card suspended until the charge is finalised. Excluding offences are serious child related sexual offences and offences of child pornography. I think this is the only way to go. This was a matter of some debate at the time, but I support it. It is a view that I hold very strongly which is why it is in the bill. The member's

suggestion in relation to paid leave is equally impractical as it is unknown how long it would take for the charge to be finalised. As I mentioned before it could be weeks, months or, in some cases, years. That is a problem because it would put a huge amount of pressure on the non-government sector in particular.

The member for Nicklin, Peter Wellington, raised the issue of resourcing the commission to ensure that the legislation is implemented properly. In response to the issue raised by the member I point out that the government has committed additional funding to the commission to implement these amendments. The commission will continue to monitor additional resources based upon increased workloads following implementation of these amendments.

The member for Gladstone raised the issue of how quickly volunteer applications will be processed. In response the commission advised that applications are processed as they are received. The other matters raised by the member for Gladstone I have already responded to when addressing issues raised by other members.

The member for Nanango and others raised the issue of photographic identification on the blue cards. When the commission initially considered the form of the blue card it was decided not to include a photograph as it was envisaged that individuals in remote communities or volunteer organisations would have difficulties in providing a photograph. As a consequence, this would require applicants to provide the photograph themselves at their own expense. It was considered that the adverse effect that this may have on applicants such as volunteers may outweigh the necessity for having a photograph included on the blue card.

To this end, the security measures including electronic signature, holofoil image and the card's expiry date were implemented by the commission to minimise the chance of fraud occurring. Parents of children receiving services from holders of blue cards or employers of blue card holders are entitled to ask the blue card holder if they could also present any photographic identification—for example, a drivers licence—so that the identity of the card holder can be verified. Lists of valid blue card numbers and cards that have been cancelled will also be placed on the commission's web site in 2005. Any sensible body employing someone would actually ask for their drivers licence. The blue card is issued and one would marry that up with the drivers licence.

I say to the House that if there are issues on future occasions where it becomes clear that a photograph is absolutely essential then we are prepared to review this decision, but, at the moment, I do not believe it is. Let us give this current arrangement time to work. Let us say to groups that they have an opportunity to present photographs.

I want to thank all members for participating in the debate. I will conclude with these remarks. We have continually expanded this blue card system. I know that a number of the church leaders whom I meet with regularly—this is the case for the current Anglican Archbishop of Brisbane, Phillip Aspinall—have indicated that the blue card system should be adopted at a national level. They can see its benefits and merits.

While we have extended the use of the blue card system, we may, after a period of time—perhaps 12 months—need to review the whole system again. This will not be in terms of simply trying to expand who is included in it, but to ensure that it is operating as effectively as I want it to, the government wants it to and members of this parliament want it to. While the system is important and has been extended it is continually under assessment.

I do not believe we can ever stand still when it comes to the protection of our children. I just put on the record of the House that we will continue to monitor this. If necessary, we will make appropriate changes in the future. This is a living card. We are going to continue to make sure that it is relevant, efficient, safe and protects children. I thank all members for their contributions. I commend all of this wonderful piece of legislation to the House.

Motion agreed to.

### Consideration in Detail

Clauses 1 to 14, as read, agreed to.

Clause 15—

**Mr BEATTIE** (4.34 p.m.): Firstly, I table for the information of the House the explanatory notes for the amendments that I intend to move. I move the following amendments—

1

**Clause 15—**

At page 20, lines 8 to 10—

*omit, insert—*

'any offence but is aware that there is 1 or more of the following about the relevant person—

- (i) investigative information;
- (ii) disciplinary information;
- (iii) a charge for an offence other than an excluding offence;

- (iv) a charge for an excluding offence that has been dealt with other than by a conviction; or  
*Note for subparagraph (iv)—*

See sections 119C and 123(3B) in relation to charges for excluding offences that have not been dealt with.'

**2 Clause 15—**

At page 20, lines 29 to 32—

*omit, insert—*

'other than an excluding offence dealt with in a way mentioned in paragraph (a).'

These amendments relate to clause 15 of the bill and amend subsection 102(3)(b) to clarify when the Children's Commissioner must issue a positive notice. This will make it clear that the commissioner must issue a positive notice if the commissioner is not aware of a conviction for any offence by a person but is aware of one or more of the following about the person: that there is investigative or disciplinary information about the person, that there is a charge for an offence other than an excluding offence or that there is a charge for an excluding offence that has been dealt with other than by conviction. Other sections of the bill deal with charges for excluding offences that have not been finalised.

Amendment No. 2 amends clause 15 of the bill to explain the meaning of subsection 102(6)(b) to make it clear that the Children's Commissioner must issue a negative notice unless it is an exceptional case as defined by section 102(7)—that is, if the person is convicted of a serious offence which is not an excluding offence. I should say that the explanatory notes were previously circulated in the House.

Amendments agreed to.

Clause 15, as amended, agreed to.

Clauses 16 to 31, as read, agreed to.

Clause 32—

**Mr BEATTIE (4.35 p.m.):** I move the following amendments—

**3 Clause 32—**

At page 38, lines 1 to 3—

*omit, insert—*

'(c) how long the suspension will continue;'

**4 Clause 32—**

At page 38, line 8, 'under section 119D'—

*omit.*

**5 Clause 32—**

At page 39, after line 19—

*insert—*

'(9) Without limiting subsection (3) and despite section 104(2), a positive notice remains current during the period of suspension even if it would otherwise end under section 104(2) during that period.'

**6 Clause 32—**

At page 39, lines 22 to 31 and page 40, lines 1 to 5—

*omit, insert—*

'(1) This section applies to a positive notice held by a person that is suspended under section 119C (the *suspended notice*).

'(2) The suspension is cancelled if—

- (a) the suspended notice is cancelled under section 119A(2) or 119B(2); or
- (b) on application by the person for the cancellation of the suspension and issue of a further prescribed notice, the commissioner cancels the suspended notice and issues a further positive notice or a negative notice.

'(3) If, in relation to the charge of an excluding offence that resulted in the person's positive notice being suspended, the person—

- (a) was not convicted of any offence or was convicted of an offence that is not a serious offence, the commissioner must issue a further positive notice unless the commissioner is satisfied it is an exceptional case in which it would not be in the best interests of children for the commissioner to issue a further positive notice; or
- (b) was convicted of a serious offence, the commissioner must issue a negative notice unless the commissioner is satisfied it is an exceptional case in which it would not harm the best interests of children for the commissioner to issue a further positive notice.

'(3A) If the commissioner is satisfied that—

- (a) there is an exceptional case under subsection (3) (a), the commissioner must issue a negative notice; or
- (b) there is an exceptional case under subsection (3) (b), the commissioner must issue a further positive notice.'

Amendment No. 3 clarifies clause 32 of the bill by amending section 119C(2)(c) so that it explains that if the Children's Commissioner suspends a person's positive notice the commissioner must advise the person how long their blue card suspension will continue and the process for applying to have that suspension cancelled. Amendment No. 4 is a technical amendment to clause 32 of the bill and simplifies section 119C(3), which refers to the cancelling of a blue card submission.

Amendment No. 5 amends clause 32 of the bill by inserting a new subsection (9) into section 119C to enable the Children's Commissioner to formally cancel a person's blue card and replace it with a negative notice even after the card's expiry date. This mechanical amendment is necessary because, despite being suspended, a person's blue card remains current even if it would otherwise expire during the suspension period. Amendment No. 6 amends clause 32 of the bill and inserts a new subsection into section 119D to clarify the steps that the Children's Commissioner must take regarding a person whose positive notice has been suspended because of a charge for an excluding offence which has now been finalised other than by a conviction or an excluding offence.

Amendments agreed to.

Clause 32, as amended, agreed to.

Clause 33, as read, agreed to.

Clause 34—

**Mr McARDLE** (4.37 p.m.): I refer to section 121A(1) subsections (a), (b) and (c). In certain circumstances there may well be the case where the police do not proceed with an indictment or charge because they form the opinion that the child is too young to take to trial. That is not covered, as I understand it, in subsection (c). Subsection (c) appears to refer to a complainant who died or a person who will not proceed or some other reason. It does not have regard to a situation where the police intend to not proceed with the matter because of the age of the child.

**Mr BEATTIE:** I would like to seek the member's indulgence here. In terms of a child being in the category that he refers to—that is, too young for a matter to proceed to trial—the police would normally seek to get other evidence of some kind in those circumstances. If the member is talking about a child abuse scenario the police would find additional and supporting evidence. I do know in the case of young children in particular that there are special problems. I understand the member's concern about this. That is one of the reasons that in the new Magistrates Court, which I opened the other day, there are video links where young children or victims can give evidence in an adjoining place or another place where they do not have to sit in front of the accused.

If the member looks at the new Magistrates Court, which I would invite him to do, he will notice that there are video links for the whole courtroom for a person to give evidence, particularly for people of a tender age. These days the police do go to great lengths. I summarise my point by saying this: notwithstanding the fact that the police could find additional evidence and notwithstanding the fact that there are video links, technology, support staff and all of those things now that did not exist some years ago to assist the giving of evidence, the important thing is that the Children's Commissioner has discretion. That discretion is such that they can take into consideration a range of matters in the issuing of a blue card. Now that the Police Commissioner provides information to the Children's Commissioner, I believe that the issue that the member has raised can be considered by the commissioner and appropriate decisions made. The Children's Commissioner in particular now has access to information from the Police Commissioner. I believe that satisfies the member's concern. We have to remember that this is all about issuing blue cards. That is what it is all about.

**Mr McARDLE:** I take heed of the Premier's words, but the wording of proposed 121A(1)(c) relating to the rights of the Police Commissioner to decide that information might be deemed or declared investigative information. One of the terms is subsection (c). Subsection (c) deals with a charge not being proceeded with on the basis that the complainant has passed away or the complainant was unwilling to proceed or an adult undertakes a certain course of action for certain reasons. If the situation arises where the police themselves determine that they will not proceed with the offence on the basis of a child's age, that does not fall under (c). My concern is this: are (a), (b) and (c) adjunctive in that the Police Commissioner must be satisfied of all three by use of the word 'and' at the end of (a) and the word 'and' at the end of (b)? If the situation arises that they are adjunct but the police themselves, because of the age of the child, do not proceed, is the commissioner then excluded under the proposed section from making the declaration?

**Mr BEATTIE:** I want to make this point about 121A. We have to remember that at the end of this process the Children's Commissioner and the Commissioner for Young People can exercise discretion. If we go back to section 121A, which is what the member is referring to, it says—

The police commissioner may decide ... that information about a person ... is investigative information.

In other words, material that can be passed on. It continues—

The police commissioner may decide under this section that information about a person ... is investigative information if—

- (a) there is or was evidence of acts or omissions that, at the time of the acts or omissions, constituted a serious child-related sexual offence—

the alleged offence—

by the investigated person against a child or a person—

in other words, if he determines if there is evidence—

and;

- (b) the police investigated the alleged offence and the investigated person was formally notified about the investigation, including—

So it is 'and'—that is, if he believes that and there was a police investigation. The member is quite right. The clause continues—

- (i) by participating in an interview ... or;
- (ii) by otherwise being given an opportunity to answer allegations; ... and
- (c) there was sufficient evidence available that was capable of establishing each element of the alleged offence but a decision was made not to charge the investigated person because—

Yes, one, two and three all have to be done. That is a sequence of charges. If charges were not pursued because the complainant died—so that is a bit of a dead issue—the bill states—

either or both of the following applied—

- (A) the complainant was unwilling to proceed;
- (B) an adult who, at the relevant time, was the complainant's parent or guardian decided that, in the interests of the complainant, the matter should not proceed.

If those two things happen, he can pass the information on. I think that basically covers the member's concern about it. It would be very rare—I just add this—for the Queensland Police Service not to proceed because of a child's age. I want to be really clear about that, and I think I said that initially when the member asked me the question. Normally what happens is that the Director of Public Prosecutions uses section 93A to make it easier for the child, but not charging because of age at this point does not prevent charging at a later stage. The member's real concern here is, with respect, as I understand it, this: will this information in fact be passed on to the Children's Commissioner so the Children's Commissioner can make a determination about the issuing of the blue card? If that criterion is met and one of those two situations at the bottom of the section that the member is worried about happen, the information can be passed on.

**Mr McArdle** interjected.

**Mr BEATTIE:** So what is the member's concern? Is the concern whether the blue card is issued or not?

**Mr McArdle** interjected.

**Madam DEPUTY SPEAKER** (Ms Male): Order! According to sessional orders 1 and 3, you have no further speaking time.

**Mr BEATTIE:** Okay. Can I just sum this up. Having thought about the member's point, is he concerned about the issuing of the blue card or the information being passed on to the commissioner? Take an interjection.

**Mr McArdle:** Premier, what I am concerned about is that if the clause is exclusive—

**Mr BEATTIE:** Which it is.

**Mr McArdle:** If the clause is exclusive in that these are the only conditions under which the Police Commissioner can pass on information, they have to be satisfied. If one of those conditions is not met, then is it the situation that the Police Commissioner cannot pass on the information? That is what I am concerned about.

**Mr BEATTIE:** No. I get the member's point, and I think I have answered it. What I am trying to say to the member here is that there is a set of circumstances. There are civil libertarian issues. There are natural justice issues. There is a proper process here. The commissioner can pass on information where there is somebody who has evidence against them of a child related offence. Yes, there has to be some criteria, but the reality is that they can pass on that information. All preconditions have to be met before the information is passed on, but if it is a normal police investigation—this is what would happen—normally the person would be charged. That is what would happen. They would be charged before the court. What the bill is saying is that, if the person dies or there is some reason under this section why these charges are not proceeded with, the information can still be passed on. I understand the member's point—and I have thought a lot about this clause—but the way the process works is that if the person is charged they do not get a blue card and they are out the door. If the person dies or there is some other reason set out there that the member mentioned in relation to (A) and (B) of 121A(1)(c)(ii) about being unwilling to proceed and all the rest of it, the information is still passed on. I think the member is right. I think the member's concerns are fine.

Clause 34, as read, agreed to.

Clause 35—

**Mr BEATTIE** (4.47 p.m.): I move the following amendments—

**7 Clause 35—**

At page 46, line 30, 'or applicant'—  
*omit, insert—*  
 ', applicant or prescribed notice'.

**8 Clause 35—**

At page 48, after line 13—  
*insert—*  
 ' '(11) However, subsections (9) and (10) do not apply to information the police commissioner obtained before the commissioner gave the information to the police commissioner under this section.' '.

Amendment No. 7 amends clause 35 of the bill by amending section 122(2A) to reflect the new ability of the Children's Commissioner to suspend a blue card and for a sentencing court to disqualify a person for life from ever holding or applying for a blue card. The amendment also permits the Children's Commissioner, when obtaining information from the Police Commissioner about a blue card applicant, to give details about whether a disqualification order has been made against the person whether that positive notice has been suspended or cancelled. Amendment No. 8 amends clause 35 of the bill by inserting a new section (11) in section 122 to address a technical issue regarding the Police Commissioner's access to or use of a blue card applicant's information. That is all there is to it.

Amendments agreed to.

Clause 35, as amended, agreed to.

Clauses 36, as read, agreed to.

Clause 37—

**Mr BEATTIE** (4.48 p.m.): I move the following amendments—

**9 Clause 37—**

At page 50, lines 3 and 4—  
*omit, insert—*  
 '(b) the offence is a serious offence or serious child-related sexual offence.'

This amendment amends clause 37 of the bill by omitting reference to an excluding offence in section 122B(4)(b) which describes the notice that the Children's Commissioner must give an employer when reassessing an employee's blue card status because of new information. The reference in this section to excluding offences is not necessary as section 119C applies if a blue card holder is charged with an excluding offence. This section stipulates the form of notice about the suspension which the commissioner must send to the blue card holder, the employer and any other relevant persons.

Amendment agreed to.

Clause 37, as amended, agreed to.

Clauses 38 to 40, as read, agreed to.

Clause 41—

**Mr BEATTIE** (4.49 p.m.): I move the following amendment—

**10 Clause 41—**

At page 54, line 3, after 'person'—  
*insert—*  
 'stating that the person may never hold a positive notice or apply for a prescribed notice'.

This amendment explains the meaning of 'disqualification' for the purposes of the blue card. It clarifies that a lifetime disqualification order is an order that a sentencing court may make for a person convicted of an excluding offence, even if the person is not sentenced to a period of imprisonment.

Amendment agreed to.

Clause 41, as amended, agreed to.

Clauses 42 to 53, as read, agreed to.

Schedule—

**Mr BEATTIE** (4.51 p.m.): I move the following amendment—

**11 Schedule—**

At page 91, lines 17 to 19—  
*omit, insert—*  
 '(d) the council, under section 70(1) (c) or (2), cancels or suspends a relevant person's registration or enrolment; or'.

This amendment is a technical amendment to the schedule of the legislation—which is clause 53—and specifically to the Nursing Act 1992. It clarifies that the Queensland Nursing Council may give relevant information to the Children's Commissioner regarding cancellation or suspension of a person's registration and enrolment because of a decision made in another jurisdiction.

Amendment agreed to.

Schedule, as amended, agreed to.

### Third Reading

Bill, as amended, read a third time.

## MINISTERIAL STATEMENT

### Mr A. Boughen; Answer to Question

**Hon. A.M. BLIGH** (South Brisbane—ALP) (Minister for Education and the Arts) (4.51 p.m.), by leave: This morning the Leader of Opposition raised two very serious issues that require clarification. On the first matter, which regarded former teacher Anthony Boughen, I would like to put on the record that in every respect Mr Springborg is wrong. This morning he asked—

Is it not a fact that the teacher was charged by police with child pornography offences in December 2002?

No, it would appear that it is not a fact. I am advised that the teacher was charged with these offences in November 2003 and that he had already been suspended while the department was investigating complaints relating to his conduct with students. Mr Springborg then asked—

Was it not a fact that he remained employed at the school in a teaching capacity until April 2003, some five months after being charged?

No. Again, it would appear that this is not a fact. I am advised that the teacher was suspended in April 2003, but it is not five months after he was charged; it was, in fact, seven months before he was charged with any offence. Further, Mr Springborg asked—

Is it not a fact that after April 2003 he was still able to utilise school facilities during school hours until he was finally convicted in early 2004?

Again, it would appear that this is not a fact. I am advised that the teacher was not using school facilities. The only access he had to the school during this time was to collect his own children who were enrolled at the school and to attend interviews in relation to his children. Mr Springborg also asked—

Is it not true that persons charged with child pornography offences under this Labor government are permitted to teach children until they are actually convicted?

No, this is not true. When state school teachers are charged with offences relating to children they are immediately suspended from duty. They are removed from the classroom and from contact with students at the school until legal proceedings have been completed. So I repeat: in relation to the Opposition Leader's first question this morning, it was wrong, wrong, wrong and wrong. It is no surprise to anybody in this chamber that he would be wrong in every aspect.

With regard to the second question that the Opposition Leader asked me this morning, as I stated in my answer, it is normal practice to go to the source of a complaint to get their side of a situation. I can confirm that in this case the principal of the school concerned has sought legal advice from her union. Her solicitors have written to the parents who made the complaints and advised that, if they do not desist from making comments that may be defamatory, the principal may consider taking legal action. This action has been taken by the principal as an individual; it has not been taken by the Department of Education and the Arts nor, as asserted by the Leader of the Opposition, by my office or anyone associated with it.

## ELECTRICITY AMENDMENT BILL ELECTRICITY AMENDMENT BILL (NO. 2)

### Second Reading (Cognate Debate)

Electricity Amendment Bill resumed from 19 October (p. 2938).

Electricity Amendment Bill (No. 2) resumed from 9 November (see p. 3271).

**Mr SEENEY** (Callide—NPA) (Deputy Leader of the Opposition) (4.54 p.m.): I rise to make a contribution to the Electricity Amendment Bill and the Electricity Amendment Bill (No. 2), which will be considered by this House together in cognate. I find it somewhat strange that these bills are going to be considered together, because the only similarity that they have is that they concern the electricity industry.

It does not surprise me that the government has sought to limit the debate in this House about the electricity industry by debating both of these bills together, because there is no other issue that better illustrates the failure of this Beattie Labor government to the people of Queensland than its handling of the electricity industry. Be that as it may, the two bills will be debated together. For reasons that I will outline, the opposition will be opposing the first of the two bills, but it will not be opposing the second of

the two bills. That will lead to this debate being somewhat complicated, but that is as a result of the the government's strategy of debating both of these bills together rather than debating them separately.

In the consideration of these two bills, I will address them separately because, as I have already indicated, our approach to the two bills will be very distinct. The first bill is the Electricity Amendment Bill 2004. It sets out to establish the framework for the government's announced energy policy to provide for 13 per cent of the state's electricity consumption to be sourced from gas-fired electricity by 2005. For the benefit of quite a number of members in this House who were not in this House back in 1999 when this policy was first announced, I need to point out some of the background that has led to this bill being before the House today. Although there is a lot of rhetoric in the explanatory notes—and I am sure that this House will hear a lot of rhetoric about greenhouse gas and saving the world and all of those types of motherhood statements this afternoon—the truth is that this bill is before the House for base political purposes.

This whole energy policy of achieving a 13 per cent gas component to the state's electricity consumption had its genesis in that mythical creature, the Papua New Guinea pipeline. From the time that the former member for Capalaba, Jim Elder, became the minister for state development, he championed the Papua New Guinea pipeline. We in this House were treated to a continual parade of promises about how the Papua New Guinea pipeline was going to guarantee Queensland's future, boost Queensland's economy and turn Queensland into an industrial powerhouse. In fact, the government's entire economic development strategy was based on the delivery of gas from Papua New Guinea.

The problem was that the Papua New Guinea pipeline needed a guaranteed market, just as it still does today. A few days ago I saw it described in the media as a chicken and egg situation. A project needs a guaranteed market before a government can get the front-end investment to get the project off the ground. So, in a bid to provide that market and the necessary framework for that investment in the Papua New Guinea pipeline, this policy of a 13 per cent requirement for gas-fired electricity was dreamed up and put in place as a policy of the Labor state government. It was cloaked in all the warm and fuzzy rhetoric about greenhouse gases, the Kyoto agreement, the need to do what the federal government is refusing to do and all of that nonsense that we see repeated in the explanatory notes and that I know will be repeated over and over again in the consideration of these bills.

The truth is: this was simply about providing a market for the gas that was to come from Papua New Guinea. It was a continuation of the strategy the government had at that time. It did other things as well. For example, it committed Ergon and Energex to take-or-pay contracts for that gas. It is one of the things the minister might like to explain to the House. I will raise it with him during consideration in detail. I give the minister notice that I will raise with him the situation of the take-or-pay contracts Energex and Ergon entered into at the behest of the then minister and what sort of liabilities those state owned corporations still carry today for the sake of the contracts they entered into at the same time that this energy policy was put in place—this nonsense about 13 per cent of the state's electricity needing to be sourced from gas-fired electricity.

That was the basis of it. That is where it came from. That is the genesis of the legislation that we see before the House this afternoon. It is about politics. It was a political decision. It has nothing to do with any sort of scientifically based concern for the environment. In the years since, there has been no effort to establish any scientific basis for that policy and no effort to establish whether or not it would be environmentally beneficial to Queensland.

If we think about it for just a short time we realise that no other alternatives have been considered. That has been the basis for the National Party's opposition to this policy since 1999 and it is the reason we will oppose this legislation today. No other alternatives have been considered. If the government was genuinely seeking to achieve some sort of a reduction in emissions from Queensland's electricity generation sector, a range of alternatives would have been considered.

Back in 1999, when I was the shadow minister, I suggested that emission targets be set and the market be allowed to determine which fuel source could better achieve those emission standards, but the government was not prepared to do that. Instead, it opted for the creation of a quarantined market for a favoured energy source—an energy source that was favoured for political reasons rather than technical or scientific reasons. The gas energy source from Papua New Guinea, as it was at that stage, was favoured for political reasons. There was no technical or scientific analysis of whether favouring that energy source would achieve the environmental outcomes that are admirable and that everybody would support.

If environmental outcomes are the driving force then we need to set some emission targets. We need to set emission targets and allow market forces to drive Queensland's electricity industry towards achieving those targets. From doing the base mathematics it is easy to see that the industry would not need to make much progress in terms of reducing emissions across the entire industry to better the result that will be achieved by this 13 per cent quarantine market.

In his second reading speech the minister said that gas-fired electricity produces something like half the greenhouse emissions of coal-fired electricity. That is what the minister claimed. There are

industry sources that would dispute that. It depends very much on how the calculation is carried out. It is necessary to do the whole calculation, from start to finish. I would suggest that the figure is something less than that.

Let us assume that the benefits the minister outlined in his second reading speech are real. One does not have to be a mathematical genius to work out that a 50 per cent saving across a 13 per cent sector of the industry could be very easily bettered by an improvement of 10 per cent across the whole industry, which would certainly not be out of the question were the right market forces in place. Such an improvement in emissions from our electricity sector could easily be achieved if the right market forces were in place, if the right market based incentives were in place. That sort of achievement would go a whole lot further towards achieving the environmental outcomes that the government talks so endlessly about than would a 13 per cent mandated market that is the subject of this bill before the House today.

In promoting this energy policy that requires the 13 per cent mandated market for gas-fired electricity, the government also completely ignores the other alternatives that produce even less greenhouse gas emissions—things like hydro-electric power. They were totally ignored because the political imperative was not there. Once again, a political imperative was driving that decision. There are a number of potential sites for hydro-electric power generation in Queensland. Some of them are quite large and there are a number of smaller ones. But there is no incentive provided for the development of such generation options that quite obviously, because of the nature of hydro-electric power, produce very much less emissions than any of the other alternatives. That in itself gives the lie to the government's stated position that the driving force behind this bill is the need to achieve greenhouse gas emission savings in an environment where the minister spoke in his second reading speech about the federal government somehow failing to take those actions.

That in itself probably warrants some comment. I have said in this place a number of times that Queensland claiming that legislation such as this can be justified by some perceived need in the future to lessen the state's greenhouse gas emissions does not stand up to any scrutiny or any reasoned examination because the Kyoto agreement is something that will be addressed at a national level. It will be addressed by the Commonwealth government in the international negotiations that the Commonwealth undertakes on our behalf. Queensland, like every other state, will be part of that if and when it happens. But we do not know what that agreement is going to be. We have no idea what that will entail. To use that argument to try to justify the progression of this energy policy is a nonsense. It appeals to those who have a very shallow understanding of the state's electricity industry. It is a much more palatable reasoning than the real reason this bill is before the House—that is, the political imperative I spoke about at the beginning of my contribution.

The main reason that we have opposed this policy since 1999 is that we, unlike the Beattie Labor government, understand and value the contribution that the Queensland coal industry makes to the Queensland economy. We understand and value the contribution that the Queensland coal industry makes to every Queenslander. If ever there was a state that needs to be supportive of the coal industry, it is Queensland because the coal industry makes a contribution to the lifestyle of every Queenslander, not only in the jobs and opportunities that it provides but also in the dividends and the money that flow into the state Treasury because of the Queensland coal industry. Its export earnings have been one of the underlying strengths of our economy. The Queensland coal industry is probably the state's biggest export earner. The state's economy has been built around the competitive advantage that has been derived from the mouth-of-the-mine baseload power stations that have provided cheap and reliable electricity to Queensland industry, householders and communities for many years.

We should be supporting the coal industry not just here but also on the world stage. We should be promoting attitudes that allow the coal industry to look forward with confidence to its future. It is interesting to look at the track record of this government in terms of policy such as this, which sends out a message to the world that somehow or other the coal industry is a lesser option that has to be steered away from. That is the message that is being sent out on the world stage to the very people whom we are relying upon to buy our coal and to be customers of an export industry that provides so much for the state economy.

Let us look not just at the policy settings but also at the contributions that the government makes to the industry. In terms of providing funds to progress such things as emission improvements, the state budget last year contained a figure of \$250,000. I remember the Treasurer in his budget speech mentioning it as though it were some great achievement that \$250,000 had been made available to the coal industry to progress research in that area. The federal government, by comparison, made available \$500 million to the coal industry last year to ensure that it stayed ahead in its research and development and was able to compete and continue to earn export income which has been so critically important not just to Queensland but to the whole of Australia. That is the sort of support which the coal industry deserves. It is the sort of monetary support which it deserves. It deserves better support than that which it is getting from the state government certainly in terms of money but also in terms of policy settings such as this.

This bill before the House creates a mandated, artificial market for gas-fired electricity. It does so by requiring that 13 per cent of all electricity sold by an electricity distributor has to be sourced from gas-fired power. That is necessary because the cost of electricity generated by gas-fired generators is considerably more than that which is able to be generated by coal-fired power stations. That cost advantage is such that the only way that gas-fired electricity generators can compete to any extent is to have an artificial market—a creative market—and that is essentially what this bill does today. It creates an artificial market for a small section of the generating sector. It does so for base political purposes. In doing so, it inflicts upon the Queensland electricity consumer the cost of that artificial market. It cannot be denied—it stands to reason—that if you create an artificial market to allow high-cost generators to sell their product then the cost of that gas-fired electricity has to be paid for by somebody.

In this case, it will be averaged out with the rest of the electricity that is generated in Queensland, but the average cost of electricity that Queensland consumers will be forced to pay for will undoubtedly be higher. That has been recognised in the bill by the fact that there is an exemption for projects that are considered to be of state significance. The minister and the government are saying that ordinary Queenslanders can pay extra for their electricity. That will be the end result of this bill before the House. Ordinary Queensland householders, Queensland small businesses and existing Queensland businesses will be asked to pay more for their electricity to ensure that we can have an artificial market for our gas-fired generators. However, projects of state significance that might be identified as such and that might come up in the future will not have to pay more. They will be exempt because the inherent recognition is that that higher electricity price, if inflicted upon those projects of state significance, could very well mean the difference between whether or not those projects proceed.

As I indicated before, the competitive advantage that Queensland has always had has been an economical supply of electricity from our mouth-of-the-mine coal-fired power stations. Many of those projects that would be recognised as significant to the state have been able to establish in Queensland simply because of that competitive advantage. I am pleased to see that the minister has recognised in this bill the need to maintain that competitive advantage for future projects that will be identified as state significant issues. But, in so doing, he has admitted to the fact that there will be a cost impost on current electricity consumers. That is a point that was never admitted by the previous ministers. It was never admitted by the then minister for state development who introduced this policy in the first place back in 1999, the former member for Capalaba, Jim Elder. I am pleased to see that it is at least in a backhanded way admitted in this bill before the House that there will be a cost impact on Queensland consumers. It will certainly make a difference to the Queensland economy in the long term. That is the downside of this legislation and it is another reason why we will be opposing it today.

The requirement for gas-fired electricity has been known about since 1999. This policy has led to the development of gas-fired electricity generators which I would suggest would not have been developed otherwise. We have seen the establishment of a gas-fired generator at Swanbank E, which CS Energy has put in place and which sources gas from the Wandoan-Taroom area. In recent years we have seen the redevelopment of a power station at Townsville at further great cost to the Queensland taxpayer. This was an issue that we pursued during the estimates committee hearings as to the extent to which the Queensland taxpayer was providing subsidies to the Townsville power station and establishment subsidies for the Townsville power station.

It became obvious 12 or 18 months ago that the government needed to do something else besides just introduce this policy that is contained in this bill today. It needed to do something else rather than just create this artificial market because even the creation of that artificial market alone was not going to be enough to ensure that there was sufficient gas-fired electricity available to even come close to meeting that 13 per cent requirement. The Townsville power station saga began to develop 18 months or so ago when CH4—the company that is providing the gas—became involved in a development to provide gas to the Townsville power station.

There is no doubt that north Queensland needs a reliable supply of electricity. Unfortunately, the power station that is being developed, as we consider this today, in Townsville will not provide the supply of electricity that north Queensland needs. Four or five years ago a need was identified for a baseload power station in that area for industries such as Korea Zinc, the owner of the zinc smelter at Townsville, which obviously uses large amounts of electricity. The small redevelopment of the project in Townsville will do nothing towards allowing that sort of industry to develop, allowing stage 2 of the zinc smelter at Townsville to be built.

There have been propositions put forward in recent times for a coal-fired power station in Townsville in north Queensland. If the potential for that industrial development is ever going to be realised, then that is the only solution. That is the only way that those industries are going to develop. A coal-fired power station needs to be allowed to be built in that area to enable the supply of economical electricity in large quantities to those industries so that they can develop in a competitive way. The nonsense that we have heard about the Townsville power station—the gas-fired power station—and the contribution that it is going to make is simply that: it is nonsense. We are talking about 230 megawatts. It is about 40 megawatts bigger than what was there before. While it may be slightly more economical to

run on coal seam gas from the Bowen Basin than it is on liquid fuel, it certainly will not provide the electricity that is needed to underwrite the industrial development in north Queensland.

In his second reading speech the minister outlined how the legislation will work. He talked about the system that will be put in place for tradable certificates that will allow electricity distributors to either purchase these tradable certificates and surrender them or pay a penalty payment. There are a range of questions that I know the industry is very interested in and that we need to pursue in the consideration of this bill as to how that system is going to work in actuality, because it will depend very much on the market forces as to whether or not those tradable certificates are sought or whether the penalty is just paid. If the latter option is selected for whatever reason, then the government's energy policy will fail drastically. All it will mean is that electricity distributors will pay what will essentially be a new tax to the state government because that is the option that will be available to them. An electricity distributor will need to source sufficient tradable certificates which will be issued to gas-fired generators. The gas-fired generators will have these tradable certificates to sell. Either the tradable certificates can be sought by electricity distributors or they can just pay a penalty payment. It is not beyond the realms of imagination that the electricity distributors may elect to pay the penalty for their portion of their electricity that is not gas fired. In so doing the government's gas-fired electricity policy will fail dismally. It remains to be seen how that market is going to work and how that market is going to be set up. We may explore the detail of that later in the consideration of the clauses relating to this bill.

The bill also deals with a couple of other minor matters. It deals with the Energy Consumer Protection Office. That issue has been debated in this House before. It takes away the opportunity for larger customers to pursue their grievances through that mechanism. However, the question that is raised there is how the costs of the operation of that office are going to be met when those customers are not required to make a contribution to the cost. The minister needs to give some sort of indication as to whether or not the extra costs that are going to be involved have been considered and where those extra costs are going to be made up from. There is also a small section that deals with the access rights of electricity transmission companies. That is in response to a High Court decision that I do not have any problems supporting. Because it is being included with this bill we will oppose the entire bill.

The second bill that is being considered in conjunction with the Electricity Amendment Bill is the Electricity Amendment Bill (No. 2). The objectives of this bill that are listed in the explanatory notes state that it is—

... to provide a regulatory framework for the introduction of minimum service standards, a guaranteed service level ... regime and enhanced performance monitoring and reporting arrangements for electricity distribution and retail entities ...

Two examples given are Ergon and Energex. It would come as no surprise to any member who has been in this House during the debates this year to see this bill before the House. This bill is simply about trying to clean up the mess that the government has made of the Queensland electricity sector. This bill is a continuation of the strategy that the government has adopted to try to blame the government owned corporations for the outcome that has been driven by government policy. As we have established in debates and during question time in this House over a considerable period of time, the mess that the Queensland electricity sector is in today—the mess that the government owned corporations Ergon and Energex are in today—is wholly and solely due to a government policy. It was due to a government approach to treat these government owned corporations as cash cows, to see them as a source of revenue. That is what they became. That is what they were treated as by the Treasurer especially and by successive energy ministers who were subservient to the Treasury's demand for more and more cash.

Today we see a bill that seeks to put in place performance standards, but those performance standards should have been inherent within the operation of those government owned corporations. Those government owned corporations were there—they were established and they existed—to provide a service to Queensland consumers. They existed to provide an essential service to all Queenslanders, yet they were treated simply as an easy source of revenue by a Treasurer who had the problem of successive budget deficits. Each time the Treasurer came into this House with a budget that relied upon huge dividend payments from the GOCs he was warned. He was warned by opposition members, he was warned by me, and he was warned by industry representatives and commentators that this policy of using government owned corporations as a source of revenue was unsustainable. It was unsustainable for government owned corporations to focus wholly and solely on providing a profit that could be turned into a dividend for the government.

The government went even further in the last financial year when it faced its third budget deficit in a row. Not only did it rely on the profit generated by government owned corporations for the payment of dividends; it came up with a clever accounting strategy that would allow it to take a special dividend. It allowed for the revaluing of the assets of a corporation—for example, the assets of Energex and Ergon—so that a special dividend could be taken. The government could not produce enough cash by focusing government owned corporations on providing profit rather than essential services, so it went one step further and forced, allowed or encouraged those government owned corporations to borrow more money against a revalued asset in order to prop up the Treasurer's budget deficit.

That is an indication of the attitude that has been in play since this government came to power in 1998. It is reflected in the figures and it is the reason that this bill is before the House. That is why this bill has been introduced. The standards inherent in the operation of government owned corporations were totally ignored and thrown away in the pursuit of profits that could be turned into dividends for the government.

Let us look at some of the figures. When the figures are compiled, it is interesting to see the amounts of dividends that were taken by the government from the energy sector. There is no doubt that Energex has attracted the most attention, and rightly so. In the financial year 1999-2000 the total cash flow from Energex to the government was \$43.26 million. By 2003-04 the cash flow from Energex to the government had increased to \$231.3 million, an increase of almost \$200 million. The Beattie government has ratcheted those funds out of Energex simply by changing the organisation's focus from existing to provide an essential service to the people of south-east Queensland to existing to provide dividend payments to the government. That amount—the increase from \$43 million to \$231million—is a figure that every government member should know, remember and understand because when their constituents ring up with a complaint about their electricity supply being either non-existent or substandard, that is the reason.

Do not be fooled by the accounting nonsense that dividends are paid only after maintenance, and all the other nonsense statements made by the Treasurer. In truth, these corporations have been completely refocused from entities that are supposed to provide essential services to ones that exist to provide dividends. They did not need performance standards to be legislated in this way because those performance standards were inherent in their operations.

The trend line of those figures can be seen right across all the government owned corporations. All of the government owned corporations in the electricity sector have the same trend line. All of the electricity corporations have figures that are similar. Let us look at the total amount for the electricity sector. In those five years, three and a half billion dollars has flowed from the electricity sector into the government's coffers. That is another figure that every government member should remember—three and a half billion dollars—because now the government must put it back. It will have to put it back to ensure that the people of south-east Queensland and Queenslanders generally have a reliable electricity supply.

Unfortunately, the trend line of those figures is repeated throughout a range of government owned corporations. Whether it be the port authority or the transport sector, the same thing is happening. There is the same tendency of this government to ratchet up the amount of special dividends and income tax equivalents that it takes from GOCs. Each year those amounts have grown larger and larger as this government's thirst for cash has increased and as the refocusing of government owned corporations into cash cows for the government has bitten into their ability to provide the essential services which are their core responsibility.

The bill before the House sets out the performance standards which the government now says these corporations must meet. Of course, there was no consideration of these performance standards during the six-year period the government insisted that corporations pay it more and more dividends. The incentives and directions from the government were the exact opposite. In that respect, this bill is incredibly unfair to the people who run the government owned corporations, just as the government's response to the electricity crisis—since it admitted its existence when the Somerville report was finally brought down—has been incredibly unfair to the people who work within the government owned corporations. For the last six years, the people who have worked in government owned corporations such as Ergon and Energex have done what the government has required of them—that is, produce profits for dividends—and they have done it well. They have done what has been required of them.

However, when the system could no longer meet those requirements—as had been predicted widely for some time—the government did not take responsibility. It turned around and blamed the people who worked for the government owned corporations. That has been one of the most unfair and unjust things that I have seen in all my years of public life. I struggle with the injustice that has been inflicted upon employees at all levels within those government owned corporations. Their efforts were directed by deliberate government decisions that ensured that corporations produced profits at the expense of services. Their warnings were ignored, just as my warnings—as the shadow minister—and those of other industry observers and participants were ignored. Yet, upon the release of the Somerville report, those people were blamed.

I remember well the media stunt that was organised by the Premier. I think it occurred a couple of days after the Somerville report was made public. He called in all of the government owned corporation chiefs, all of the top executives, put on his angry face, gave them a stern talking to and told them that they had to lift their game. These were the people who had been delivering the outcomes that the government required of them for the last six years. These were the people who had achieved the goals that the government had set for government owned corporations. In a cheap political stunt for the TV cameras the Premier turned around and blamed those people for the problems and told them that they

had to lift their game. I think he said that he had kicked some butt on that day and that things had to improve or they would all be sacked.

It was one of the most unjust and unfair things that I can recall. It should be a day of shame for the entire Beattie Labor government. The government knew about this. There can be no doubt about that by anyone who has followed the debate in this place or publicly. It knew as early as last year that the electricity industry, the electricity distribution sector in particular, was in awful trouble. It knew this because it had been told. It had been warned not just by the opposition and by consumer groups but also by its own people.

That has been established despite the best efforts of government to cover it up. Despite the government's best efforts to say that it never received memos, that the advice was given but it was not received by the ministers, that ministerial briefings were prepared but the ministers never got them, that the Office of Energy was the dead letter office and nobody passed it on, it knew about this. Despite all this nonsense, which the people of Queensland know and recognise is nonsense, we have clearly established that the government was warned of an impending crisis.

Because it was in the run-up to the state election, once again political expediency overran the need to respond properly to those warnings. In the storm season last year we heard repeated assurances from the then minister, the now Transport Minister, Paul Lucas, and the Premier that everything was hunky-dory in the Queensland electricity industry. The first report was released in the last quarter of last year. All the details of that are on the parliamentary record. I am not going to go through them all again today. The first report was released in the last quarter of last year. We were then assured in the run-up to the election that everything was fine. It was only after the election that the Somerville report was commissioned. The Somerville report established what everybody knew—that the system was at breaking point and that something had to be done.

So part of doing something has resulted in this bill before the House. It formally sets up performance standards for GOCs that were never necessary before. It also provides a framework for compensation to be paid to Queenslanders when performance standards are not met by GOCs. It serves us well to recall the way that the opportunity for those compensation provisions was announced. I asked a question of the Treasurer during question time in this House one day. I think the Treasurer caused quite a furore with the answer he gave without thinking about it too much. He said that the government was going to require compensation payments to be paid to Queensland electricity consumers by GOCs that did not meet an acceptable level of performance. We were told that that caused a huge amount of consternation within the electricity corporations that had for the last six years been focusing their attention and efforts on providing the government with the dividends that it continually demanded and not providing the network with the capital investment that it required to provide anything like a reliable electricity supply that would meet the performance standards on which those compensation payments were to be based.

Industry insiders have continually told me that it was at that point that some of the senior executives within Energex in particular made it very clear to the government that the game was up and that they were not prepared to be the scapegoats any longer. From that point we saw the tragic circumstances of the death of the chief executive officer of Energex, Greg Maddock. That was a tragic set of circumstances by anybody's description. That has also been the subject of government cover-ups and continual attempts to have the political imperative override the practical response to a situation.

**A government member** interjected.

**Mr SEENEY:** The member is dead right that it was disgusting. It was a disgusting way to treat any employee, let alone someone who had been a loyal employee over so many years and provided the government with the means to meet its aims in relation to government owned corporations. The member is dead right that it was disgusting. Every member of the government who allowed that to happen or was part of the circumstances that brought that about should hang their head in shame.

This bill seeks to put in place the set of standards which will formalise the level of service that is required from Energex and Ergon. It will be welcomed by the people within that organisation because it will clearly define their core role and core purpose. I hope that it will play some small part in ensuring that never again will the efforts of the people who work within those corporations be redirected as they have been over the last six years into providing funds for a cash-hungry government.

I hope that these performance standards will provide those organisations with a means of resisting calls by incompetent energy ministers and cash-strapped Treasurers for those organisations to redirect their focus. The focus should be on providing that essential service to the people of Queensland. That is why these organisations were set up. That is why they have operated over the years. That is why they should continue to operate. Their focus should be to provide an essential service. If they can do that for the people of Queensland then they have achieved their purpose and aim. The focus should be on doing that rather than providing a profit that can be turned into dividends for the government.

There is a range of issues related to how these performance standards are going to work and the details of the compensation provisions to be set by regulation by the chief executive. We will certainly be watching to see how those compensation provisions are put in place and to what extent they provide any real benefit and protection to Queensland electricity consumers. That is something that we will see as time goes on. We are prepared to support the bill that puts in place the framework for those standards to be implemented. We will reserve our judgment about the effectiveness of the compensation provisions as they are introduced and as the regulations become available.

There are a number of things that give some hint of the government's continuing attitude towards Queensland electricity consumers. Under this bill, there will be certain standards that our electricity providers will have to abide by before consumers receive compensation. But what the bill does not outline and what nobody has publicly told the people of Queensland, least of all the electricity consumers, is that there is a process that we have been made aware of that has been going on in the last week involving market research being run by a marketing firm working for Energex. The research apparently comprises focus groups who are asked to discuss a number of options with regard to paying for electricity. There are a number of interesting options being put forward to these focus groups. We would have to assume that if these options are being put forward to these focus groups then they are options that are being considered by the government. It would be reasonable to assume that if Energex is spending money testing these options with focus groups then they are options that the government has considered or is considering for the people of Queensland.

The options that have been provided to me that were put forward to one particular focus group involved four different alternatives. One was to raise the price of power between 4.30 p.m. and 8.30 p.m. so that the cheapest power was at night-time in order to encourage people to conserve power when it was most expensive and do their high electricity consumption activities at other times. The second option was to have a device that prevented people from using certain appliances at peak times. I guess that is the 'turn off the airconditioner when it is hot' option. The third option was to choose appliances that would be hard wired and could be turned off by Energex in times of short power supply. That would be the 'turn off the airconditioner when we do not have enough electricity to run it' option. The fourth option was to buy a meter that would show which appliance used the most power so that people could make their own decisions.

It is interesting that the government is considering these options. I believe that the people of Queensland need to know to what extent the government is considering these options. They need to know that the government is considering an option that would allow electricity suppliers to turn off their appliances in times when there is not enough electricity to keep them all running. No doubt the minister, the government and Energex will get around to consulting the community generally about these options to see how they will be received on a general basis. It gives us some indication that the government certainly does not have the electricity crisis under control. It gives us some indication that in their minds at least the people of Queensland are going to have to deal with a shortage of electricity in the months ahead and possibly in the years ahead. It is a crisis that has been brought about by six years of mismanagement, and it is a situation that cannot be fixed quickly. It is clear by the fact that the government is considering options such as those that have been put to focus groups at this very time that this is a crisis that the people of Queensland are going to have to endure for quite some time.

It has always been our intention to assist the government to put right the crisis that exists within the Queensland electricity sector, and we will support this bill because it is a step in that direction. It is a small step in that direction, but it is a step in that direction nonetheless. However, there needs to be a lot of other things done in a hurry to ensure that the people of Queensland have a genuinely reliable electricity supply. There needs to be a major commitment of capital expenditure to make up for the years of financial pillaging that the Treasurer and his parade of incompetent energy ministers undertook in relation to the electricity sector. This parliament can be assured that we will be using the mechanisms that are available to us in the months ahead to ensure that the government is continually focused on fixing up the mess and resolving the crisis that it itself caused, because it will be something that the people of Queensland will be continually reminded of—that is, that the electricity crisis that exists in Queensland today is of the making of the Beattie Labor government and it is its responsibility to fix it.

**Mrs REILLY** (Mudgeeraba—ALP) (5.54 p.m.): I am pleased to support the Electricity Amendment Bill, because in addition to strengthening our electricity network the Queensland government is committed to ensuring that the electricity industry is accountable to its customers no matter where they live in Queensland. To reinforce this commitment, the Electricity Amendment Bill 2004 refines the dispute resolution process provided by the Energy Consumer Protection Office. Under this bill, the office will focus its dispute resolution services on customers who consume less than 200,000 kilowatt hours of electricity each year—that is, customers who have an electricity bill of \$20,000 a year or less and who are not able to choose their electricity retailer. This scheme will no longer apply to larger customers who have been able to choose their electricity retailer since 1 July this year and who are therefore in a competitive market. These larger customers, who are mostly negotiated contracts which include negotiated dispute resolution provisions with their energy supplier, will be precluded from accessing the free dispute resolution process because they essentially have the resources to seek redress from their

electricity supplier. Small businesses and families, however, do not have such access or ability and therefore it is reasonable to reserve access to the Energy Consumer Protection Office to those customers.

The cognate bills, however, also deliver significant environmental benefits, and I will be containing the rest of my comments to these environmental benefits on sustainable development and skills growth opportunities. The 13 per cent gas scheme as detailed in this bill promotes the use of gas as a fuel for electricity generation, and it does so with two key aims: firstly, to support the uptake of a fuel that is environmentally friendly in terms of its greenhouse performance; and, secondly, to promote the growth of our gas industry with a view to diversifying our energy supplies. The industry development aim is expected to provide important flow-on benefits to Queensland's regional communities, particularly in terms of infrastructure development, employment and skills growth opportunities. These are two of the key principles of the Queensland greenhouse strategy which was approved by cabinet in May this year. This document reaffirms the government's goal and desire to position Queensland to meet the challenges of global warming and climate change.

To put it plainly, there is growing scientific consensus that rising greenhouse gas emissions due to human activities are resulting in climate change. Queensland could suffer adverse effects including higher temperatures, more natural disasters such as floods and bushfires, more prolonged periods of drought and an increased incidence of heat related illness and death. This bill seeks to address the future challenges posed by climate change and the growing demand for electricity by changing Queensland's energy mix. The 13 per cent gas scheme will increase the entry of other alternative energy sources for electricity production. We expect the scheme to save about 26 million tonnes of greenhouse gas emissions over 15 years. To put that into context, it is equivalent to taking about six million cars off the road in a year. I think honourable members would agree that, by any account, this would be a significant contribution to national and global efforts to reduce emissions.

The 30- to 40-year life span of a gas-fired generator also means that the benefits will continue beyond the 15-year life of the scheme. Based on recent emission permit prices in the European Union, the emission savings alone can be translated into potential dollar savings in the hundreds of millions of dollars, and that is not something to be sneezed at. The growing demand for electricity will create more opportunities for electricity generators in Queensland. The energy sector is not the only sector that will be asked to get on board to address the greenhouse problem. For example, as a signatory to the National Framework for Energy Efficiency, the Queensland government is involved in developing programs designed to unlock and progress potential economic and environmental benefits of more efficient energy use. So the Smart State is not just about coming up with innovative energy initiatives; it is also about having the courage to take the lead in addressing our environmental challenges while looking after our industries and our communities now and into the future.

Certainly when we look at other agencies or organisations that may have a role to play in reducing our greenhouse gas emissions into the future, there are great opportunities for cooperation with industry in a whole range of sectors from the development industry to local governments and essentially other agencies at all levels of government. But the development industry in particular in growing areas like the Gold Coast is in many ways taking the bull by the horns in trying in many instances to provide cleaner, more efficient and a more environmentally sustainable or friendly means of providing electricity to residences.

In the electorate of Mudgeeraba there is a new residential estate called Clover Hill that is building into its infrastructure as it is being developed the ability to use natural gas. So that will be piped straight in for residents' use rather than being a second thought. That is the point: infrastructure has to be built in wherever possible to get the maximum cost efficiencies and the maximum energy efficiencies for consumers. So there are many sectors of the Australian pipeline industry that play a major role in the delivery and distribution of gas. I encourage all of those sectors of the industry to work together and also to work with the state and federal governments to get the very best outcomes for consumers and for our environment.

I particularly also want to commend the minister and his staff for the work that they have put into getting these bills so quickly before the House. I also thank the minister because he has agreed to visit the electorate of Mudgeeraba in December. I am very much looking forward to hosting that meeting, at which he will meet with community members, organisations, individuals—whoever would like to come along to get a first-hand opportunity to speak to the Energy Minister in the lead-up to what we expect to be a very hot and demanding Christmas on the Gold Coast.

**Mr Wallace** interjected.

**Mrs REILLY:** I heard the member for Thuringowa say, 'Come to Townsville. It's very hot there.' I will let members of the House know that in winter very often Mudgeeraba actually achieves the lowest temperatures on the Gold Coast and also the highest temperatures in summer. When it is 35 degrees across the rest of the Gold Coast, it is quite likely to be 42 degrees at Mudgeeraba. So my electorate poses particular challenges. Last summer my electorate experienced a rocky period with the energy situation. So the minister has kindly agreed to come and speak to residents to give them the opportunity

to seek answers to the most common questions—for example, 'When something happens and the power goes out, how long will it be before it will come back on? What has to be done to be able to do that?' These are very basic, normal questions to ask—questions that I would ask and did ask last year, as did many other people.

We are moving forward to providing a better and more efficient electricity system for Queensland. It is a testament to the minister's commitment and his willingness to be accessible and accountable to the public that he is prepared to come and speak to the public at any invitation and that he has been able to get this legislation before the House as quickly as he has. With that, I commend the bills to the House.

**Mrs MENKENS** (Burdekin—NPA) (6.02 p.m.): I rise to speak to the Electricity Amendment Bill 2004 and the Electricity Amendment Bill (No. 2) 2004. I have to say it is with regret that, like I did when I made a speech during the adjournment debate some two months ago, I am required to stand here and discuss the previous, the current and the impending problems of the Queensland electricity network. The network continues to suffer due to the fact that the government responsible for monitoring the standard of electricity supply is somewhat out of touch and has found itself out of funds. It is sad to state for the record that, due to this mismanagement and perhaps an ignorance of the warning signs by the Beattie government, Queensland is no longer guaranteed a reliable supply of power, as is continually evident by the number of complaints to my office.

These two bills as they currently stand require electricity retailers to source 13 per cent of all electricity sold from gas-fired generation as of 1 January 2005. The 13 per cent gas scheme that is being targeted by the government is an example of the government taking for granted an industry to buy green votes. Over the past six months we have seen legislation introduced into this House that has inflicted some monumental damage on industries such as agriculture: legislation relating to tree clearing laws, commercial fishing restrictions, coastal marine park zoning and the introduction of the NLIS. Once again, we are witness to another industry losing out through government reform with coalmining due to join this list. The fact that mining is Queensland's No. 1 industry is cold comfort for coalmining companies that are about to lose out after spending much of their capital on establishing much of the state's infrastructure that the government should have put in place. This mandate, which is essentially what the 13 per cent gas target is, will cost the Queensland coal industry many millions of dollars. I wonder if other members who, like me, have coalmining interests in certain sections of their electorate are as comfortable as the minister was when he stated that the legislation will create economic opportunities. I ask him to give coalminers the right of reply.

This legislation is further evidence of the price that the government is prepared to pay in the search for green votes. It is estimated that the cost of this form of electricity supply will be greater and is likely to double the cost of electricity to the consumer. These increased costs should not be passed on to the consumer as they are being brought about by the government as a trade-off to the Greens for their preferences at the next state election. In north Queensland, from where I come, I have to tell the government that phone calls to my office reflect the fact that consumers do not want to pay the current fee for service, given that most often they are not receiving it. My constituents in Townsville, the Bowen River basin and the Burdekin have been telling me that they cannot rely on Ergon Energy to constantly supply power to their residences and businesses. The complaints that I receive are testament to the decrepit state of the Queensland electricity infrastructure and the fact that, in their time of need, my constituents' elected government has abandoned them to pocket the money for consolidated revenue.

The Burdekin electorate experiences tropical temperatures, meaning that a guaranteed supply of electricity is required for those constituents to conduct their daily lives. The oppressive heat during summer is constant, unlike the power which is heavily utilised for airconditioners and fans. These constant temperatures do not change much during the winter months where homes, office buildings and shopping centres remain airconditioned to maintain comfort levels. Therefore, the requirement for electricity is immense and when outages occur the time and frequency of each are noted by members of the general public who subsequently pass on this information to me to provide to Ergon Energy.

I would really like to take this opportunity to publicly acknowledge the employees at Ergon Energy who have earned my sympathy and admiration over the past year when faced with incredible public scrutiny and ridicule through no fault of their own. The supply workers, the administration staff, the public relations staff and management of Ergon Energy cannot be faulted on their honesty and diligence to provide a service that they know at times they are incapable of providing. Due to poor governance and poor fiscal management, these same employees know that the infrastructure that they are working with is outdated and breaking down. If those same hardworking employees occupied the government benches instead of those individuals sitting opposite me, then maybe we would have seen a more serviceable network and a more reliable program of electricity supply.

I say to Mr Beattie in relation to these electricity bills that I am forced to listen to a lot of angry people in my electorate. Those individuals who elected me in February continually ask me what I am able to do to bring an end to their disrupted electricity supply. On behalf of the residents of Stuart, Wulguru, Alligator Creek, Cungulla, Giru, Alva Beach, Clare, Millaroo, Dalbeg and Mount Kelly who ask

me this question, I ask the Queensland government: will the implementation of its gas-fired generation bring a guaranteed supply to the people of these areas? I also ask what the government plans to do to set minimum service standards for each of these residents and what can be put in place to empower and assist the employees of Ergon Energy and Energex.

After repeated discussions with Ergon Energy in Townsville about the problems encountered by residents in these townships, I was informed that new power cables and replacement transformers are in sight for these areas and that the future reliability of electricity in the region was to be addressed. I congratulate Ergon on its commitment to improving the current plight in which these people find themselves and applaud the fact that some \$800,000 will be spent on the Mount Stuart to Giru section of power infrastructure where many improvements are required. These improvements represent the first of many that are required in my electorate with reliability a problem identified well before the release of the *Electricity distribution and service delivery for the 21st century* report. As I stated before, Powerlink is on record as stating that, since late 2000, electricity demand in north and far-north Queensland has exceeded the transfer capacity of the Queensland power network during high demand periods and that during these times the network has had to rely upon local generators to help meet customer electricity demand requirements and maintain their transmission network in a secure operating state.

With this in mind, one would wonder why the Premier has recently poured cold water on a coal-fired power station in north Queensland, which had been proposed by Sun Metals and is busily trying to achieve gas-fired generation supply targets, because it was routine planning studies undertaken by Powerlink that identified a sufficient supply capacity would not be available to reliably meet forecast electricity demand in north and far-north Queensland until the summer of 2008-09 and stressed that without direct governmental corrective action widespread interruption to customer supply will continue during high summer demand periods from late 2008 onwards to ensure the transmission network remains simply in a secure operating state.

North Queensland's power delivery has been in disarray for many years. Due to poor fiscal management and an arrogance that has never been replicated in the history of this House, the power infrastructure of Queensland will continue to struggle to meet the public demand. The Beattie government has not been prepared to listen to its stakeholders, thinking only of its ability to extract millions of dollars from its electricity industry to counter its budget shortfalls every year. The Electricity Amendment Bill and the Electricity Amendment Bill (No. 2) do nothing to make the common electricity customer think their government is addressing the incredible problems facing the Queensland electricity network. Like my National colleagues, I will be supporting the second bill but not the first.

**Ms MOLLOY** (Noosa—ALP) (6.11 p.m.): I rise to speak in support of the Electricity Amendment Bill, which displays leadership in environmental outcomes and benefits to regional towns. The saving to greenhouse gas emissions is a highly significant benefit which needs to be built upon. The aims of the bill are 13 per cent gas scheme amendments to reduce growth in greenhouse gases associated with electricity use in the state; to contribute to the diversification of the state's energy mix towards the greater use of gas in electricity generation; and to encourage the development of new gas sources and gas infrastructure to meet the state's future energy requirements.

Sadly, I have just heard the member for Callide—poor soul—denigrate the bill as 'fuzzy rhetoric'. Is it any wonder that environmentally aware people shake their heads in disbelief at this blatant flat-earth mentality? This government stands accused of introducing this bill for purely political purposes. The member for Callide then went on to tell us how in 1999 he had the answer. I heard some tripe about setting the levels for emissions and then letting market forces drive Queensland's energy. Well, good old market forces have time and again done over the farmers, but when it comes to their losses the Nats want to socialise the losses and privatise the profits.

Then we heard about hydro-electricity. I am not too sure if the member for Callide has had a look at some of the disastrous hydro-electric facilities in the south. Then he went on to say that the Kyoto protocol will be agreed to by the Commonwealth, if and when it happens, and that we are very shallow to support this bill. Mr Howard will not commit to the Kyoto protocol. How very stupid and disappointing for the environment and for all of us!

The member for Callide advocates support for the coal industry and claims hysterically that the government is sending out the wrong messages to our coal customers. How about we start somewhere? Let us embrace this initiative, however small it is. This policy setting might be the beginning of something new. Perhaps it could spell reform or change for the better. But hush! Do not breathe a word about change, because we will have the 'Jeffreys' of this world condemning it as it will be of a higher cost. Let us not be swayed nor influenced by the backward-looking position of the member for Callide.

Without an initiative to support the development of new gas sources and infrastructure, existing and potential investors in Queensland will have limited access to competitively priced gas. To me, this is probably the most appealing aspect of the bill, and this is why I have chosen to highlight it.

In the Noosa electorate from time to time I have had to contact Energex over power matters and have been met with the best customer service and support one could have ever expected. We have met

with staff from Energex at Andrew Cherry's Eats restaurant in the town of Eumundi. Andrew is the President of the Chamber of Commerce in Eumundi and liaised with Energex on behalf of a small number of consumers up there. He has been thoroughly pleased with the level of service and support from head office and at the district level. The problems were addressed promptly and efficiently. Another matter arose in the Noosaville industrial estate and 'Spud' from the Noosaville engineering company also received fantastic service. Thanks, Energex.

A couple of weeks ago I visited the Energex call centre, along with other members of parliament, and was briefed on the work they do there and the intricacies of that remarkable work. There is so much involved and so many people who have a real and lasting commitment to our community's power service. I was very impressed. The level of expertise and professionalism that I have continued to encounter through my association with Energex since becoming a member of parliament is unsurpassed. So keep up the great work and have a happy Christmas.

The bill addresses further matters, such as the Energy Consumer Protection Office, statutory authorities and powers, government owned corporations and employment conditions. The list goes on. I commend the bill to the House and congratulate the minister. Keep up the good work and thank you for bringing this bill to parliament.

**Mr FINN** (Yeerongpilly—ALP) (6.15 p.m.): I rise today in support of both electricity amendment bills being considered in the cognate debate. I will focus on the first amendment bill and the important environmental and economic outcomes this bill will deliver—outcomes that are critical to Queensland's future. These outcomes are targeted for achievement through requiring electricity retailers to source 13 per cent of electricity they sell in Queensland from gas-fired generation from 1 January 2005.

The use of gas, particularly natural gas, in energy production is well established as beneficial to reducing greenhouse gas emissions through greatly reducing carbon dioxide emissions associated with coal-fired power. I note particularly natural gas. I was amused by the comments of the member for Burdekin, who talked about the Borbidge-Sheldon government's record on electricity and the gas based supply provided out of Townsville using avgas, which is based on kerosene, which is actually a very dirty form of electricity generation.

**Ms Nelson-Carr** interjected.

**Mr FINN:** I take the interjection from the member for Mundingburra. It has also been spectacularly unsuccessful economically. While we are on the topic of the Borbidge-Sheldon record on electricity supply, I remember the four days without power. I think it is quite hypocritical to commend its work in the industry.

The benefit of encouraging the use of gas and reducing greenhouse emissions is palpably clear when considering growth rates in the associated demand for energy. In the second reading speech the minister outlined the projected population growth in Queensland and the impact on electricity consumption. Residential demand is growing and economic growth is driving increased commercial and industrial consumption.

Queensland population growth, however, is a small part of the picture when we consider the impacts of global population growth and energy demand. At the beginning of the 20th century world population was about 1.5 billion. By 2001 world population had expanded to six billion and was growing at a rate of 90 million a year. By 2025 world population is expected to reach eight billion. Within this growth framework it is expected that world electricity demand will double between the mid-1990s and 2020, with demand growing at 2.7 per cent per year.

The 13 per cent gas scheme being implemented by this bill is about Queensland doing its bit to contribute to international trends to reduce greenhouse gas emissions and to encourage the development of gas-fired power generation that is occurring in other Australian states. In New South Wales a project developed by Country Energy and Eastern Star enables Country Energy to purchase all of the electricity generated by Eastern Star's natural gas generation from the Coonarah gas field. This project will reduce greenhouse gas emissions compared to equivalent coal-fired generation by 36,000 tonnes of carbon dioxide each year. That is the equivalent of taking 12,000 cars off the road every year.

In Victoria Origin Energy has announced development plans for a \$1 billion power plant in south-western Victoria, using gas piped from the Otway Basin in Bass Strait. The Victorian Environment Minister has estimated that the new power station would emit 70 per cent less greenhouse gases than the massive Latrobe Valley brown coal generators while at the same time boosting the state's generating capacity by 12 per cent.

In South Australia a new natural gas-fuelled power station being constructed at Pelican Point will emit nearly 80 per cent less greenhouse gas per unit of electricity generated than is currently emitted by a brown coal-fired power station. In Queensland we need to be playing our part in reducing national emission levels, even in the absence of a federal government national strategy.

I will take a moment to look at the United States. In America projects similar to those planned in Australia have been operating for several years and are producing similar results. The American Electric

Power Co. added gas-firing capability in some of its units at coal-fired Conesville Units in Ohio. With just seven per cent of generation produced by these units, approximately 38,000 metric tons of coal is offset.

In 1995 the Illinois Power Company converted two of its units to natural gas, resulting in estimated carbon dioxide emissions reductions of more than 49,000 metric tons. The Mississippi Power Company spent \$2 million on burners, piping and controls to make two of its units gas capable and offset nearly 1.8 trillion BTUs of coal production and reduced carbon dioxide emissions by almost 67,000 metric tons.

It is heartening that in America there are companies attempting to reduce their greenhouse gas emissions. This is particularly so when the Australian Prime Minister refuses to ratify the Kyoto protocol, effectively arguing that we will not ratify until the world's biggest polluter, the United States, ratifies. What a pathetic argument. One hundred and twenty-eight countries have demonstrated their commitment to reducing greenhouse gas emissions by accepting ratification, with many having already ratified including Argentina, Brazil, Canada, China, the Russian Federation and the United Kingdom. The Australian Labor Party has consistently said that if elected to federal government we will ratify the Kyoto protocol. It is not good enough to argue that we will meet the targets anyway, that we fear economic disadvantage or that we will do it when other big polluters do. These are small-term, narrow-minded arguments at a time when we need to be reducing emissions for long-term global sustainability.

This bill will also encourage investment in Queensland which will provide more jobs, particularly in regional Queensland, as projects like the gas-fired power station that the Beattie government is building in Townsville and coal seam gas production projects develop further. We have good clean coal in Australia that is in demand around the world. We also have hardworking and skilled workers in the mining industry. This bill will not replace the need for coalmining and coal generation in Australia. What it will do is contribute to greenhouse reduction and provide opportunities for skill development, training and employment in an industry that continues to evolve to meet growing global energy demands.

I will comment briefly on Electricity Amendment Bill (No. 2) and commend the minister for bringing the legislation to this House. This legislation implements the commitment of the Beattie government to endorse all recommendations of the independent review and introduces minimum service standards, a guaranteed service level and better performance monitoring and reporting arrangements. Importantly, the legislation also clarifies vegetation management and maintenance entry powers, enabling preparation for the summer storm season.

The suburb of Yeerongpilly, which provides the name for my electorate, was hit pretty hard during the last storm season. Members might recall the picture on the front page of the *Courier-Mail* of the unroofed house and surrounding damage. Most of the damage from this storm was a result of trees coming down and damaging buildings. In particular, power supply was cut for many hours because there were many places where vegetation had brought down the lines. Better preparation for the storm season will help to limit damage when the storms do come, meaning supply can be restored quicker. I know that will be welcomed in those areas of Yeerongpilly affected last season.

This bill addresses the recommendations of the independent review and will improve accountability in the sector through providing rebates for non-delivery of service standards. Improved performance monitoring and reporting will ensure greater reliability of supply. This is positive legislation aimed at addressing sector issues and ensuring better service. I commend the bill to the House.

**Mr LANGBROEK** (Surfers Paradise—Lib) (6.23 p.m.): I am pleased to rise to speak on the Electricity Amendment Bill and offer the Liberal Party's support for this initiative. We certainly recognise the need to move away from fossil fuels as they are an environmentally damaging form of power generation and we need to move towards a more stable method of electricity generation. This is very welcome. As we have heard previously, electricity manufacturing makes up a higher proportion of Queensland's energy consumption than any other single factor.

If Queensland is going to keep in step with the ever-increasing awareness regarding the interplay between industry and the environment, moves must be made to diversify the production of electricity. One of the best ways to do this is to increase competition and let market forces secure a more efficient marketplace. This creates an interesting situation. If we are to get diversity in the electricity production market, we need to promote more sustainable methods of electricity production over those that have been used and made efficient over decades of production. That is to say, to create an efficient marketplace and secure environmental security through diversification, we actually need to sidestep market efficiency in the interim to move forward on a more sustainable path.

The gas industry is an infant when compared to the coal electricity industry and it will be some time before methods of production and efficient market schemes fall into place. As with any situation where governmental control tampers with market forces, the Liberal Party has a number of reservations. In this instance the first reservation I would put on record is the inevitable increase in the cost of electricity as a result of imposing burdens on electricity production. The increase in cost will, firstly, come from the fact that at present renewable energy and gas are far more expensive than coal production. The cost of electricity is a major concern for consumers, whether they are households or

businesses, and an increase that is too burdensome may result in unforeseen consequences further down the electricity consumption line. While I recognise that it is very important to balance the environmental future with the needs of industry, one must be careful to do just that: balance and not overstep the mark and create an energy system that will impose costs on business disproportionate to the benefit to the environment.

This increase in cost will also come by way of the need for improved and extensive gas infrastructure. I find it very interesting that, while the government seems content to impose a production burden on manufacturers, it will not assist them with the setting up of the facilities to actually produce the new product. While it is all very noble for the department to go on the record and say that it is playing a strategic role in facilitating this new scheme, when it comes down to the business of setting it up industry must foot the entire cost with no compensation. Eventually, it will be the consumers of Queensland who have to pay. This goes back to my original concern about the burden on business being too cumbersome and the need to recognise that whenever an initiative is brought in to protect the environment it should not be overly cumbersome on industry.

Following that, the other concern that I would like to register relates to the exemption of three major projects in particular. It is not so much that the projects are exempt; it is a process that is indicative of the way that this government treats medium to large sized operations. Unless one's production has a substantial strategic and economic benefit for the state, to use the words of the bill, then one is unable to be exempt under section 135GL. This is indicative of a government that has ridden roughshod over business and has bent over backwards to provide a competitive advantage to huge corporations.

For example, as I have mentioned in this place before, let us look at the way that this government has treated most Queensland businesses with regard to payroll tax exemptions and enforcements where huge corporations are exempted while other businesses have to fight against that comparative advantage. Exempting corporations in itself is not a bad thing. However, I ask those responsible for the decisions to query why two sets of rules are necessary for participants in the same game.

I also note the concerns previously raised about the unorthodox mixture and scope of dispute resolution mechanisms in section 135FQ. On the face of it, there does not seem to be a gross contravention of natural justice against a liable person, although I remind the minister that this process will be watched closely to ensure that regulators are not abusing the authority given by the act and to ensure that that authority is fully within the scope of what was intended by this legislation.

On the second bill, I am pleased to see that after a lengthy period the government is deciding to implement some of the Somerville report recommendations. These are needed to ensure that the Queensland electricity industry moves towards a more acceptable condition. This is paramount because, as mentioned above, the price of electricity is likely to rise soon and customers will be hoping to see a better service for their dollar.

Also, the \$3.5 billion in special dividends and other dividends that this government has taken from the GOCs is going to have to be restored to help the network spend the capital investment necessary to live up to the minimum service standards, the guaranteed service levels, the network management plan and the summer preparedness plan that were mentioned in this code. I also note that this is just a framework for the way that it will work. I remind the minister that this will be watched carefully.

One of the positives of not having stringent legislation, of not having the detail but only having a framework, is that it can be easily moulded to suit further situations. One of the negative aspects, from a consumer's point of view, is that there could be a lesser level of accountability. I remind the minister that the responsible opposition, as he likes to term us, will continue in that way and make sure that this new legislation is implemented in the fashion intended by the Somerville report. With those reservations, I commend the bill to the House on the grounds that it looks for a new cleaner, more efficient way of producing electricity in Queensland.

Sitting suspended from 6.29 p.m. to 7.30 p.m.

## **SITTING HOURS; ORDER OF BUSINESS**

**Hon. A.M. BLIGH** (South Brisbane—ALP) (Minister for Education and the Arts) (7.30 p.m.), by leave, without notice: I move—

That, notwithstanding anything contained in the standing and sessional orders for this day's sitting, the House can continue to meet past 9 p.m. to consider government business until the adjournment is moved, to be followed by a 30-minute adjournment debate.

Motion agreed to.

## ELECTRICITY AMENDMENT BILL ELECTRICITY AMENDMENT BILL (NO. 2)

### Second Reading (Cognate Debate)

Resumed from p. 3656.

**Mr ENGLISH** (Redlands—ALP) (7.31 p.m.): It gives me great pleasure to rise to join in the debate on the Electricity Amendment Bill. This is a cognate debate of two pieces of legislation, but I would like to speak specifically to one of these bills. As an ex-SEQEB worker, I saw the disgusting treatment of our electricity distribution network at the hands of the Bjelke-Petersen government. I saw friendships torn apart by the treatment of workers by the Bjelke-Petersen government. In my opinion, the root cause for some of the problems currently facing our distribution network lies with the conduct of the Bjelke-Petersen government. At that time the then Premier sought to try to save money by escalating a localised industrial dispute to meet his political ends by privatising the electrical distribution network. What we have seen recently, in my opinion, is partially a legacy of that scheme of Mr Bjelke-Petersen. In the recent Somerville report, the government has not sought to hide the inadequacies in our electrical distribution system. The government commissioned the Somerville report. The government subsequently publicly released that report to better inform the Queensland community about shortcomings in the distribution network.

Last summer we had a one in 80-year event. In my electorate we had blackouts. We were hammered by a series of storms—about four storms—in five or six days, and manpower was stretched. It needs to be said that there is nothing any government in the world can do to prevent, with 100 per cent certainty, blackouts from occurring. Lightning will strike parts of the electrical distribution network. Drunken idiots and speeders, unfortunately, will always crash cars into electricity poles. There will be other acts of God that will cause disruption to the electrical distribution network. In my opinion, it is incumbent upon the government to do two things: to minimise the number of outages and to minimise the amount of time that people are without supply. That is partially what this bill is about.

This bill is about setting minimum service standards and guaranteed service levels. One problem with a monopoly is that it can take its target audience—the users of its service—a bit for granted. I think both the Somerville report and the government have acknowledged that Energex in particular—as the member for Redlands, I am mostly familiar with Energex—has not had quite the customer service focus that it could have; that there have been shortcomings identified in the attitude that Energex has had towards customers in the past.

It is an entirely fair thing for the government to begin to set minimum service standards and guaranteed service levels whereby, if the consumers are not treated with the appropriate respect within agreed time frames, consumers should have some recourse. I am glad that the government is bringing in this bill to do two things: to focus Energex on its customer service and to provide some level of redress for the consumer when those levels are not met.

If south-east Queensland or Queensland is again hit with those storm events that we saw earlier this year, no electrical distribution system will be able to survive or withstand that kind of attack. Back then the government was prepared to bring in additional staff from interstate to try to restore supply as quickly as possible, and I commend the minister at the time for that response. I would also like to compliment the Minister for Energy, the Hon. John Mickel. As I said before, my electorate was significantly affected by those reforms earlier in the year and many of my constituents were affected. Last week the minister attended an energy forum and heard first-hand of the concerns that my constituents hold in relation to the issue of electricity supply in the area. The minister was able to outline clearly and concisely what we are doing across the state generally and, more specifically, what we are doing in my electorate to improve the standard of supply and the continuity of supply in the electorate of Redlands.

On behalf of my constituents, I thank the minister for attending that forum. I thank the minister for his efforts to continually upgrade the electrical distribution system in my electorate. I certainly commend the minister for the improved vegetation management that I have seen throughout my electorate. On behalf of consumers across Queensland, I commend the government for introducing this bill as an opportunity to reinvigorate Energex and to focus it on what I believe should be its core issue: that is, customer service and keeping the power on for our customers. I commend the bill to the House.

**Mr MESSENGER** (Burnett—NPA) (7.40 p.m.): I am delighted to rise to speak to the Electricity Amendment Bill 2004. It gives me an opportunity to highlight some of the glaring and obvious problems which exist with one of our basic infrastructure needs—the electricity network.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order!

**Mr MESSENGER:** Contrary to the spin that the Labor government propaganda machine is now pumping out, everyone knows why our electricity networks are in melt-down. Our government owned corporations have been bled dry of funds in order to prop up the government's bottom line. Between 1999 and 2003 the Beattie state government stripped \$301.3 million from Ergon Energy, \$405.2 million from Tarong Energy, \$381.5 million from Powerlink and \$550.8 million from Energex, making a grand total of approximately \$1.638 billion.

**Government members** interjected.

**Mr MESSENGER:** That is \$1.638 billion that was not invested—

**Government members** interjected.

**Mr Mulherin:** What about community service obligations?

**Mr DEPUTY SPEAKER:** Order! I will hear the member in silence. I ask members from both sides to cease interjecting.

**Mr MESSENGER:** That is \$1.638 billion that was not invested in badly needed infrastructure. That is \$1.638 billion that was not invested in badly needed extra maintenance workers and preventative programs to ensure that we do not experience unnecessary blackouts.

I notice from clause 12 of the bill that the 13 per cent gas scheme amendments are designed to reduce the growth in greenhouse gases. Essentially, this initiative creates an artificial market for power generation companies, mandating the use of natural gas. Too bad the government did not have the courage a couple of weeks ago to support a bill which mandated the use of ethanol in our state's fuel, an initiative which would definitely have reduced the growth in greenhouse gases. It would have considerably reduced the growth in greenhouse gases. The government is displaying hypocrisy by supporting this measure and not supporting the mandation of 10 per cent ethanol content in fuel.

I urge the Minister for Energy to seriously consider placing a backup generator at Agnes Water/1770 to solve the local power crisis. I applaud the long-term plans which are in place to solve the electricity problems faced by the community of the Discovery Coast, but the minister urgently needs to approve the installation of a backup generator.

**A government member** interjected.

**Mr MESSENGER:** The Agnes Water/1770 area is a special case. The normal population swells during peak holiday periods from around 2,500 to 10,000, possibly even to 12,000 this year. We do not know. It is an unknown quantity. The amount of growth then is phenomenal. We cannot afford to lose tourists because of a lack of electricity. The communities of Agnes Water and the Discovery Coast deserve to be guaranteed power because they have been forced to suffer blackouts for years without any compensation.

I spoke to the proprietor of the local Agnes tavern, Peter D'Arcy, who has lost approximately \$20,000 due to blackouts. He had to install a \$72,000 backup generator because he could not afford to run his local tavern without power. He just could not rely on the power supply. He has had an abysmal track record of power supply—or lack thereof. The sooner the Minister for Energy approves a backup generator, the less it will cost the electricity company. I say that because the infrastructure is already in place because Ergon has successfully trialled a backup generator or an embedded generator previously, and the only thing stopping Agnes being guaranteed electricity supply is Peter Beattie and his Energy Minister, John Mickel.

I have recently written to the minister regarding the backup generator and I am still awaiting a reply—I expect it will be forthcoming—as are a lot of worried business owners. I spoke to the Agnes IGA store manager, Mr Randall Fisher. He estimates his losses over the last two years at about \$5,000. His fridges are enclosed by doors, so whenever a blackout occurs, he just runs some tape along the doors to keep them shut and he does not let any customers into the fridges.

**Mr Shine:** He can get compensation.

**Mr MESSENGER:** Well, let us hope that he gets the full \$5,000 in compensation. If compensation is available, I will let him know. He is luckier than most business owners. He estimates that it would cost him \$40,000 in lost stock if a blackout occurred for about 14 hours because he would need to throw out his entire ice block/fridge section. He has looked at buying a small generator. A second-hand one to run a proportion of the shop would cost him anywhere between \$25,000 and \$30,000. He also said that his insurance premium has gone up as a result of the blackouts. On top of the initial losses, he would lose about 30 per cent of trade in two days because he would have to wait for a truck to bring the frozen goods to restock his store.

I also spoke with Anthony Frankish, the owner of the Agnes Water Butchery. He said that every time a blackout occurs it will cost him about \$400 to \$500 a day. The shelf life of his meat decreases. Some meats—including lamb, veal, corned beef and sausages—will go from a shelf life of six weeks to two weeks. Every time a blackout occurs, he has to discount all the meat. Over the last Easter break, he had to close down his shop. According to Anthony, blackouts occurred three nights in a row.

I spoke to the owner of the Rock Latino Cafe. He said that it has cost him about \$6,000 in electrical equipment and meat. The equipment he has lost includes a fax machine and a number of fridges. This figure is for the period just before the Easter break and during the Easter break. On the Saturday night during the Easter break this year, he lost approximately \$2,000 due to a blackout occurring when he was cooking for his customers. He had a full house that night, but then they all left.

According to senior management of Ergon, there are 2,132 customers from the Fingerboard Road to Agnes Water/1770 and the Discovery Coast. I acknowledge that the ultimate goal is to have a substation for Agnes Water/1770, perhaps to be located at Round Hill Road or Innamincka Road—a long way from the centre of town. I acknowledge that it was quoted in March as a \$15.5 million project. The substation is to be completed by June 2006 and is expected to serve the area for at least 20 to 40 years. The community needs to be reassured of that commitment. That is the bottom line. They just do not trust the Beattie Labor government to stick to its promises and deliver.

Before the last election we were promised a \$360,000 upgrade to the rural fire service—which is only rural—to an auxiliary urban status. Now that has been knocked back by the minister.

**Mr Shine:** What is the relevance?

**Mr MESSENGER:** The relevance is that if we have a short circuit or an electrical fault and a fire starts in a house or one of the many multistorey units that are springing up like hairs on a cat's back, there is nobody who is capable of entering that building and saving lives because the rural fire brigade does not have breathing apparatus or equipment. The only thing that they could do is wait for the Miriam Vale urban brigade to arrive—if they arrive, because they are an hour away. Loadwise, the line to Agnes Water is fine. There is 50 kilometres of continuous line power coming from Gladstone. We have our fingers crossed that it can handle 120 amps, which is the current load capacity. The substation which is expected to be built will consist of two 15-megavolt amp substations and it should run anywhere from 20 to 30 or 40 years. Hopefully, there will be enough power to service a city half the size of Gladstone. I say hopefully because, as I say, the growth on the Discovery Coast is phenomenal—something like 30 per cent. The substation might not be able to cater for the needs of the Discovery Coast for the next 20 or 30 years. Maybe it will only cater for its needs for 15 years. It is something that we will have to monitor very closely.

In installing this 30-megavolt power supply, Ergon is looking at upgrading the Baffle Creek short cut road through to Agnes Water. I believe it will extend to Matchbox Road. It is important that that happens because the community of Baffle Creek will have more immediate access to the Discovery Coast's major township of Agnes Water and 1770. That will ultimately save lives. The ambulance travels through that area quite regularly. That extension would shorten the time that patients have to wait before receiving appropriate medical care.

I guess Ergon will weigh up the costs of setting up a backup generator. I remind the House that it would be a ministerial direction that that backup generator be installed. That backup generator was installed this year. It apparently cost around \$80,000 to install. That was because the backup generator was ordered at very short notice. It was hired from Western Australia. If the minister gave permission for that backup generator to be installed for the Christmas peak period, it would cost considerably less than \$80,000 and the people of Agnes Water would once again be guaranteed a power supply. We know that power blackouts happen and they are an act of God, but this would mean the difference between the blackout lasting half an hour, or lasting eight hours or 16 hours. Those waiting times are unacceptable.

I am glad to see that Ergon has made a commitment that every customer receive notification of a planned outage at least one week in advance. That will help my constituents greatly. Safety is the No. 1 priority. I have spoken with senior Ergon management about this. When it comes to maintenance and fixing downed powerlines, they say that they will not cut corners; they will use every precaution. They would rather a blackout than a fatal accident. I fully appreciate that. Being an apprentice electrician in the RAAF in my earlier life, I understand how dangerous electricity is. I am glad to say that this year alone 80 apprentices will be employed by Ergon. I am told that many vacancies still exist for line workers. Apparently mains power is the biggest challenge.

One of the other great challenges facing the Discovery Coast community is the water supply. On the surface, it may not seem that water is relevant to this bill. That community does not have a clean water supply. The local council is thinking very seriously about installing a desalination plant which would run on electricity. It would mean a commitment to that power station being installed by 2006 for that community to have water.

In closing, I remind the Energy Minister of the extraordinary growth that the Burnett and Discovery Coast are experiencing. If the Energy Minister does not believe me, then all he has to do is ask the Tourism Minister. I saw her picture in the local paper. She was visiting the Discovery Coast and turning sods for a large development—I think the Curry-Kenny development. She would be able to testify to growth in that area. I remind the House that the Burnett region still has 11 per cent unemployment, not five per cent unemployment, which is the state average. If we are to get jobs, jobs, jobs in the Burnett, then what we really want there is reliable power, power, power.

**Mrs CARRYN SULLIVAN** (Pumicestone—ALP) (7.55 p.m.): I consider myself lucky tonight to be able to follow the member for Burnett. I would not like to follow him anywhere except on the speakers' list. I have never heard such tripe.

**A government member** interjected.

**Mrs CARRYN SULLIVAN:** Yes, since the last time he spoke. I will put some relevance back into the debate of this legislation. As a member of the newly formed electricity committee, I rise to wholeheartedly support the Electricity Amendment Bill and the Electricity Amendment Bill (No. 2) 2004. The Beattie government has shown tremendous commitment in putting electricity customers first. In May 2004 the state government commissioned an independent panel to review the entire Queensland electricity distribution system. This was in direct response to concerns about the efficiency and performance of the state's overhead network and distribution system by the two distributors, Energex and Ergon, and after a series of storms and unprecedented hot weather in January and February of this year caused a number of lengthy blackouts.

The independent panel concluded that there were a number of areas that could be improved, particularly in terms of ongoing maintenance and operational activities. Some of the major recommendations include new stringent licence conditions which detail minimum mandatory service standards for the electricity supply that the distributors must deliver, increased vegetation management and improvements to the distribution network generally.

I am happy to report that in the Pumicestone electorate, which I represent, there are two important initiatives. Firstly, Energex has already begun an extensive vegetation management exercise to trim the limbs of trees near and under powerlines that are both a potential safety problem and a major contributor to overhead power outages. As the member for Redlands said in his speech, our overhead power system is vulnerable. When storms occur, branches often come into contact with wires, sometimes breaking them, and this causes the system to disconnect the electricity supply.

**Mr English:** And always will.

**Mrs CARRYN SULLIVAN:** That is correct. It needs to be restored as soon as possible. Trees in many areas of our state grow rapidly and the power distributors need to be ever vigilant of this fact and ensure that their continued plan to address regrowth in all areas is kept up to date.

The other initiative is the approval of the upgrade of the Bribie Island substation at a cost to the state government of \$4 million. This cost includes additional switch gear, feeders and the installation of a second transformer which will increase capacity for energy customers at Bellara, Bongaree, Woorim, Banksia Beach and Sandstone Point. All the upgrades are expected to be completed by Christmas ahead of the onset of the storm season, which is expected to be more severe than last year. The substation upgrade is aimed at building a stronger and better network to enable Energex to manage the rapid growth that is occurring throughout south-east Queensland. On behalf of my constituents, I thank the minister, John Mickel, for the work that is being done in our area. These are excellent preventive measures to help keep the lights on in Pumicestone. I commend the minister for this sensible approach.

These bills seek to ensure the future reliability of Queensland's electricity network by delivering on the panel's recommendations which include an action plan to commit Energex and Ergon as well as the government to a clear course of action to deliver on them. Some of those recommendations have already been implemented. However, the reason for these bills is that the legislative framework is currently not able to deliver on all of the recommendations with legal certainty and long-term clarity. These bills will deliver this certainty and clarity. I commend the bills to the House.

**Mr ROWELL** (Hinchinbrook—NPA) (7.58 p.m.): The electricity industry and our dependency on electricity is an essential ingredient of life today. I rise to speak in this debate to the Electricity Amendment Bill (No. 2) 2004. I understand that the purpose of this bill is to improve guaranteed service levels to Queensland customers, improve the surety of supply and improve the reliability of Queensland's distribution and transmission network.

I note that there are a number of amendments which broaden the definition of a standard customer contract—that is, the terms and conditions upon which electricity is sold to franchise, non-contestable customers. In particular, I note the omission of section 51A of the current Queensland Electricity Act 1994. Section 51A prevents an electricity retail entity from changing the terms and conditions upon which electricity is sold or supplied to a franchise customer without first seeking the approval of the Minister for Energy. Clause 11 of the bill seeks to remove this restriction.

This is interesting, because I would only expect this particular amendment to be made to the Electricity Act once full retail contestability or FRC had been implemented and all residential customers were required to nominate an electricity retailer of choice. I note that when FRC was introduced in New South Wales amendments were introduced to the New South Wales Electricity Supply Act 1995 so that the local electricity retail entity was required to continue supplying the franchise customer. However, under section 39 of the New South Wales legislation, the terms and conditions of supply could not be amended without in-depth customer consultation and public notification. I seek the minister's assurance

that if section 51A is omitted the act is capable of continuing to protect small contestable customers once FRC is introduced.

I also note that clause 13, which introduces section 55C, permits non-contestable customers to choose their retailer under certain circumstances, thus blurring the line between contestable and non-contestable customers. The amendments also appear to dilute the definitions associated with retail and distribution entities. With respect to the minimum service levels, guaranteed service levels, or GSLs, are to be included within the act. I can only presume that these will be introduced into the act through proposed section 64FA to which clause 15 refers which allows a regulator—that is, the chief executive of the Department of Energy—to establish a code approved by regulation. Minister, I was expecting somewhat more detail than this. I must say that this method of introducing minimum standards and GSLs will be subject to very little consultation.

I also wish to bring to the minister's notice the proposed Kareeya to Innisfail transmission line, which has been on the table since 1999. A number of years ago Powerlink proposed to replace this section of the north Queensland transmission line, which has a present capacity of 132 kVa, with a new 275 kVa line in order to increase the supply to far-north Queensland. This is essential because of the growth that is occurring in the area, particularly in the Cairns region. The existing route runs from the Kareeya Hydroelectricity Power Station, which incidentally has had some problems recently with its turbine, and then east to the Innisfail substation. However, rather than simply upgrading this line, Powerlink developed a so-called preferred preliminary alignment which followed a coastal route. Powerlink proposed that this route use one of a number of alternative crossings to traverse the Basilisk Range and was discovered to have illegally cleared forest and constructed an access road on the Basilisk Range without obtaining the relevant permissions in March and April 2000.

Whilst this year has seen land-holders suffer severe financial penalties and hardship at the hands of this government for clearing vegetation on their own properties, some of which has been on land cleared almost a century ago by early Queensland settlers, we have an example here of Powerlink simply going ahead and clearing vegetation without going through due process. When this was queried by the state's opposition, the Minister for Natural Resources, the Hon. Stephen Robertson, made reference to an investigation into the unlawful entry and destruction of forest product resulting from Powerlink's actions. He also advised that the limitation period for commencing prosecution had expired, thus conveniently excusing himself from having to take any action and allowing Powerlink to escape any penalty for its actions. I think that is an absolute disgrace.

In 2001 in an attempt to justify the coastal route being proposed, Powerlink insisted that under the rules of NEMMCO it was required to choose the cheapest route available. The proposal is an upgrading to an existing line, and even at 275 kVa it has insufficient capacity to be of interest to NEMMCO. Furthermore, NEMMCO has verified that there are no financial requirements for a regulated transmission line of the 275 category. On NEMMCO's maps the line virtually appears as part of the distribution network, and since Powerlink is a government owned corporation this makes the augmentation of the proposed Kareeya to Innisfail coastal route a state government issue. Therefore, Powerlink and the state government cannot look to place responsibility for any decisions which they make regarding this issue on NEMMCO or the federal government. The federal government has an interest in this powerline only where it crosses into Wet Tropics World Heritage areas such as the southern and central Wet Tropics areas. Where it does so, the permission of the Wet Tropics World Heritage Ministerial Council will be required for any work completed in World Heritage areas. This, Minister, is the only point at which the federal government or a Commonwealth agency has any relevance to the Kareeya to Innisfail powerline. The coastal preliminary preferred option is therefore a Powerlink concept.

As I stated in 2002, there is no local support for the high voltage transmission line through the scenic coastal freehold valleys of north Queensland, and there are many people who are extremely disappointed. The proposed route crosses through the properties of some 156 land-holders, none of whom want the powerline on their land. The inland route already exists and it is clear that any upgrading of the line should use the existing accepted route. Where this transverses World Heritage area, it has been suggested that an over-the-canopy tower could be used. These towers, of course, are quite high. Anyway, it is an option that is available which cannot be negated on the grounds of expense since this is clearly a Powerlink responsibility.

As required under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, Powerlink did eventually develop an environmental impact study, or EIS. However, this failed to give specific coordinates for the preferred preliminary coastal option and detailed descriptions of the work to be carried out. It failed to provide this information. Powerlink's EIS did not meet the requirements set out under section 2 relating to description under schedule 4 of the Commonwealth Environment Protection and Biodiversity Conservation Regulation 2000 for the content of an EIS. Under schedule 4, this requires a description of the action including, firstly, all components of the action and, secondly, the precise location of any work to be undertaken, structures to be built or elements of the action that may have relevant impacts. It would perhaps have been better if Powerlink had followed its own advice as set out under section 23.1 of its EIS, which states—

However, the Corridor Selection Report concluded that the western option was the corridor likely to result in the lowest levels of overall impact, based on a variety of social and environmental considerations.

I am sure the minister knows all about it. It continues—

The western option also appeared to offer the most scope for reducing impacts by adjustment of the transmission line design.

Under schedule 4, Powerlink's EIS should have nominated a preferred option and should have provided very specific details regarding that option. I understand this view has been verified by the Hon. Senator Ian Campbell, the federal Minister for the Environment and Heritage, as the federal government's representative on the ministerial council for the management of the Wet Tropics of Queensland World Heritage areas. The process we have been through with this particular issue is extremely disappointing.

I want to turn to the bill itself, because there are a number of areas that are of extreme importance. On the one hand page 5 of the explanatory notes talks about mandating 13 per cent gas generation while on the other hand page 3 of the minister's second reading speech does not talk about a mandate.

I think that is quite extraordinary because the minister stated the following in his second reading speech—

That is, the scheme will not mandate participation by gas-fired generation but instead relies on a market based mechanism to encourage their involvement.

Then the explanatory notes state—

Under the Scheme, greenhouse gas emissions from electricity generated to support Queensland load will be significantly abated through mandating greater use of gas-fired generation.

So there are some contradictions. In relation to the abatement of greenhouse gases, we are also seeing a variation in the figure—from 19 megatonnes in the explanatory notes to 26 megatonnes in the minister's second reading speech. It is considered that the power station at Yabulu would reduce greenhouse gases by some 7.5 megatonnes over a 15-year period. Although the power station at Yabulu is nearing completion, it is already totally inadequate in terms of the requirements of far-north Queensland and north Queensland. We need a base load supply that is certainly much, much better than what we have at present. I know that a lot of money has been spent in that northern sector power station. At present it is in the order of \$500 million. Enertrade is constructing a 391-kilometre pipeline from the gas field into Townsville to the nearby Yabulu power station. The actual coal seam methane gas is being produced at Moranbah and the conversion by the power station owner, Transfield, of the existing open cycle peaking plant at Yabulu will be to a 220-megawatt combined cycle, base load gas-fired power station. Although it is quite a considerable power station, it is very much short of the requirements for north Queensland for a base load power station.

Of course, when we are talking about electricity generated through these gases, we are talking about gas electricity certificates, known as GECs. Retailers are to surrender to a regulator the GECs that are equivalent to 13 per cent, which is being mandated in this bill. There will be exemptions for large consumers. I think it is ironic that that special consideration is being given because a lot of these bigger energy users do not warrant such special consideration. I know that those large consumers say that they need the exemptions because the cost of electricity is going to be prohibitive, but they are the ones that are probably going to create significant levels of greenhouse gases.

I note that the bill refers to 1 January 2005. But I do not understand that there is sufficient gas at present to reach that 13 per cent level that is so necessary in order to comply with the legislation. I would like to ask the minister: will there be exemptions? The Energy Consumer Protection Office will kick in with those levels of consumption that are under the 200,000 kilowatt hours, which equates to about \$20,000. That is not really a large supply by any measure. It is quite a moderate supply for a lot of businesses. So anybody who is over that electricity consumption would not be eligible for any assistance from the Energy Consumer Protection Office.

I know that in his second reading speech the minister talked about the jobs and the infrastructure that is going to be created in towns such as Roma, Oakey, Injune and Moranbah. Of course, in terms of a mandate for E10 fuel, a similar scenario was proposed for the sugar and grain towns all up the coast and inland. Yet the Labor Party would not accept that private member's bill. It voted against that bill, which mandated a 10 per cent blend. We went a little bit further than that. To ensure that customers were absolutely satisfied with their ability to get straight, unleaded fuel, we went up to a 65 per cent usage of the 10 per cent blend—E10—which is so critical in terms of getting rid of greenhouse gases. For example, each year in Queensland four billion litres of fuel is used. If we had mandated for a 10 per cent blend of ethanol in 65 per cent of the fuel that we used, we would be down to using about 260 million litres of fuel a year. If we did that over a 15-year period, something like 10 million tonnes of carbon would be removed from the atmosphere.

During the debate of that private member's bill, there was great discussion about mutual recognition and section 92 of the Constitution. This bill refers to transporting electricity over borders. What happens at present if we wanted to get electricity from New South Wales in a contestable

situation? The only real option that we have is to use the western extension. That grid is the only way that we would get the electricity through the interconnector. In terms of mutual recognition, if we had to buy electricity that had a 13 per cent content of gas-fired electricity, we would find that the content of gas-fired electricity supplied by the states would vary. So despite all the rhetoric that went on from the government when we debated the private member's bill that related to ethanol, we find that, when it comes to cleaning up the atmosphere and getting rid of greenhouse gases, there is a considerable variation in the government's attitude. The opposition's proposal to mandate E10 fuel would have been a major benefit for the environment. But no, Labor voted that bill down.

I would also like to refer to the enormous amount of work that is done by Ergon Energy staff. When there is a power situation, they are on the job very quickly. They are the ones who bear the brunt of the effects of not enough money being put into the system. Over a long period, the maintenance level has been particularly low. Of course, we have vegetation growing up and around the powerlines. That has caused quite a bit of angst during storms. Lines and conductors have come down as a result of branches hitting them. Very often the Ergon staff have to go out during storms. During those times, it is quite dangerous work: scaling poles, putting in fuses and all of those sorts of things that they are required to do. They do that job very admirably. So despite the fact that our electricity supply industry is faulty to some extent, there are people out there who are working to preserve it to make sure that we get the best results possible.

**Mr PURCELL** (Bulimba—ALP) (8.18 p.m.): I rise to support both of these bills. In speaking to the first bill, which relates to making gas a requirement for the generation of power in Queensland, I think that that will make use of an energy source that, to this point in Queensland, has been wasted. We mine the coal and we let the gas escape. We do not use it. Certainly, as the previous speaker said, that process of using that gas will generate a lot of jobs—where those energy processing places are set up and along the pipelines that pipe the gas to the power stations.

**Mr Rowell** interjected.

**Mr PURCELL:** And the sugar mills and any other industry that wants to use that energy. So this process will be a job-generating exercise. Also, having a gas base load power station in Townsville will make sure that there is a gas industry. Swanbank 2 will be looking to tap into the gas reserves that Queensland has at the moment.

Possibly the only thing we will be looking for at some point in the future is an increase on the level of 13 per cent, because other gas reserves will be made available to Queensland. Queensland would have probably the best coal technology of anywhere in Australia. The most recently built power station here in Queensland has probably the lowest level of greenhouse gas emissions from coal of any power station in the country. With our growing population, the reduction in greenhouse gas emissions is very important into the future. I think other states should catch up with what we are doing.

This bill contains provisions relating to employees' conditions being able to be transferred between GOCs. I think that is a sensible thing that should happen not only for the electricity industry but also for other industries. It makes it easier for employees to move around. I think job satisfaction is very important, so if people want to move they should be able to take their conditions with them and this encourages them to do so.

Electricity Amendment Bill (No. 2) relates to the conditions Energex will have to meet. I think that is a way to improve the services and efficiency of that body. In relation to service levels, complaints from constituents with regard to how Energex deals with them indicate that things have not been good over the years. This will get Energex to sharpen its pencils and make sure it does listen to what people have to say so that when it gives a commitment to do something it goes ahead and does it. The regulator making sure that these standards are met will give people confidence that this bill will achieve what it sets out to achieve. With those few words, I support the bill.

**Ms LEE LONG** (Tablelands—ONP) (8.22 p.m.): The Electricity Amendment Bill 2004 is about reducing greenhouse gas emissions by cutting our reliance on coal-fired electricity generation. It proposes that this will occur by an increased uptake of gas as a fuel source. With 13 per cent of electricity generation gas fuelled as proposed in this bill, we are told that we will be cutting some 19 million tonnes of greenhouse gas emissions spread over the 15-year life of this scheme.

In my electorate of Tablelands we already have zero emission power generation via a series of windmill generators near Ravenshoe. I know that the Minister for Transport visited them during his time in charge of the Energy portfolio. The windmill generators are spectacular to look at and are in fact a very popular tourist attraction. They are very quiet, are no threat to bird life and provide guilt-free electricity. As I understand it, the only practical limits on this form of superclean generation is the commercial price of coal-fired power.

It is a very bitter irony indeed that in the 1990s my electorate was to have been the home of a huge clean, green hydro-electric scheme, the Tully/Millstream. This scheme would have provided some 500 kilowatts of power without the environmental damage caused by burning coal. We were promised it by the Nationals, who, regrettably, reneged on their election promise moments after winning power in

1996. This scheme, so much cleaner than coal or gas generation, and more importantly renewable, was knocked on the head because of the all-fired holy ground called World Heritage Wet Tropics. The ponded area would have included a tiny area of World Heritage, but this was too high a price to pay, or more accurately the risk to the green vote was too strong, to allow this massive project to go ahead. Instead, we got more coal burnt in the fossil fuel generating station—hardly a green result at all.

The only advantage coal has is an economic one. That in turn is only because its great environmental burden is not factored into its price. Gas is greener, but wind generation, tidal power plants, solar power and even hot rock, as debated here earlier this year, are all greener again—possibly even 100 per cent. While some of those technologies are still in the developmental stages, others have been with us for decades now. We need to be far more aggressive in bringing these on line as part of our electricity generation infrastructure. Environmentally, this bill is not about redemption at all. Sadly, it is no better than being about the lesser of two evils.

I turn now to the Electricity Amendment Bill (No. 2) 2004. It claims to be about service standards, about Queenslanders getting reliable power. To suggest that legislation can overcome years of cash raids and capital funding neglect is ludicrous. It is a cheap sell. It is a media tart dressed up for a busy night in Fortitude Valley. It is worse than that: it is this government making promises it has not kept in the past and will not keep in the future, and it is based on smoke and mirrors.

The explanatory notes indicate that this bill is the result of concerns about how the electricity supply system stood up to our previous summer. How convenient that statement is, ignoring the concerns expressed by Energex about the impact of the Beattie government's continual cash raids and the lack of funding for upgrades and maintenance. Legislation is no replacement for underfunded maintenance, no substitute for too few repair crews, no comfort for those who will, without doubt, be left without power again this summer, next summer, the one after that and so on.

The Beattie government can make all the promises it likes about service delivery standards. It can vow and declare that the lights will stay on, but the reality is that they will not. It does not take a storm, a lightning strike or even a failed transformer for the power to go out. All it takes is \$22.55 a quarter. This government has pulled the plug on businesses in my electorate because they have refused to pay that amount on their electricity accounts.

Temperatures are rising and anger is mounting in far-north Queensland as disconnections are made. Small businesspeople are being forced to struggle through the Christmas period without mains power because the Beattie government declares that they have not paid their multiple ambulance taxes. They have begun cutting power in the Premier's home town of Atherton. Chambers of commerce are hopping mad. One small business in Atherton has been left with nothing more than generated power to battle the searing heat of the approaching tropical summer.

At the same time this is happening, the assistant commissioner for the Queensland Ambulance Service in the far north declares in a front-page item in the *Cairns Post* that people who have paid twice, 10 or 100 times should not dare even think of using ambulance services unless they are category 1 or 2—that is, if they are in urgent need of ambulance help. Not every Queenslander has access to the kind of public transport options available here in the south-east to start with. Yet it is in pursuit of this policy that the Beattie government has plunged honest Queensland small business operators into the dark. It is not that the store owners are ducking the ambulance tax. They are already paying it on their home and other electricity accounts, but they are refusing to pay again on their business account. And so this lot cut off their electricity.

Members opposite think they can talk about standards of service. It is their policy, their government owned corporations, that are pulling the plug on Queenslanders. They are living in the Dark Ages and dragging the rest of us with them.

**Mr McNAMARA** (Hervey Bay—ALP) (8.27 p.m.): I am delighted to rise tonight to support these two energy bills before the House. At the outset I offer my congratulations to the minister, John Mickel, who has done a remarkable job. We tend to forget that he has been the minister for only a brief time. The Somerville report came down in only July, and here we are tonight passing two separate pieces of legislation, the second of which implements some of the more significant recommendations of the Somerville report to bring in minimum service standards and guaranteed service levels. I think we need to recognise how far we have come in a very short period of time.

I would like to ask the House to stand back just a bit and look at where Queensland sits as an electricity industry in the world. In this debate we tend to be very inward looking. The Somerville report is a great report—I support it, as does everyone on this side of the House—but the inquiry was given terms of reference to look into the Queensland electricity industry. It was not asked to—and of course it did not—look into how the Queensland electricity industry compares with electricity industries around the world. We compare very well, and we forget that at times. I know that oppositions have a vested interest in playing Chicken Little on every occasion and yelling, 'The sky is falling,' but the reality is that we have a wonderful electricity industry which is and should be the pride of any government anywhere in the world.

After World War II, virtually every electricity industry in the world was entirely state owned and had no customer focus whatsoever. They were engineer run. They were Weberian in nature. They were overengineered to boot. They cared about supply reliability, and customer service did not figure at all.

In the period since World War II, not much changed until about 1980. From 1980 onwards, there was a worldwide revolution in electricity arrangements. We are a part of that and we cannot forget it. In the ongoing debate about what the electricity industry should be like, how it should look and how it should be structured, we have to remember that we are part of a world industry and that we are benchmarked against electricity industries in other countries.

Since 1980, in virtually every country in the world, there has been massive change. Many countries have privatised and many have corporatised. At the very least, all have unbundled their industries and separated the generation, transmission, distribution and retail functions. From the early 1990s, Australia started to move down that path with an agreement to set up a national electricity market. We need to give credit to the Queensland governments since that time which did not rush headlong into privatisation but said, 'Yes, there are some dynamic benefits of competition that can be extracted from this process but let us hasten along cautiously.' Therefore, we corporatised and unbundled, but we retained government control.

While the doomsayers here will say that the industry is in a terrible state, it is not. If we look around the world at the disasters that beset Auckland, California, South Australia and Victoria, we can see the wisdom of the approach taken by the Queensland governments, and there have been several along the way including the Goss, Borbidge and Beattie governments which all moved in a much more cautious manner in this regard. We should not dismiss that. Indeed, we should recognise that the world is starting to come back our way. Around the world, people are looking at the market failures of the privatised electricity industries, and 'market failure' is code for two, three, six or eight weeks without power in some instances. The people involved have said that maybe their industry should not have been privatised. Maybe it should still be in government hands, which is what we have here.

Ergon and Energex are massive companies that provide huge amounts of employment. Ergon has 2,500 employers and \$2.5 billion in assets. These are very significant economic components. The electricity industry in Australia is worth about three per cent of GDP, and about 10 per cent of industrial investment is in the electricity industry. They are massive companies that, in Queensland, we have kept in our control. What is wrong with that? There is a lot that is right with it. For a start, it appears to have delivered better system reliability than anywhere else in the world. It appears to have delivered a greater customer focus than ever before in our history. We should be proud of these things. We should not let the serious issues identified in the Somerville report obscure the fact that we can be proud of our industry.

The changes that the minister is introducing tonight are very welcome, but the idea that customer service was a big part of electricity industry arrangements in Australia or, indeed, even in Queensland since World War II is a fiction. We now see better and more customer-focused service in our electricity industry than ever before. We should not discount that. We should recognise that we have managed to extract the best new public management in terms of innovation, an outcomes based approach and increased customer service, while at the same time retaining the benefits of government ownership, which is those dividends for which we are roundly criticised by the opposition but which pay for our hospitals, our schools and our roads.

**Mr Mickel:** Which pay for our CSOs.

**Mr McNAMARA:** That is right. I am delighted to take the interjection from the minister in relation to CSOs. Again, it is not often remarked upon, but every year the Queensland electricity industry is involved in the transfer of about \$250 million to support electricity prices in regional Queensland. Perhaps all of the National Party members who loosely represent rural electorates should get off Ergon's back a little and recognise that, by keeping the industry government owned, this government supports regional and rural Queensland to the tune of \$250 million a year through those CSO payments.

**Mr Mickel:** And there was a \$200 million injection into Ergon's capital works.

**Mr McNAMARA:** Indeed. As the minister quite rightly points out, one of the benefits of retaining ownership as we have is that we retain the ability to manage the industry. In that way, when a need to further invest in capital has been identified, as the Somerville report has done, the government has the ability to do it.

I welcome the recommendations in the Somerville report. The minister has acted on them and has moved very quickly to bring in minimum service standards and to focus on promoting improvements in average reliability performances for the distribution networks. I very much welcome the guaranteed service level regime that will target individual customer regulations between Ergon and Energex and their customers. These are welcome improvements in a system that is already world class, and running it down does not do anyone any good.

In my part of the world a lot of people work for Ergon. They are very proud of the system that they run and they deserve to be. It is a very hard job to keep the electricity supply reliable in regional

Queensland. The Somerville report recognises the issues involved with natural disasters such as lightning strikes and floods, cars crashing into poles and so on. All of those issues are managed extremely well by Ergon. I congratulate the workers involved and Ergon itself. Its commitment to employing apprentices in my part of the world has been well noted and well received. However, it does not do anyone any good to stand up here and, in the course of a debate on improving the system, lose sight of the fact that we actually have a world-class system of which we should be proud and, indeed, of which I am very proud.

I commend the bills to the House. I commend the minister for acting so quickly on the Somerville report. However, members should remember always that the Somerville report is a recommendation for how we can improve the system. It is not an indictment on the system we have.

**Mr KNUTH** (Charters Towers—NPA) (8.36 p.m.): I rise to oppose the Electricity Amendment Bill. As the Deputy Leader of the Opposition has said, we are wary of the government's intentions to deliberately create an artificial market in order to mandate a 13 per cent gas target for electricity generation in this state. In Queensland, approximately 88 per cent of electricity used and generated is produced from coal. Instead of looking into cleaner ways of using the large coal resources upon which Queensland's electricity network is based, the government is forgoing its responsibility to work with the existing coal industry to reduce the environmental impact of existing electricity generation technologies.

DNR is contributing only \$250,000 towards research into reducing the greenhouse gas emission levels in coal based electricity generation, whereas last year the federal government announced that \$500 million would be provided to accelerate research and development into cleaner ways of using the abundant coal resources upon which the Queensland electricity network is based. This showed that the government has no short- or long-term commitment to coal based electricity generation.

Coal has proven to be a cheap, reliable and clean energy resource and the cost of gas generation is much higher than a coal based generation, which means higher gas prices will flow on and lead to heftier electricity prices for consumers. To mandate a 13 per cent gas target for electricity generation will mean higher electricity prices, and that has the potential to place the multimillion-dollar coal industry in jeopardy. As at 30 June 2003, almost 11,000 people were employed in the coal industry in Queensland. In 2002-03 Queensland produced 153.6 million tonnes of saleable coal, an increase of 3.5 per cent over the previous financial year. For this reason, I cannot support the Electricity Amendment Bill.

I support the Electricity Amendment Bill (No. 2). The Electricity Amendment Bill (No. 2) will help to ensure that constituents in rural areas are receiving an equitable service across-the-board. The guaranteed service level regime will target the performance of Energex and Ergon Energy with regard to the service to individual customers. If Energex or Ergon Energy fail to deliver the guaranteed level of service to a particular customer, the customer will be entitled to a rebate on their next electricity bill. This is good, because people in rural Queensland pay for a guarantee but they cannot be guaranteed power. The bill will also require Energex and Ergon Energy to prepare and implement comprehensive summer preparedness plans which include increased vegetation management, targeted capital expenditure and more effective customer communication. The people in rural and remote areas deserve to have the security of knowing that their power needs will be catered for. Power outages in my electorate are common, and with the onslaught of the storm season the concerns about blackouts are growing.

Only recently a constituent who lives in the small rural township of Pentland experienced a freak storm which lasted only 15 minutes. This storm caused a power outage which lasted more than 24 hours. Ergon Energy staff are doing their best with inadequate staffing levels to repair outages from the undermaintained system. Year after year rural residents and business owners are losing large sums of money in lost stock as a result of lengthy power outages and are forced to purchase \$2,000 generators to protect themselves from losing thousands of dollars in lost stock and inconvenience.

Constituents in my electorate pay exorbitant prices to get power connected to their homes and properties. Unless home or business owners can guarantee that they will consume higher amounts of power, then they can be expected to pay in excess of \$100,000 to have their power connected. That is an exorbitant charge. These people are tired of power companies acting like Gestapos with their heavy-handed tactics. Constituents are given an indicative price to have power connected. One person would be quoted \$100,000 while a property the same distance down the road would be quoted \$40,000. If a consumer wants to proceed, an agreement is drawn up outlining that the amount must be paid in full before work will be carried out and the work will commence within three months after payment is made. Consumers who are shocked at the price are not given the option of a payment plan or offered any other advice or assistance. They are told to pay up or miss out. It is ridiculous that people have to fork out \$100,000 in one lump sum to simply enjoy having a hot shower, a cold fridge and lights. It is unbelievable that this government cannot offer consumers a simpler system whereby they can pay off these excessive fees over a set period of time. We are talking about families here. This system must change and become user friendly.

I believe that an inquiry is needed into why rural residents have to fork out massive amounts of money for electricity connections. A store owner in my electorate was approached by Ergon to join a contestability market whereby he would save \$6,000 out of \$20,000 per year in electricity dues for the

large amount of power that he uses each year. This store owner signed an agreement with Ergon and was told that this new service would commence this month. However, this gentleman was contacted at the end of September to be told that the Queensland government has divided the state into eastern zones and western zones, and that since he fell three kilometres in the western zone he would no longer be eligible for this market. He was told that it would cost him \$14,000 more to pursue this option than it would cost if he stayed on the normal tariff. Not only had this man signed an agreement; he also had salt added to his wounds when he was told that he was a measly three kilometres out of reach. I would go so far as to say that this is blatant discrimination. Who decides where this line is? Why is there a line in the first place? What is the deciding factor for where this line is to go?

I hope this bill will address this discrimination and address the issues that I have raised. I oppose the Electricity Amendment Bill, but I commend the Electricity Amendment Bill (No. 2) to the House.

**Mr FRASER** (Mount Coot-tha—ALP) (8.43 p.m.): I rise in support of the electricity amendment bills that are the subject of tonight's cognate debate. The laws we debate today provide a number of important and significant amendments to structurally reinforce the consumer focus of our electricity suppliers. The bills also provide for the legislative implementation of the government's 13 per cent gas requirement. This is a key plank within the *Queensland energy policy: a cleaner energy strategy*. The gas scheme will lead to a reduction in the growth of greenhouse gas emissions by an estimated 26 million tonnes. The overall strategy will equate to removing the greenhouse gas emissions of around one million cars.

This scheme does not come without costs. The costs will be borne by contestable customers and through the electricity generation sector. But the key question for us—the crux of the matter—is: at what price must we continue without amending our ways? It has, of course, been famously remarked that in the long run we are all dead, but surely in the long run our efforts today to dilute our heavy reliance on coal-fired power generation will be viewed favourably. The Queensland energy policy is cognisant of the costs to be incurred by the implementation of the cleaner energy strategy's requirement for 13 per cent gas-fired power. Equally, there will be economic benefits that will derive from the policy. These benefits include a prudent diversification of the energy supply mix in Queensland and incubation of a competitively priced supply of gas as well as regional economic development.

Earlier today the Nationals stated that they would be opposing the 13 per cent gas scheme. As is often the case when matters relating to the environment are touched upon in this place, their opposition was based upon the fact that there was an element of inexact science. They always question the figures involved in the quantification of the environmental benefit to be derived. If, for the sake of argument, people accept the member for Callide's contention that it is not, in fact, 50 per cent better than coal-fired power generation and if people also accept that the real motivation behind this 13 per cent per cent gas scheme is something as subversive as industry development or job generation or regional economic development, then the end point and the side effect of this policy is a real and tangible environmental benefit. If the side effect that could come from such a subversive policy—driving, as it is, industry development and regional economic development—is a real and tangible environmental benefit, then I just do not know why that would be a case for opposing it.

I would also like to address the logic of the member for Burnett's argument. In this House tonight hypocrisy is afoot because of our opposition to the ethanol bill put forward by the opposition. The reason for the government's opposition to that bill was clear and based on economic and constitutional matters. The opposition said tonight that we are hypocritical because we are now putting forward a mandated scheme. I would suggest that we opposed the ethanol bill not because we have a problem with interventionist industry policy but because of those practical realities. It is the Nationals who say tonight that the mandated scheme is not worth supporting on principle, yet a couple of weeks ago, on principle, they were putting forward the same argument. I would suggest to the member for Burnett that the hypocrisy in this argument belongs on the other side of the House.

The second of these bills that we are debating tonight provides for the mandating of minimum service standards by the regulator. These service standards are to be made conditions of the licence to operate in Queensland and compliance will be monitored by the regulator. These standards will build up over years and be an incentive to continuously improve the industry as a whole. While the minimum service standards will apply to the industry as a whole, all members are aware that the impact of below par service delivery is felt most keenly by individuals.

Guaranteed service levels—which, like the minimum service standards, will be part of the industry code to be developed under this amending legislation—are to be overhauled and implemented in two stages over the first part of 2005. These guaranteed service levels will regulate service standards for individual customers. From 1 January standards about new connections, reconnections, wrongful disconnection, notice of planned supply interruptions and timely attending to appointments will be in place. From 1 July 2005 the new guaranteed service levels for reliability of supply will come into force. Should individuals suffer disbenefit in contravention of the guaranteed service levels, they will be entitled to a rebate on their electricity bill.

Let us be frank about the reality of electricity supply. No electricity system delivers 100 per cent supply. As the minister noted in his second reading speech, the guaranteed service level regime will not operate in circumstances where a natural disaster has been declared. This is realistic, reasonable and appropriate. These statutorily based guaranteed service levels will enhance the customer focus of Energex and Ergon. The implementation takes up the call of the Somerville report.

The shortcomings of Energex's performance have been thoroughly expounded during the past year, but less often is the work of Energex duly praised. I, for one, find the work of officers in Energex, in particular Wil Cooper and Janelle Savage, to be first class and customer focused. They are always prepared to go the extra mile. I take the opportunity tonight to commend them for their timely and efficient work.

Parts of my electorate were amongst the hardest hit during the extraordinary confluence of storms which hit Brisbane in January. Indeed, parts of my electorate are being attended by the suburban sensitive area project, namely Milton and Toowong. Approximately \$250,000 will be expended on the suburban area sensitive area project in my electorate. That program involves a visual inspection of all high voltage powerlines, the use of thermographic imaging on high voltage lines to detect hot spots before a fault arises, vegetation management, installation of line spacers on low voltage powerlines to stop powerline clashing, wildlife proofing of high voltage pole terminations, and the installation of line fault indicators which will make it quicker for Energex crews to locate faults and restore supply. Significant capital works are also being undertaken to the benefit of Mount Coot-tha.

A new 33 kilovolt underground cable is currently being installed between the Ashgrove West substation at the end of Monoplane Street in my electorate and the Ashgrove substation on the boundary at Waterworks Road. This will enhance the capacity of the Ashgrove substation and will be of benefit to residents in Ashgrove, Paddington, Auchenflower, Red Hill and parts of Toowong and Milton in my electorate. This project will cost \$5.5 million. A similar project, at \$4.2 million, is installing a 33 kilovolt underground cable to connect the Toowong substation in Miskin Street in my electorate to the Taringa substation. I acknowledge the effort in undertaking these works in Mount Coot-tha.

These bills lift the game for electricity supply in Queensland. These bills are taking an identified issue head-on, forging a new era and laying the groundwork for an era of electricity generation that begins the effort to address the greenhouse challenge we undoubtedly and inescapably face. I commend the bills to the House.

**Mr JOHNSON** (Gregory—NPA) (8.51 p.m.) In rising to speak to these two pieces of electricity cognate bills this evening, I want to quickly reflect on the Electricity Amendment Bill 2004. The 13 per cent gas scheme, as it is commonly known, is an important initiative, as the minister says, for Queensland's future. I have to say from the outset that the area I represent in western Queensland is probably the home of some of the greatest gas fields in this state and in this nation, for that matter. One thing I want to refer to tonight is the availability of gas to the region in question. Absolutely zilch. What is the situation there? A gas pipeline runs from Ballera in the south-west that furnishes gas through a pipeline some 800 kilometres to Mount Isa. At the same time, that gas pipeline runs back to Brisbane. Many of the people in the area in question—the Boulia, Quilpie, Barcoo and Diamantina shires—have no electricity connected whatsoever. It would take nothing at all to put a low volume gas pipeline into a gas-fired power station in order to provide electricity to some of the stations in question. But no, it is all too hard. It is all too expensive, because the big ones count. We talk here about Brisbane, the big consumers in the south-east.

I am pleased that the minister is here this evening because this debate has been going on forever and a day. Again, the situation is becoming intolerable. I appeal to the minister to show some leniency, compassion and understanding toward the would-be consumers in those areas who do not have power at all. The hub-and-spoke concept could work out at places like Windorah and Jundah and even in places coming back along that Ballera line. Some of those stations, such as Palparara and Davenport Downs, could even be hooked into some sort of power system where they would be a part of the national grid even though it is localised.

Going back a few years, when the coalition was in power—and thank God they were in power for those two and a half, three years—when that power was coming down the line from Barcaldine, that old provider line was absolutely riddled with lightning strikes. It was obsolete and archaic.

**Ms Nelson-Carr:** That was God, the lightning strikes.

**Mr JOHNSON:** No. I take that interjection from the member for Mundingburra. She talks about God. She thinks it is a joke. With a lot of those lines in western Queensland, one can drive past every pole and every one of them has been struck by lightning. I say to the minister this evening that it will be only five minutes before we see outages in that area, and not of 24 hours duration but of a week's duration or even two weeks duration because of the sad state of play with those lines. The member should come out and have a look. She has lived in Longreach and she knows precisely what I am saying.

The point I am making is that there are a lot of people out in the country who do not have power at all. Let us talk about the business people in those areas, whether it be in Longreach, Barcaldine, Winton or—going back into the south-west—Quilpie or Charleville. I was in Charleville last week. I spoke to one of my constituents there who is a major supplier of foodstuffs to that centre. He pulls something like 40 tonne of cold goods into Charleville per week. That comes in by QR—which is another story. The government is trying to cut the QLink operation. Cold goods will not be going into those centres because Queensland Rail sees fit to cut the service.

I will come back to what that gentlemen said to me. He said, 'If we have power outages here, I would hate to think what it is going to cost me.' I asked, 'Have you had power outages?' He said, 'We have them momentarily.' He has cold rooms out in the yard in the blazing hot sun—probably in 60 degree heat in the middle of the day in December, January and February. At the end of the day, he only needs an outage for probably eight or 10 hours and they cannot open the coldrooms. Again, that centre and probably other centres, too, will be totally isolated and foodstuffs will be ruined. As he said to me, 'There is no backup.'

We are talking about the gas bill here. We talk about the 13 per cent gas scheme and we talk about greenhouse emissions. I was in China in 1991—they were buying our wool and a lot of other things—and talk about greenhouse emissions! I could not see the midday sun because it was blotted out by the coal emissions from their coal-fired power stations. I see the member for Fitzroy is here. He was with me at the time. What did he say? 'We should give them 24 hours for attitude.' If that was in Australia, we would probably give them two weeks for attitude. We could not even see the blokes working in that power station. The only light we could see was when they opened the door to chuck a shovel full of coal into the furnaces every now and again. That is China. They did not pay for our wool in the late eighties and we still have not been paid. But that is all right because they are a big operation and it does not matter because we are in a country where we are price takers not price makers. This is how sad it is. We who live west of the Great Divide are not getting the service we deserve. We might be only two per cent of the population but, at the end of the day, we deserve a little bit more. Given the number of dollars that we generate in that area through the economy and the growth within the rural and mining industries, we should be given better service. When it comes to shires like Barcoo, Boulia, Diamantina and Quilpie, it is time that we reversed the trend. Where natural resources are on the doorstep, we should be in a situation where that gas can fire up a power station to do the job out there.

I want to also talk tonight to the Electricity Amendment Bill (No. 2). The minister has outlined some of the initiatives in the action plan that include requiring Energex and Ergon Energy to prepare and implement comprehensive summer preparedness plans, which include increased vegetation management, targeted capital expenditure and more effective customer communication. First and foremost, another part of this plan requires Ergon and Energex to prepare and implement annual network management plans which clearly outline the state of their distribution networks and the activities planned to improve it.

For God's sake, what sort of an organisation does not have a management plan in place? With organisations of the magnitude of Ergon and Energex, it is absolutely paramount they have those management plans in place because they are providing that service to the whole of the state. We can talk about Eastlink and Westlink and what comes in from New South Wales and Victoria. We can talk about national competition policy, and I know who signed off on national competition policy. But I know full well what has happened here; this government has raped the coffers of Ergon and Energex to put funds into social programs.

We talk about social programs. During the last sitting of parliament we introduced legislation into this House to provide for two per cent of the state's kids whose parents are not allowing them to be looked after properly. Those kids have been sexually and physically abused. We have a situation where \$500 million is going into a new department because we have parasites in our society. If that \$500 million went to Ergon and Energex, it could have been used for maintenance and for providing better electricity services to the people of Queensland.

This legislation refers to minimum service standards. I have to say that minimum service it is. It is minimal service because we do not even have backup crews to put these services in place. In the area that I represent, especially the central western country, during wet weather we cannot walk on the ground because it sticks to our feet. We need a helicopter to get around. We do not have those backup services. I know that that would be a great cost to Ergon. These are sad and sorry situations but they are real situations. The industries in these towns have to close down because the backup is not there.

I remember in 1996 the then mayor of Longreach shire came to see me in my office in Longreach one day. It was just before Christmas. She said, 'Vaughan, we have a problem with the transmission line between Barcaldine and Longreach.' I said, 'Joan, what is the problem?' She said, 'The outages in Longreach and the feeder lines out of the centre are a problem.' I said, 'What do we need?' She said, 'We need about \$500,000 to fix the problem.' I said, 'Joan, \$500,000 will not fix the problem.' I went to Tom Gilmore, the then minister, and said, 'Tom, we need to build a new transmission line from Barcaldine to Longreach.' He said, 'How much will that be?' I said, 'About \$6 million.' Thank God the

coalition was in power because we delivered on that. Otherwise there would have been a lot of people in western Queensland who would not have had services.

Even now we have a situation like that. I will give members a classic example. The development in Emerald is taking off at a rate of knots. The coalmining industry there is contributing millions of dollars to the economy of this state. The hardworking miners are probably keeping the socialist government in Queensland and propping up its budget platform.

I have had two constituents recently—one is a large developer and the other is a bloke who is building his own home—who have been told by Ergon that they could not have power hooked up to their premises until March 2005. Who would cop that in Brisbane? Nobody would cop it. I will give credit where credit is due. My office in Emerald made representations to the minister's office and now that has been brought forward to December 2004, which is only next week. We have been assured that that service will be connected before Christmas 2004. I thank the minister for making that a reality.

This is a common day occurrence. This is what is happening right across the state. I say to members that enough is enough. We have seen a debacle in this House over the last month or six weeks in relation to the electricity problems in this state and the issues surrounding Energex.

**Mr Reynolds:** The opposition has been absolutely unethical on this matter, and you know it.

**Mr JOHNSON:** I will take that interjection from the minister.

**Madam DEPUTY SPEAKER** (Ms Jarratt): Order!

**Mr JOHNSON:** No, he is the one who interjected so he can wear this. We have not been unethical on this. If the minister can tell me where I have been unethical, I would like him to get up and say it right now. You do not know because I have not been.

**Mr DEPUTY SPEAKER:** Order! I ask the member for Gregory to address his comments through the chair rather than across the chamber.

**Mr JOHNSON:** I am trying to. When I am provoked by a bloke like that, I am not going to sit here and cop it.

**Ms Nelson-Carr:** Stop shouting.

**Mr JOHNSON:** He is yelling at me.

**Madam DEPUTY SPEAKER:** Order! The member for Gregory should bring it down a notch. We will have no more interjections. The member for Townsville, there will be no more interjections across the chamber.

**Mr JOHNSON:** I will take them. There is reference in the legislation to new minimum service standards and guaranteed service levels. The first minimum service standards will focus on promoting improvements in the average reliability performance of the distribution networks. It says 'the average'. I would have thought that we would have been looking at more than the average. I thought we would have been looking at the maximum level. We are coming into the summer period. We are coming into peak period. We are coming into a period where airconditioners are running. We are coming into the wet weather season. Please, God, let us see some wet weather. It is storm season already in western Queensland. It has been here on the coast in the last two or three weeks. We have seen the outages as a result.

Part of the legislation talks about Ergon and Energex people going around and lopping trees and cutting trees down. That should have been an everyday occurrence as part of their maintenance operations. We should not wait until things fall to pieces. It is a bit like a motor car. If we get in the damn thing and drive it and drive it and drive it over rough roads, as blokes like I do in the west, and we do not maintain it, then the damn thing will not last too long.

That is exactly the situation surrounding the electricity industry in Queensland today. Because we have an obsolete system, a raped system, a run-down system where we have robbed Peter to pay Paul, who is going to pay? The consumer will have to pay. I cannot for the life of me see how this government will be able to pay the people who will make the claims. The Treasurer stood in this parliament and said that people will be compensated. I would hate to think what the compensation bill will be if we keep going this way. A slip of the tongue and a stupid statement will cost this government and this state millions. At the end of the day, all we have to do is put in place an honest, reliable maintenance service, be up front with people and talk about it later.

I have heard people in this House say that when we were in government in 1996 we slowed the infrastructure program down.

**Mr Horan:** There was no infrastructure program.

**Mr JOHNSON:** There was none at all. When I became the minister for transport, 43.8 per cent of the Transport budget came out of Main Roads. What is it now? It is about 13 per cent under this government.

I was talking to members of the Diamantina shire today. Its road funding has gone from about \$2 million to \$1 million because of the mismanagement by this crew. It goes on and on. It is well named when we say it is a socialist government. It is socialist all right because if the big businesses and the multinationals are not successful and small business is not successful in this state those people opposite will perish. They want us all to be on the same level. When a bloke invests \$1 million or \$2 million and employs 15 or 20 people, those opposite drive the boot into him through industrial relations issues and all sorts of other issues. When it comes to paying the wages every month, those blokes often have to go to the bank and get an overdraft. Those opposite do not have a clue how this works. They have to pay superannuation, payroll tax—the list goes on. The situation now out there is grey.

All we need is for the power industry in this state to fall over and this state will be on its knees. If the Tully/Millstream had been built, which would have been environmentally friendly—I can hear murmurs from government members again—it would have been a power service. It would have provided for the people of north Queensland. But, no, the conservationists and the Greens ruled again.

We saw what Mark Latham did in Tasmania. What happened? The Labor Party got rebuked in Tasmania. When are those opposite going to get rid of him? It is not far away. What is he on now—about 10 per cent or 15 per cent?

**A government member** interjected.

**Mr JOHNSON:** Are you in his faction?

**Government members** interjected.

**Madam DEPUTY SPEAKER** (Ms Jarratt): Order!

**Mr JOHNSON:** Thank you for your protection, Madam Deputy Speaker.

**Mr Shine:** Talk about the bill!

**Mr JOHNSON:** Yes, I will talk about the bill. I take that interjection from the member for Toowoomba North, who would not have a clue. Earlier this evening I spoke in this House about people in western Queensland who have no power at all. Blokes like the member for Callide, the member for Mirani and even the member for Toowoomba South would know what I am talking about, but how many of those opposite have lived with a kerosene refrigerator and no power at all?

**Government members** interjected.

**Mr Pearce** interjected.

**Mr JOHNSON:** You have, Jimmy. The bloody fridge has gone out. I am sorry about that. They are exciting me a little bit.

**Madam DEPUTY SPEAKER:** Order! There will be no unparliamentary language.

**Mr JOHNSON:** It is in the dictionary. The point I make is that we had to rub the meat down with vinegar. I remember my mother rubbing meat with vinegar in order to cook it and eat it. How many members opposite have ever done that? No, they have not had to do that, but that is how we survived in the bush. There are still people out there just surviving in the bush because there are ministers like this who are paying lip-service to the people of western Queensland and northern Queensland. That is where the dollars are generated. As I said before, it is the minority providing for the majority. It is the men and women out there who are doing it hard who are providing those dollars to keep income coming to the coast. Every bullock that comes in from the west keeps four people in a job here in Brisbane every day. I have heard—

**Government members** interjected.

**Madam DEPUTY SPEAKER:** Order!

**Mr JOHNSON:** I have heard you say—

**Madam DEPUTY SPEAKER:** Order! Member for Gregory, order!

**Mr Johnson** interjected.

**Madam DEPUTY SPEAKER:** Order! Member for Gregory!

**Mr JOHNSON:** Those opposite ought to get the real facts, because they have got it wrong.

Time expired.

**Government members** interjected.

**Madam DEPUTY SPEAKER** (Ms Jarratt): Order! The House will come to order! There is far too much calling out across the chamber. Member for Gregory, I called for order and you did not heed my warning, so I now warn you.

**Mr REEVES** (Mansfield—ALP) (9.11 p.m.): I support the two bills that are before the House. After listening to the contribution of the member for Gregory to this debate, I can tell him that I do not

remember the days of rubbing vinegar on steak. However, I do remember the 1980s. I remember the 1980s and the umpteen weeks of blackouts caused by the Bjelke-Petersen government sacking the workers. That is what I remember. I rise to speak about some positive issues in this area, unlike the member for Gregory.

It gives me much pleasure to support the bills. Today I had the pleasure of welcoming the Minister for Energy to the great electorate of Mansfield, which I represent. Electricity customers in the Eight Mile Plains area will benefit from a \$1.56 million upgrade of the local Energex network. It was a great pleasure to inspect the progress on the works to prepare the new transformer for commissioning at the Energex Eight Mile Plains zone substation today with the minister. I welcome the Energex investment in Eight Mile Plains in the electorate of Mansfield. The transformer will increase the substation's capacity in this rapidly growing area and give Energex the flexibility to transfer power loads between its Runcorn and Belmont bulk supply substations if necessary. Customers in parts of Eight Mile Plains, Sunnybank, Macgregor, Runcorn and Rochedale will benefit from this upgrade.

The project is part of Energex's record \$421 million investment in capital works this financial year. Yes, that is a record \$421 million investment in capital works. That investment also includes an \$85 million accelerated capital works program to help meet the peak summer demand. Energex advises me that it has delivered 21 of these 23 new transformers—and I think the next two will be delivered in the next two weeks—and has completed the installation of cooling fans at 17 sites in south-east Queensland, and we saw an example of those cooling fans today. Energex has spent about one-third of its \$29.8 million vegetation management budget this financial year as part of the summer preparations. Today we saw an example of the work force doing a great job at Eight Mile Plains, and I wish to thank them for their dedication and commitment.

While on this subject, during the summer storms in January there were long blackouts particularly in Mansfield and Wishart, and the reason for this was explained to me today by the Energex workers. There is original underground cabling in some areas of Mansfield and Wishart, particularly around the Crestmead and Green Meadows areas. That was done nearly 30 years ago when there was not the modern technology that we have today. As a result, some of that cabling is a lot harder for the workers to get to when there are long delays. However, Energex is working on that problem. It has initiated an earlier response to that issue by putting task forces closer at Greenslopes in order to eliminate the long delays and is also looking to use other feeders. I want to commend Energex for getting on with the job after the Somerville report, understanding what the problems are and getting on with the job of improving the system. We cannot stop acts of God, but hopefully we can decrease the time it takes to rectify those problems. I commend the bills to the House.

**Mr HORAN** (Toowoomba South—NPA) (9.16 p.m.): Tonight I rise to address the two bills in the cognate debate. First of all, I refer to the Electricity Amendment Bill 2004—that is, the bill that introduces the 13 per cent guarantee that retailers will need to provide in terms of using electricity that has been generated by gas-fired means. Tonight's debate on these bills needs to reflect the whole sad and sorry history of what has happened to electricity under this Labor government. When the Goss government was in power from 1989 through to 1996, virtually nothing—absolutely nothing—was done with regard to the new generation of electricity. When we came into government in 1996, we had a system that was a shambles—an absolute shambles. The lead time required to put in a new generating plant, as most members here would be aware, is over a period of years. We got stuck into it immediately. The immediate needs were, of course, to put in short-term smaller plants that could immediately address the brownouts and blackouts that were occurring for reasons of lack of generation. Those plants were put in places like Dalby, north Queensland and so forth to help in the short term.

At the same time, the system was crumbling and we experienced brownouts. I remember at one stage the generating plant at Tarong had corrosion in literally hundreds of kilometres of boiler tubes and cooling tubes. As was explained to us by the then Minister for Mines and Energy, the corrosion that was occurring in the form of pinholes in those pipes was quite incredible. That was due to a lack of foresight and a lack of planning and going some six and a half to seven years without having proper plans to put in place power generation strategies, which take many years to enact. We set about doing that while putting in place short-term plants to deal with emergencies at peak times. Even though the power from those smaller stations was dearer, it provided the boost needed at peak times.

Then there is the period of the Beattie government. Under this government the issue is not so much about generation; rather, it is the other end of the scale. It has been milking government owned corporations—particularly Energex and Ergon—of cash. It has gone on for years and years and years, particularly during the time when the Treasurer ran massive budget deficits.

As a result of that massive pressure to increase the percentage of the profits of the company being allocated to the dividend to 95 per cent and demanding all the time more and more money, even to the extent of demanding special dividends over and above that 95 per cent, the electrical retailer had to do an Alan Bond and revalue the assets and then borrow more money in order to pay the government. I have said before in this House that I believe what they did was incorrect. It would not be allowed to happen in private enterprise. In private enterprise, people who are running a company are

not allowed to borrow to pay a dividend. In this case, that is exactly what happened. The electricity companies were forced to revalue their assets, to change their debt to equity ratio and then, as a result of that, deliver this special dividend to the government. Basically, it was borrowed money taken out of the hands of the electrical retailer and given to the government so that it could use it to try to prop up its budget. It was wrong to borrow money to pay a dividend. The stock exchanges would not allow a private company to do that.

That is the situation that we had. There was ongoing, nonstop pressure to pay a dividend and to find more and more money for the government—up to 95 per cent of the profits. Once that limit is reached, there is almost nowhere else to go other than to 100 per cent. I believe there was pressure on those retailers and the boards of those retailers to make larger profits so that the 95 per cent of the profit was also bigger. How do people make a bigger profit? They cut back on their repairs and maintenance, and they cut back on their expenses so that at the end of the day there is a big profit. So 95 per cent of that bigger profit gives the companies a bit more to hand over to the government, which is putting enormous pressure on them behind the scenes to deliver more and more to try to counteract its budget deficits, particularly in the first two years of the last term of the Beattie Labor government.

That is the background of what happened in the electricity industry. That led to the situation this year where last summer the system could no longer cope with the needs of a hot summer and the needs of a growing population that was building houses without eaves and needing airconditioners. The electricity retailers were promoting airconditioners like mad. So every summer we had something like a 40 per cent or a 50 per cent increase in airconditioners in Queensland homes. The system could not cope and the ever-increasing number of blackouts and outages just escalated.

To try to save face, the government commissioned the Somerville report. It showed what everybody else out there knew—that the system could not cope. Basically, in many parts of Queensland—and I know that it has been happening in the south-west of Toowoomba in the area around Westbrook and Wyreema—it was like having a 10,000-gallon tank and trying to run the water through an eight-inch pipe. It just would not go through. The water might have been there, but the pipeline was not big enough to supply it. That is basically what was happening.

Then we saw the government's spin doctors get out there. We also heard the announcement in this parliament of 'X' million dollars worth of new generators and everything else that was part of the plan. But, of course, everybody in the know knew that all of those extra pieces of substation equipment and so forth had to have been ordered at least 12 months before in order to arrive about now. Special orders had to be placed for them. Some of them had to be imported. This new equipment was not as a result of a sudden, new plan implemented by the government; it was the usual equipment that was ordered by the people who put in place the electrical retailing system.

It was a shameful and disgraceful episode by the Labor government in the early 1990s when its lack of foresight and planning saw a massive decline in generating capacity. Then again under the Beattie Labor government we saw the retailers used as milking cows. Then those retailers were forced to increase the capital valuations of their businesses so that they could give more money for another dividend, which was the special dividend. Over a period of years that caused the decline in the feeder lines and the decline in the repairs and maintenance that brought us to the crisis that we saw this year. What a sad end it was to the crisis. As usual, the government was trying to cover itself by looking for a scapegoat. It suddenly saw the opportunity to blame the CEO of Energex, Mr Maddock, and then we saw the awful tragedy that ensued. This was a government that saw its chance to find a scapegoat like it always did. It did not wear it on the chin, it did not cop it, it did not admit that it got it wrong.

The exact same thing happened as a result of the protection of children inquiry. For three or four years the government was warned of what would happen if it did not act. We then had a crisis situation. At the end of the day the government had to come up with all of this money to try to fix this massive problem that occurred with the protection of children, which was of its own making, just the same as this problem with electricity was of its own making.

I refer to the issue of the 13 per cent mandate. I want to raise a couple of points. It is very interesting to see that, when it suits the Beattie Labor government, it can bring in a mandate. In this case, it is bringing in a mandate for 13 per cent gas-fired electricity. Just recently in this term and in the previous term of the government we introduced private members' bills into this House for the mandating of ethanol production. The government has all the excuses in the world not to do that. Twice now the Beattie Labor government has voted down the concept of mandating the production of ethanol so that the costly business of establishing an ethanol plant can be undertaken in the sugar and the grain areas. Twice now the government has voted down a private member's bill to do that because it does not have the foresight, it does not have the vision, and it does not have the organisational and management capacity to make these things happen.

The government wants to blame the federal government because it is not game to do it itself. The government blamed mutual recognition and the Australian Constitution as reasons why it could not support the private member's bill. Yet, in a contestable industry such as power, which comes back and forth over the border through the main western feeder line that comes up to the west of Millmerran, it is

all right to have a 13 per cent mandate to have gas-produced electricity. The government blamed mutual recognition and the Constitution as reasons why it could not mandate ethanol. That makes no sense. But it does make sense that, when it comes to ethanol, the government is all show and no go. It is not prepared to undertake anything that is a little bit difficult and might have some risk attached to it. It wants to be able to leave that to someone else. It is not prepared to do it.

In the opposition's previous private member's bill we offered ways in which to move from a 10 per cent ethanol mandate in all fuel to only 65 per cent of fuel. We looked at ways in which the whole system could be eased in. This system has worked in America. There is now a minimum of 10 per cent ethanol in fuel mandated throughout America. That started off with a mandate in the state of Minnesota. In South America, people are using ethanol to a very, very large extent—up to 85 per cent—in their vehicles. We have a wonderful opportunity to do it in Queensland, but the government will not budge. I think that it has a philosophical attitude towards it, or it does not like the idea because the National Party raised it first in the parliament and it does not want to be seen to be following suit. The government has some crazy reason why it will not do it. It is certainly not because of mutual recognition and it is certainly not because of the Australian Constitution. I have gone through the reasons for that in previous debates. But in the case of this bill obviously the government is able to introduce a mandate, or a guarantee, even though electricity is a competitive product in a competitive market. It is sold back and forth over the border, depending upon the availability in New South Wales, Victoria and Queensland and the excesses that those states have in the power industry.

I believe that another issue is related to coal-fired power and gas-fired power. At the moment, the gas that is being used—and this is quite an exciting development—is the gas from the coal seam methane fields in the Surat and Bowen basins. It is being taken over to the Townsville power station. From what I have heard, there is a big push to get PNG gas into Queensland. I know that the Labor Party is trying to do this because back in 1998 Jim Elder promised it and said that he would have a pipeline down the coast of Queensland in three years. But why do we have to have PNG gas when we have our own gas industry—an exciting gas industry—in the Surat and Bowen basins and parts of south western Queensland where I am told very reliably that we have similar amounts of gas? We could be providing all of the gas ourselves from our own Queensland gas fields and not have to bring in gas from PNG that may have sovereign risk and requires a pipeline right across the ocean from PNG and down the coast of Queensland. Why not look after our own families first? Why not use our own gas first when we have rich gas reserves?

This guarantee, or mandate, of 13 per cent will also have another effect that I would like to hear the minister make some comment about in his reply. The concept of having gas-fired electricity has been brought in in order to achieve certain things in relation to the environment and global warming. In Queensland it does have a real effect because we are one state, one place in Australia, that has outstanding sources of coal. In some cases power stations, such as at Millmerran and the proposed station at Kogan, are right on the face of the mine. It is a very cheap and efficient system. Coal-fired power is some of the cheapest available power in the world, and we are able to produce it here in Queensland.

Bearing in mind the availability and geographic location of coal, the 13 per cent of mandated gas-fired power will be produced at two to three times the cost of producing coal-fired power. That will increase the average costing. That average costing is used to work out the price of power, be it for domestic consumers or for the tranches of those industries that are taking large chunks of power which have been able to enter the contestable market, which people in the domestic system have not been able to enter.

We will see an increase in the price of power. I would like the minister to indicate in his reply to the second reading debate how much the cost of power will go up in Queensland, because 13 per cent of our power will cost two to three times as much as coal-sourced power to produce. Thirteen per cent is significant. When there is a doubling or trebling in the cost of production of power, there will have to be a significant increase in the cost of power through the increase in the average price. That will flow on not only to domestic consumers in Queensland. Even though we have equalisation across the state, that will be at a higher rate so people will be paying more for their power. Industries that purchase the tranches, depending on the amount of power they use in the contestable market, will be faced with an increase in the cost of power. It might be interesting for the minister to tell us whether they would then be more likely to buy their quotas of power from interstate so that we actually lose business to interstate.

I refer to the issue of the standards and guarantees. I have spoken about the woeful set of circumstances that have led to this crisis in the power industry in Queensland. The Labor Party is scrambling to try to man the bilge pumps and keep the ship afloat—it has been forced into a panic—and is endeavouring to bring about a system whereby we will not have the serious problems that we had last summer and that we were seeing every year before.

I have noted the virtual panic in the tree lopping around Toowoomba and the surrounding districts. Anything that sticks out of the ground anywhere near a powerline has been cut down, particularly since

the Premier panicked here in the parliament when the Treasurer inadvertently said that he would provide compensation. This debate tonight is about the compensation that will be paid to people.

We can see what will happen. The actual standards will be set by the regulator, who is ultimately the director-general. No doubt the director-general is on a performance bond and is paid a salary plus a performance bonus. If he is half-smart he will not be setting the bar too high because if he fails he will not get the performance bonus.

The interesting thing for us is not going to be the principle we are debating tonight—the principle of having service levels, which we always used to have until these organisations were used as cash cows. We always had the standards. Basically they have had to be reintroduced because the organisations were forced to drop their standards so that they could increase their profit and give a bigger dividend to the government. After the legislation has been passed it will be interesting to see what standards will be introduced, the form of the rebates, the amount of the rebates and how people will be treated fairly. Will it be made so tough for people and the standards made so convoluted that no-one can get any sort of a rebate? What will be the rebate if there has been an outage that has knocked small business or home owners about? It will be interesting to see just what the government and the government owned corporations come up with.

I have only one minute left to me, but I want to bring to the attention of the minister the serious problem that exists in the Westbrook and Wyreema areas to the south of Toowoomba. People in those suburbs are sick and tired of blackouts and outages. I also want to commend the wonderful efforts of the workers in Ergon in and around our city. When the storms are on and when wires come down, they are out there in the middle of the night and in the middle of the storms. That takes a lot of courage and a lot of commitment to our community. The efforts they make, sometimes with a lack of staff and a lack of equipment, are quite outstanding. The bravery and commitment they show are to be commended.

I do hope that the minister can take note of the problems that exist, particularly in the Westbrook and Wyreema areas. I hope that his note takers have written that down and that they can give us an answer as to whether that area will be fixed, because people are sick and tired of it, particularly people with small businesses and shops that need to keep their products cold.

**Mr NEIL ROBERTS** (Nudgee—ALP) (9.36 p.m.): It has been quite interesting listening to the member for Toowoomba South in particular make assertions about the Labor government milking Energex and Ergon for cash. Talk about the pot calling the kettle black! In the two so-called golden years when the coalition was in government it ripped \$850 million out of the electricity industry—\$850 million in two years. The opposition totally lacks credibility on that issue.

**Mr Wilson:** They do not have an answer.

**Mr NEIL ROBERTS:** They cannot answer it, because no-one has come anywhere near ripping that amount of money out of this industry. Following on from the member for Toowoomba South, I take this opportunity to pay tribute to the workers, the field workers in particular, in Energex and Ergon. I had a fair bit to do with many of those people in a former life and can really attest to the fact that there is a culture within the electricity industry such that when the chips are down, when the storms are out there and the power is out, people put their heads down and work until the power is restored. It is quite a dangerous situation, and we should pay tribute to them and thank them for their dedication, because they put in a great effort whenever they are required.

As I have indicated, there has been a lot of discussion in this House and in the media about the state of Queensland's electricity system. Much of it, illustrated by the speeches from a number of the members opposite tonight, is based on misinformation and deliberate misrepresentation of the facts. Following the intense storm season—it was an extraordinary storm season early this year—the government initiated an independent review, which has been referred to by a number of speakers, into the performance of our distributors, Energex and Ergon. The resultant Somerville report identified a range of measures that needed to be taken to improve not only the performance of our distribution network but also the quality of the service received by consumers.

Following the release of the report, the government put in place an action plan to ensure that the recommendations in the report were implemented without delay. Since that time there has been a significant injection of funds into maintenance and capital works activity to upgrade the network and distribution equipment and also to accelerate maintenance activities, particularly issues like vegetation management, in preparation for this year's summer storm season.

As I noted earlier, a lot of the debate and commentary on the state of the electricity system has been based on misinformation and a lack of understanding of the industry and the government's relationship with its GOCs. There are two recurring themes in this misinformation which need to be corrected.

The first issue, which I was surprised to see perpetuated again in a recent article in the *Australian*, is that Queensland does not have enough electricity supply. The facts are that Queensland has an excess supply of electricity and regularly exports electricity across the border to New South Wales. In fact, I checked the figures and in Queensland today we had 8,556 megawatts of electricity available for

distribution throughout the state, with an estimated maximum demand of 6,530 megawatts, giving us a 31 per cent margin. The total capacity of Queensland's generation system is, in fact, 10,132 megawatts, which is different from the day-to-day availability due to units being offlined for maintenance, et cetera. Therefore, the issue of Queensland not having enough electricity is absolute bunkum.

The second issue that needs to be corrected is the claim that the extraction of dividends from the electricity GOCs has impacted on their ability to undertake the maintenance and capital works programs necessary to upgrade the system. Again, this claim is debunked totally in the independent report prepared by Darryl Somerville and his committee. The report states—

The panel examined this matter and found the distributors' ability to spend on the networks was not affected by the payment of special dividends.

Further to that, in a letter to the Premier dated 5 August, the chair of the panel, Mr Somerville wrote—

... the conclusion we reached was that the level of dividends paid to the State Government did not cause either of the distributors to be lacking in the funds necessary to carry out these (maintenance) functions.

Despite all the argument and the public statements on these issues, I have not heard one person, either inside this House or outside this House, challenge the integrity or the quality of the information contained in the Somerville report, or the findings of the panel that compiled it. Therefore, it is disturbing that these fundamental untruths, particularly on the issue of dividends, continue to muddy the waters of the debate on the state of our electricity network. If ever there was a red herring in the current debate, this is the biggest of them all.

The facts outlined in the report cut through the noise and the mischief that has diverted attention away from the actual state of the network. Far from describing a network in crisis, in fact the Somerville report describes a network that, although under pressure in some quarters, is still delivering a reliable electricity supply to Queensland consumers and industry.

The government's dividend payment regime is intended to impose a commercial discipline on our GOCs in the same way that the private sector does. GOCs are required to justify the expenditures they make and, if an appropriate business case is made out, the government has a proven track record of providing the equity injections—that is, the cash—that is required to undertake appropriate capital works and maintenance projects.

As I indicated earlier, it is interesting to listen to the opposition whip up the issue of dividend payments. As I have said, they must have been transformed on the road to Damascus because when they were in government they ripped \$850 million out of this industry in the short time of only two years.

Among the key recommendations of the Somerville report, which are picked up in these bills, is that electricity distributors need to focus squarely on improving customer service outcomes. By implementing a strict regime of minimum service standards and guaranteed service levels, Ergon and Energex customers will be assured of an improved level of service delivery. The approach is not entirely new because both Ergon and Energex have been voluntarily applying service standard regimes for some time.

The bill provides for the mandatory implementation of minimum service standards and guaranteed service levels across both distributors. The minimum service standards will focus on promoting improvements in the average reliability performance of the distribution networks and will cover reliability measures relating to the average number and duration of interruptions across the network in a given year.

The time lines for implementing the new standards have drawn some criticism from the members opposite. However, a system of incremental but significant improvements over a five-year period will ensure that the distributors are focused on improving the reliability outcomes for consumers and deliver for Queenslanders a much improved and reliable electricity system.

Guaranteed service levels will target the delivery of direct services to individual consumers and if Energex or Ergon fail to meet the required standards individual consumers will be entitled to a rebate on their electricity bill. Those standards will cover areas such as new connections, reconnection of supply, wrongful disconnection, notice of planned supply interruptions and keeping appointments with customers. Any disputes about whether a rebate is payable to a consumer will be settled by the Energy Consumer Protection Office. As I have said, the new minimum service standards and guaranteed service levels build upon the existing voluntary schemes already in place with Ergon and Energex and will greatly improve the level of service and reliability of our distribution network.

I conclude by making a few comments on the Electricity Amendment Bill which delivers on a key policy commitment of the government, which is to require electricity retailers to source at least 13 per cent of the electricity they sell from gas-fired generation from 1 January next year. One of the key benefits of the scheme is a significant reduction in greenhouse gases and, when combined with the government's support of a new gas-fired power station in Townsville—a project that the National Party has severely criticised, particularly the pipeline supplying that gas—the scheme will deliver a reduction in greenhouse gasses of around 26 million tonnes over 15 years.

Another significant but smaller aspect of the bill is the provision relating to the transfer of employees of an electricity authority to a subsidiary corporation, which both Energex and Ergon have established in recent times. The bill will ensure that such employees retain their previous employment conditions. It is another example of how the Beattie Labor government is taking extra steps to protect the interests of employees in the industry.

Both of these bills advance the interests of consumers of electricity across Queensland. As well as mandating improvements to the service customers will receive from their electricity distributor, the bill entrenches another step in the government's endeavours to minimise the harm being caused to the environment by greenhouse gas emissions. Accordingly, I commend both bills to the House.

**Mr WELLINGTON** (Nicklin—Ind) (9.46 p.m.): I rise to participate in the debate on the Electricity Amendment Bill 2004. I note that the objects of this bill are to provide a regulatory framework for the introduction of minimum service standards, a guaranteed service level regime and enhanced performance monitoring and reporting arrangements for electricity distribution and retail entities, which include Energex and Ergon, and to clarify the electricity entities' existing power in relation to vegetation management.

I note the basic reason for the bill was as a result of the independent panel that undertook a review of the electricity distribution and service delivery in Queensland. Over recent months a lot has been said in this chamber about the state of electricity delivery in Queensland. When I watched the news tonight—and I may be corrected on this—it was indicated that the Premier's popularity in Queensland has increased since the last election whilst that of the leader of the, can I say, official opposition is reportedly at six per cent.

Sometimes we have a lot to say in this chamber, but the challenge is to see if what we say here captures the hearts, minds and views of ordinary Queenslanders. If it is the case that the surveys that were reported on tonight's news are correct and if my understanding of them is correct, and the Premier's popularity has increased since the last election and the leader of the official opposition is now at six per cent, I wonder if the way that this matter has been pursued, debated, questioned and challenged in the chamber is reflecting the views of ordinary Queenslanders.

To put a local perspective on what has been happening in my electorate, there is no doubt that ever since I was first elected to represent the electorate of Nicklin in state parliament, we have faced issues in relation to the reliable supply of electricity. Every minister who has held the portfolio while I have been the Independent member for Nicklin may remember the submissions and approaches that I have made over issues and concerns about the reliability of the supply of electricity. We need to give credit where credit is due. I say to the current minister, Mr Mickel, that he and the government have responded to the challenges. The government was prepared to undertake an investigation. Others can throw criticism if they like, but my Independent colleagues, a Liberal representative and I took up an offer to attend a meeting.

We had the chance to put questions and then we had a chance to visit. I am not interested in playing politics, but the bottom line is that I am prepared to give credit where credit is due. When I have had issues of concern raised recently in relation to the reliability of electricity supply in my electorate I have phoned the minister's office direct. We have had prompt responses in relation to the reasons for the breakdown but, more importantly, sometimes the minister's office has been frank enough to say, 'Peter, we don't know why it has broken down.' I will give members an example. Just over two weeks ago within two days we had several power blackouts. They were at approximately 7 o'clock at night, 7 a.m. the next morning and 8 o'clock. On one morning—I think it was at 8 o'clock—my wife was at home trying to cook some biscuits for a senior citizens group that I was attending later that morning. I spoke with that senior citizen's group and I asked, 'Did you have an electricity blackout?' They said, 'No, we didn't.' We had a bit of a chuckle and a story.

The minister's office responded promptly to my calls. I noted that the minister even sent out a press release indicating that they could not understand why there had been a breakdown. I was of the view that the breakdown was simply because the transformers may have been past their use-by date. I understand that they then engaged the services of a helicopter to do some surveillance and more technical officers were checking the equipment. Fortunately, we have had no further breakdowns, but I use that as one example of where the government, the minister and his officers have followed up my query and they have responded promptly.

I also raised a couple of issues in relation to breakdowns and the need for more maintenance on some of the cross arms on power poles in my electorate. Within a few days one of the officers in Energex contacted my office. We had a very, very frank and detailed discussion in relation to identifying the areas. I was also informed as to how Energex was going to respond to rectifying the concern that I and my constituents had about the lack of maintenance on some of the cross arms on our power poles. I believe my constituents were pleased to finally see something happening.

We can spend all our time tonight criticising and throwing bricks about the past, but I think it is about politicians, governments, oppositions, Independents—call them what you like—responding to the needs and the calls of our constituents in Queensland. I wish to say that if it is the case that the polls

that were reported on the news tonight are accurate—that the Premier has increased his support in Queensland and the leader of the official opposition is now at six per cent—that has to raise one important question: has the way that the official opposition handled this issue about the electricity supply in Queensland captured the hearts and minds of Queenslanders, or has it simply been a political tool? I do not know; I will leave that up to others to judge.

I am prepared to give credit where credit is due. I am prepared to acknowledge the way that the minister has responded to the concerns in my electorate, and I am prepared to wait and see how things unfold. I commend the bill to the House.

**Dr LESLEY CLARK** (Barron River—ALP) (9.52 p.m.): It is with pleasure that I rise tonight to support the Electricity Amendment Bill and the Electricity Amendment Bill (No. 2) because they will result in both a reduction in greenhouse gases through gas-fired generation of electricity and an improvement of services to Energex and Ergon customers—equally important goals for Queenslanders.

When Minister Mickel was sworn in he made it clear that he wanted Ergon to focus on the people who mattered most—the customers. It was with pleasure that I launched Ergon Energy's mobile customer service unit on behalf of the minister, John Mickel, in Kuranda on Monday of this week, together with Virginia Bendall-Harris, the group manager of customer services strategy and integration from Townsville. This important new service is designed to make sure that people can contact Ergon and have the information they want in a face-to-face manner. There is no doubt that when people phone the national contact centre the service has a lot of information that can be provided, but we still understand that there are many people who like to have that personal, face-to-face contact. That includes the elderly, who really have not made that transition to telecommunications and having to press lots of buttons and wait for numbers to be told what to do next, and people with hearing impairments. There are a number of people who feel reluctant to access information in that way.

This mobile service will be moving throughout far-north Queensland from Cardwell up to Normanton. The person who is providing the service in this mobile unit will also be linked up by computer so they will have access to information. If they do not have it right at their fingertips they will be able to get it for people. We will be letting people know about the service ahead of time so they can take advantage of it. The kind of things they can ask about are, obviously, their bill, electricity energy efficiency, vegetation management and new connections—just about any kind of service and information at all. It is great to see that kind of service. I hope that people in far-north Queensland will take advantage of that. This is a pilot program. It is going to be evaluated. If it proves to be successful and people take advantage of the service offered in that way, then it will be rolled out to further parts of Queensland.

This particular initiative builds on other steps that Ergon Energy is taking to improve its service delivery across regional Queensland and in far-north Queensland. One of those particular initiatives is the decision to increase its investment in vegetation management to a record \$55 million this financial year. Some \$39 million of that has already been spent, and I have no doubt that a great deal of it has been spent in far-north Queensland because, as members would be aware, vegetation management is a very important issue if we are going to maintain reliability of supply in the tropics.

I am very pleased with the service that is provided by Ergon. I get regular bulletins coming to my electorate office letting me know where regular maintenance is occurring and where there are going to be planned outages. I know that the crews in far-north Queensland are out there every day of the week doing things such as vegetation management control and ensuring that poles are being replaced in readiness for the cyclone season. I get excellent service from Ergon staff in far-north Queensland. I would like to commend Geoff Bowes, general operations manager, for the work that he does in leading the team up there. They do some great work. I am sure the minister is very proud of the work that they do and recognises how hard they work.

Ergon Energy is investing over \$211 million in capital works and maintenance across the far north. That is, in fact, almost double what it was spending some five years ago. This investment obviously is needed in the far north because of our economic growth and our growing population. In fact, peak demand in the Cairns region grew by almost 12 per cent in the last financial year. I am sure that growth is going to be sustained and may well increase with the rate of development that is occurring. Many of the units that are being built these days in far-north Queensland, of course, require airconditioning. We have seen how that particular aspect has been responsible for the surge in demand in Energex's services in south-east Queensland, and that is certainly what is happening in far-north Queensland.

I have to put on the record my concern about the kind of buildings that are being built across the state which rely on having airconditioning as opposed to architectural designs that might take advantage of more natural passive means of cooling homes, because it really does worry me just how sustainable that is and the pressure that it puts on electricity services.

We do know that we are going to have to provide more power in far-north Queensland, in the Cairns area. I would like to put on the record again some of the major projects that are happening just to give members an indication of the kind of work that is happening in the far north and in the Cairns area

in particular where such growth is occurring. There is going to be a north Cairns substation to accommodate rising demand for power in the Cairns CBD, north Cairns and the inner suburbs. Ergon Energy is planning a new substation in the north Cairns area. There is currently high-level consultation, route and site acquisition going on. Work will begin on the project within two years. The new substation will provide increased capacity for the city by reducing the load on the Cairns city substation and it will also provide for the increase in demand from the growing apartment complexes, as I have indicated, being built in the Cairns inner suburbs. The projected cost of that particular project alone is \$20 million.

Further south is the Edmonton switching station. The capacity and reliability of the electricity supply in the southern suburbs of Cairns will be enhanced by the upgrading of the Edmonton switching station to a substation due for completion by the end of this year. There has been enormous growth in that region, and that is going to offer greater reliability and capacity in the Gordonvale-Edmonton areas and reduce the load currently placed on Ergon Energy's Hartley Street substation, where there have been some problems. Once complete the Gordonvale-Edmonton areas will be powered by the Edmonton substation. That particular project is valued at some \$700,000. Moving back to Cairns, the McLeod Street feeder will improve the capacity, reliability and flexibility of the electrical network in the Cairns-north Cairns area. A major upgrade has been performed on the McLeod Street feeder.

In my electorate, there are two really important projects happening. First of all, there is the northern beaches augmentation. I have actually spoken before about this in the House. This is a \$6.5 million upgrade on the Marlin Coast to ensure increased reliability of supply to ensure we cope with the growth that is occurring. Stage 1 will see a new feeder line built between the Kamerunga zone substation and Smithfield, where a new switching station will be built. This additional feeder will power the Smithfield area, thereby reducing the load on the other feeders servicing the northern beaches. It is expected to be energised in 2005-06. The cost of stage 1 is around \$800,000. I certainly look forward to that continuing.

In Kuranda there will be a new feeder. Funding has been allocated for the installation of a new feeder to service the Kuranda area. This project aims to improve capacity and reliability and offer an alternative source of power, with a new line to be fed from Mareeba rather than relying on the feeder that comes up from Kamerunga. Design and planning have begun, with construction expected to take place in the 2005-06 financial year. The total cost will be around \$500,000.

Something that will benefit the whole area of Cairns is the rolling out of fibre-optic cabling. That cabling will run between key pieces of our electricity network, allowing better control of the substations and other assets. Importantly, this cable will be used to provide high-speed data, Internet and video conferencing services to the local community.

All of these initiatives will help to ensure that Ergon will meet the guaranteed minimum service level regime provided for in the Electricity Amendment Bill (No 2). Ergon already has a voluntary guaranteed service level scheme in place. I had a look at that on the Internet tonight, just to get a feel for it. I do not think many people realise what Ergon currently offers. Its service promise covers new connections, planned interruptions, streetlights, hot water, trees and overhead powerlines. Just dealing with connections, once all the paperwork is done and Ergon has said yes, it will connect you on such and such a date, if it lets the customer down, it pays \$25 for every day that it is late beyond that date. Ergon guarantees to carry out streetlight repairs in a customer's street by the date agreed to. If it lets the customer down, then it pays \$10 per day. If it is late in relation to hot water and it lets the customer down, it pays \$20 for every day that it is late, and so it goes on. There is a real cost incentive for Ergon to make sure that the work is done when it says it will be done.

The legislation we are debating tonight is about making that regime mandatory and then, with time, upping the ante. The first stage involves making voluntary guaranteed service levels compulsory. In fact, that happened in October this year. That was designed to give certainty to a customer's entitlement under those schemes. From 1 January next year, service levels will be replaced by new, uniform, mandatory guaranteed service levels. They will relate to non-reliability customer service issues, with increased rebates. From 1 July 2005, further new guaranteed service levels covering supply reliability matters will be introduced.

Those particular supply reliability guaranteed service levels will cover the number and duration of outages that a customer experiences. This means that, if a customer experiences more than a specified number of outages in a year, or an outage that lasts longer than a specified period, the customer will be entitled to a rebate on their electricity bill. The non-reliability customer service guaranteed service levels will cover matters such as new connections, reconnection of supply, wrongful disconnection, notice of planned supply interruptions and being on time for appointments. For example, if Ergon Energy arranges to connect or reconnect a customer and does not do so on time, a customer will receive a rebate. As I have indicated in relation to the voluntary system that is in place, this legislation will ensure that those rebates are in place and that the customer will actually benefit if Ergon is seen to be falling down on the job.

More importantly, payment of a rebate under this proposed guaranteed service level regime will not remove or change in any way the existing legal rights of customers to pursue compensation for loss

or damage arising from a distributor's failure in relation to the customer's electricity supply. If a dispute arises as to whether or not a rebate is payable, customers may refer the matter to the Energy Consumer Protection Office, which does an excellent job.

I turn now to the other bill that we are debating tonight, the Electricity Amendment Bill (No. 2). This bill delivers on a key commitment of this government and requires electricity retailers to source 13 per cent of the electricity that they sell in Queensland from gas-fired generation from 1 January 2005. The 13 per cent gas scheme, as it is commonly known, is an important initiative for Queensland's future. By delivering on this commitment, we will reduce greenhouse gas emissions and create economic opportunities, particularly in regional Queensland.

Electricity generation using gas produces half the greenhouse gas emissions of more traditional coal-fired generation. It is estimated that the 13 per cent gas scheme, together with the government's encouragement of a gas-fired power station in Townsville, will deliver approximately 26 million tonnes of greenhouse gas emission reductions over 15 years. That is equivalent to taking about six million cars off the road for one year—a very significant environmental outcome that is protecting Queensland's future.

The newly converted gas-fired power station in Townsville and the recently commissioned Swanbank E Power Station will benefit from the scheme. There are also a range of other smaller gas-fired generation projects either under construction or planned for the near future in regional Queensland. The initiatives in both of these bills are very significant for Queensland. They will ensure that we have the reliability of supply that customers are looking for and that this government is committed to. I commend the bills to the House.

**Mr CHRIS FOLEY** (Maryborough—Ind) (10.06 p.m.): I rise to participate in the debate tonight, particularly on the Electricity Amendment Bill (No. 2). The policy objectives of the bill are stated as providing a regulatory framework for the introduction of minimum service standards, a guaranteed service level regime and enhanced performance, monitoring and reporting arrangements for electricity distribution and retail entities, Energex and Ergon, and also to clarify the powers of existing entities in terms of vegetation management.

To achieve this, the bill includes a new head of power for the regulator to make such a code. The bill proves that the industry code made by the regulator will only come into effect if approved by regulation. Compliance with the industry code will be a condition of Energex's and Ergon's authorities or licences issued by the regulator, and compliance will be monitored and reported on by the regulator. To enhance the monitoring and reporting arrangements in relation to the performance of Energex and Ergon Energy, the bill provides new powers for the regulator to require or arrange audits of an electricity entity's compliance with its licence obligations and of the reliability and quality of information provided by the entity to the regulator.

This is a complex matter. I am of the same persuasion as the member for Nicklin, as he indicated in his speech. That is, this is a complex situation that everyone is trying to fix. In our area, the people who work for Ergon have been particularly responsive and are trying their very best to fix the problems. Paul Jordon, the general manager of operations for the southern region, is an absolute credit to Minister John Mickel. He has been very helpful. In fact, I have an appointment with Paul Jordon next week to go through some particular concerns. He has been extremely helpful in every instance.

As the member for Nicklin said, Independent members attended the electricity briefing and were able to raise certain issues, and Minister Mickel responded to those issues.

**A government member** interjected.

**Mr CHRIS FOLEY:** What was that?

**Mr Lawlor** interjected.

**Mr Mulherin** interjected.

**Mr CHRIS FOLEY:** I will move on. We attended the briefing and, as a result, Paul Jordon has been to see me and has gone through the capital works programs which are under way in our area. They are of a very significant nature. One thing that I would certainly like to see is a substation near the Maryborough industrial estate, which is expanding all the time. There will be some improvements to that area.

If allegations of milking from both sides of the political divide are correct then frankly there has been more milking than a Victorian dairy. It is time that we stopped playing petty political games and moved on and fixed the problems. We are all imbued with 20/20 vision in hindsight, but part of the overall picture—and I believe this bill is working towards that—is to sit down and fix the problems.

In our area some of the problems we have had relate to supply negotiation provisions, particularly in areas like Glenwood. These are things that I am working through at the moment with Paul Jordan. Some of the frustrations the locals have experienced are things like being quoted a vast array of prices for work to be done. I am not sure why that is, but I will take that up with him and if necessary talk to the minister about it.

The average Queenslanders would be very happy with a totally uninterrupted power supply come what may. Of course the picture is a lot different from that. We have variable weather conditions. We have ageing assets supplying the electricity. We have falling tree branches and many other things that can disrupt a power supply without any warning. Obviously, we need to throw every resource that is available in the state of Queensland into rebuilding our electricity network—that is, both Ergon and Energex—to an absolute first-class level. In my electorate of Maryborough the Dale and Meyer Sawmill is the major supplier of cross arms to the government for energy use. In the light of the problems that we have had that is a great thing.

Next week I will be meeting with Paul Jordan to discuss the time that it has taken to get a connection when a price is already agreed on. This week I had some people come in to see me. They have a house that is ready to move into in November. They have been told that it will be February before they get the power on. For one of the other cases it is a good bit longer than that. I commend the workers in our area who do an absolutely sterling job. I commend Paul Jordan, the CEO for our area. Let us stop the political game playing and move on. We should stop squabbling and treating the issue as a political football and fix it.

**Mr SHINE** (Toowoomba North—ALP) (10.12 p.m.): It gives me great pleasure to speak in the debate on these two pieces of legislation before the House. Notwithstanding the comments of the honourable member for Maryborough, I must say that it would be wrong for me to leave uncontested the remarks of my friend and neighbour the member for Toowoomba South. He accused the Beattie government of milking the distribution companies and others with respect to this particular issue. I commend the member for Nudgee for his expose of the form of the Borbidge-Sheldon government and their notorious extraction of \$850 million during the short period that they were in power. How this most pertinent fact was overlooked by the honourable member for Toowoomba South amazes me. All I can say is that, so far as the Nationals are concerned, hypocrisy is thy name.

I too would like to add to the remarks of various honourable members the thanks that the community owes for the courage and dedication of the employees of the distribution companies. In the case of Toowoomba North it is the employees of Ergon. In my electorate, particularly in the Highfields area, there are thankfully a great number of trees. But in times of severe storms these can lead to dangerous situations and outages of power. The Ergon workers do a tremendous job, as they do throughout the state. I certainly want to acknowledge the work of the Toowoomba Ergon workers.

The reforms set out in these pieces of legislation have been referred to at length tonight by various speakers. I will not go over that ground again other than to say that it is pleasing to see the introduction of the 13 per cent rule which will lead to the reduction in greenhouse gas emissions. It is a concept that clearly the members of the National Party fail to get. It would be pointless going on tonight with yet another attempt to explain what I think is obvious to the rest of the community and certainly to the rest of this parliament—that is, the necessity to bring in reforms in that regard. It is sad and not surprising that today's opinion polls reflect the view that 94 per cent of Queenslanders have with respect to the National Party.

I now want to refer to power issues that have been relevant to my electorate since being elected. In the last term there were considerable problems in the Highfields area. I want to put on record tonight what was been done to rectify that situation by the previous Minister for Energy, Paul Lucas. Highfields has over a period of time, partly because of the trees that I referred to before but also in more recent times because of the great expansion in the area, experienced great periods of outages and interruptions to power.

I invited the minister to visit Highfields to look at these issues on at least two occasions and he kindly accepted the invitations. To cut the story short, what he arranged to have completed was, firstly, a 33kV subtransmission feeder from Torrington to the Meringandan substation as an addition to the existing supply source of the Postmans Ridge station which was completed at the end of 2003. Secondly, he arranged for the completion of a new 11kV feeder out of the Meringandan substation to Highfields before June last year. Thirdly, he arranged, via Ergon, to increase maintenance through urgent works on vegetation management, inspection of the main supply substation with thermovision cameras and providing easier access for crews to powerlines in difficult terrain. To a large extent, certainly in terms of any phone calls to my office with respect to problems concerning power, the immense problems at Highfields have been overcome. I put on record my thanks to the former Minister for Energy for what he did in that regard.

What we have now in my electorate of Toowoomba North are continuing problems with respect to older parts of my electorate—namely, the Mount Lofty and Harlaxton areas. I have, as is my job as the local member, made representations to the new Minister for Energy, John Mickel, with success, I might say. I want to inform the House what those problems have been but, more importantly, what I am very pleased the minister has agreed to do and to have done in the future. As with his predecessor, things are happening. The problem certainly is not solved at this stage, but I am confident that, with the track record that we have seen exhibited and that I have referred to earlier, the position for Mount Lofty and Harlaxton residents will be greatly improved. How has the minister responded to my requests? The

answer is that, firstly, he has indicated that an amount of \$350,000 will be spent on maintenance work. For example, the replacement of 13 poles and 58 crossarms in the Mount Lofty area will be carried out over this 12-month period.

Both the Mount Lofty and Harlaxton feeders are due for inspection in 2005 under Ergon Energy's asset inspection and defect management program, and this will enable Ergon Energy to identify and repair any defects before customer supply is interrupted. Further, Ergon Energy has already spent \$360,000 replacing conductors on the Kate Street and the Harlaxton feeders in the past year. Further still, Ergon Energy's vegetation management crews will be inspecting the Mount Lofty feeder this month as part of an ongoing cycle of inspections. Ergon Energy is also addressing technical problems which have resulted in recent outages by restoring access to a backup supply for the North Toowoomba substation. Further, Ergon Energy has advised that an automatic changeover to a backup supply for the North Toowoomba substation will be available again in January 2005, considerably improving reliability in Mount Lofty, and a backup supply to North Toowoomba is normally available by the Energex substation at Postmans Ridge in the event that the supply is lost from Torrington and that that backup supply has recently been unavailable due to upgrade works taking place at Postmans Ridge, with those upgrade works due to be completed in January. Under the automatic changeover process, supply will immediately switch to Postmans Ridge without any impact on consumers. Therefore, I welcome the steps taken by Ergon Energy and I thank the current minister for what he has done in answer to my submissions to him. I can assure him that the residents of Mount Lofty and Harlaxton will be grateful if this problem is fixed.

The minister has followed the pattern, if you like, of his predecessor and is prepared to travel to where trouble spots arise throughout the state. I am very pleased to inform the House that the minister will be visiting my electorate on 7 December and has made himself available to all of those people who have written to me complaining about the power outages in that area of Mount Lofty and Harlaxton. I am advising those persons of his visit and I am inviting them to meet with him at my office on 7 December. I can do no more than facilitate such a meeting for people to not only express what these outages have meant for them but also hear first-hand from the Minister for Energy in Queensland what is and will be done to rectify the problem. I am very grateful to the minister for that. That is a pretty rare offer and a pretty rare performance in terms of what governments in Australia and the rest of the world do. To have the minister responsible meet with these people in their home town is indeed a generous offer, and I am very grateful to the minister for that.

In terms of my final remark with respect to this issue of energy—again, I know there is little need for me to do so—I take this opportunity to remind the minister of the splendid work being done at the University of Southern Queensland with respect to fibre composites. Bearing in mind the cost of timber in terms of electricity light poles, crossarms, et cetera, I remind him again of that work that is being done. I know that he is familiar with it. I urge him to bear it in mind and to further the investigation of that product within his department with the eventual result of hopefully entering into an appropriate contract between his department and the university in time to come.

**Mrs PRATT** (Nanango—Ind) (10.23 p.m.): I rise to speak to the Electricity Amendment Bill 2004 and the Electricity Amendment Bill (No. 2) 2004 in this cognate debate. The Electricity Amendment Bill 2004 requires electricity retailers to source 13 per cent of the electricity they sell in Queensland from gas-fired generation from 1 January 2005. As we were told in the minister's second reading speech, this is necessary to help minimise the greenhouse emissions of which electricity generation currently accounts for close to one-third of Queensland's total gas emissions. I note also in the minister's second reading speech that the newly converted gas-fired power station in Townsville and the recently commissioned Swanbank E Power Station will benefit from the scheme. I also note that he mentioned that a range of other small gas-fired generation projects are either under construction or planned for the near future.

Since being elected I have mentioned in the House the expansion of the Tarong Power Station in terms of not only endorsing another coal based generator but also a gas generator. It is my understanding that a site is already ready to accommodate a gas-fired generator. I ask the minister: does his referral to a range of other smaller gas-fired generator projects either under construction or planned for the near future include Tarong Power Station situated near the town of Nanango?

There is no doubt that gas-fired power generation is greener than coal-fired generation, but there are many other greener power generators which need to be considered. Wind farms that exist in some areas of Queensland and other parts of Australia are very effective. On a recent trip to New Zealand I witnessed a vast array of wind generators. A few years earlier when we visited the North Island there were only about 20; now they are lined up along the hills for miles and make a truly amazing sight. They are in fact the big tourist attraction in New Zealand. While we were there we actually watched another one being constructed. Wind generators either generate a liking or a loathing to the locals, but no-one is indifferent to their presence. I know that recently they caused some concern for people in the Bunya Mountains when they thought that perhaps wind generation was going to be used there.

I have often heard of wave generated electricity, which I believe is still very expensive to produce. There is solar electricity and other forms of electricity generation, but many consumers still believe that these are too costly to set up and for them they have become unviable. The question I ask the minister is this: how much can the average consumer expect to pay for this commitment by the government to require retailers to source 13 per cent of the electricity they sell from gas-fired generation? I do have reservations about the Electricity Amendment Bill 2004 and as yet have not quite made up my mind. I will wait until the minister answers some of the questions that have been raised in the House by various members before making that decision. I do, however, support the Electricity Amendment Bill (No. 2) 2004.

I recently spoke with Swickers, a major business in Kingaroy, with regard to reliability of supply of electricity. This business currently employs 450 people and plans to expand to another 100 employees in 2005, and approximately 650 employees is its final estimated target. Reliability of supply is essential not only to this business but also to many other businesses in the area, but any outage is an extraordinary loss to this particular business. I will outline to the House what I learnt just recently. If this business experiences an outage in the morning, it has reported to me that it costs \$45,000. If it experiences that same outage in the afternoon, that loss is roughly \$25,000. Although it would prefer to have no outages at all, afternoon outages do not hurt nearly as much as outages early in the day as the mill floor is actually operating at that particular time.

Swickers and many businesses in the South Burnett would welcome gas to the district. I know that the council is very supportive of a gas pipeline being brought through the region. It is something that I have not heard a negative comment about from anyone in the whole region. The growth of the area, however, demands that the distribution network be addressed as well as reliability. The electricity generation capacity by Tarong is there—no-one will disagree with that—but the distribution infrastructure, as has been outlined in various reports, is fragile and unreliable when subject to even the most minuscule of forces. The weather reports have stated that this summer will be worse than previous years for storms, and I am curious as to the calculated estimated cost of rebates to consumers for outages for this summer alone. If rebates had been offered last summer, I am quite sure that it would have been a sizeable amount.

Energex and Ergon are required to prepare and implement comprehensive summer preparedness plans, which include vegetation management and better customer communications. I have seen one of the call centres and, although it looks very efficient, only summer will tell just how effective it really is. The companies are also required to prepare and implement network management plans. For the life of me I cannot imagine those businesses not already having these plans in place from day one of their existence. It is also required that a minimum mandatory service standard be defined and delivered and that, if this is not reached, individual customers will receive rebates. If this minimum mandatory service standard is based on the average, for some people the average is pretty damned basic indeed. I have to wonder how long the waiting times will be extended to have even the most basic need attended to if a rebate is available if either Energex and Ergon cannot get to where they say they will be in time. Rural distances and conditions may impact very much on this area of their operation.

Generally, people in rural areas are not unreasonable. They do not expect miracles and will accept that conditions can be thrown up that no-one could predict and/or infrastructure withstand. Country people have always understood the vagaries of weather conditions as they deal with them all the time. Wild lightning storms are not uncommon and severe windstorms—or dry storms—can be exceptional. People just accept them as part of life. But it is the times when the system falls over simply because there is a slight breeze, as often happens in the Mount Mee area, that people become pretty irate.

Tonight I had to smile when I was listening to some of the speeches. There appears to have been a lot of remembering here tonight. I would like to say to the member for Gregory that I also remember rubbing the meat with vinegar, along with doing a lot of other things that country people did every day and accepting that because that was the way things were. I also remember milking by lamplight back in the 1960s after summer storms, which at the time were as regular as clockwork, interrupted the power. You could set your clock by the storms breaking at 4 o'clock every day on the mid-north coast of New South Wales.

**Mr Lawlor:** What year?

**Mrs PRATT:** In the 1960s. Unfortunately, here in Queensland, we do not have storms as often.

**Mr Purcell** interjected.

**Mrs PRATT:** I wish. But every time we do, members can be sure that the power outages occur. In many ways that unreliability is still with us today as it was in the 1960s. So perhaps we have not progressed as far as we think we have.

The member for Mansfield said that he remembered the Bjelke-Petersen era and the electricity strikes and outages that occurred then. I remember those as well. At the time, I was living in a rural area. People in that area often perceived the union action that was on at that time as being

unreasonable. Being in a rural area, we were used to blackouts. Therefore, we did not really suffer greatly. I expect that the people in the city suffered a lot more than people in rural areas did.

Both sides of the House have plundered Energex and Ergon. Unfortunately, because of that plundering and the lack of maintenance of the infrastructure over the years, we still experience the same unreliability in our electricity supply today. Many people, especially in rural areas, dread the approach of this summer. They fear that they will suffer as they did last summer. Some of the tales that were told then were horrendous and I felt very, very sorry for the people involved. The problems in the electricity industry can and should be laid squarely at the feet of any government. It is the government alone that has overseen the neglect of a system and has failed to ensure that the distribution network was upgraded sufficiently to meet any growing demand. Government members have often stood in this House and skited about the numbers of people who were coming to Queensland. Those members extolled the virtues of Queensland and its projected growth by 2026. The Premier knows what Queensland is like, as do all the other members in this House. He probably enjoys his airconditioner as much as most other members in the House do. It is expected—nay predictable—that as airconditioning prices become lower and more affordable, the average person will not suffer the summer heat. They will install an airconditioner. I find it very difficult to believe the government's line that it could not have foreseen the massive growth in demand for airconditioners and other electrical appliances. If that is true, I have to question the ability of the government to govern effectively at all.

I find it admirable that the government is putting Energex's and Ergon's money where its mouth is. I again ask: who is picking up the cost of this rebate ultimately? Will it be the consumer? Money does not fall from the sky. Whenever you rob Peter to pay Paul, the real cost usually jumps up and smacks you in the face. That is exactly what has happened in the past and may possibly happen in the future.

The report card given to the government by the Somerville report was very, very poor. But the report card given to the government from the people in the Nanango electorate who suffered last summer would be for all the categories a D minus, with D being the lowest rating. Putting back what is taken out of a system does not make for a good government. Ensuring supply, preparing for the long-term future and not thinking only short term does not make a good government. It makes it a government doing exactly what it is supposed to be doing: supplying the necessary fundamental services for which the taxpayer duly pays.

I endorse the words of all members of this House who have rightly acknowledged the efforts of workers who go out in any weather conditions to get the lights back on. I also cannot fault either Energex or Ergon, which has resolved all the issues that I have brought to them in a speedy and efficient manner. They, too, realise that a lot of work had to be done to bring things back into line. A major job has to be done and I acknowledge the minister's intentions to achieve an outcome that is acceptable to the general public. I support the Electricity Amendment Bill (No. 2) 2004, but, as I said, I reserve my decision on the Electricity Amendment Bill 2004 until I hear the minister's reply.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (10.35 p.m.): I rise to support these electricity amendment bills and commend the Minister for Energy for putting the needs of Queensland energy consumers as a top priority. In late January this year, over 4,000 households in my electorate received power blackouts as a result of a severe storm that rampaged through the leafy western suburbs. Trees were uprooted and some fell on houses and school buildings. The costs to the local community was enormous. Power did not return to some households for more than 20 hours and residents were frustrated because they could not get information about when their power would be restored. I strongly lobbied the then minister, Paul Lucas, on behalf of all affected consumers in my electorate of Mount Ommaney for some major improvements to the provision of power and maintenance management and customer communications methods. Thanks to the new Minister for Energy, a new substation will be built locally to help ensure reliable supply in my area.

The government needs to be prepared to cope with these unexpected storms which wreak havoc in our community, particularly those people who are less able to fend for themselves when they are without power. I was able to advise residents that the government was initiating an independent review of the performance of Queensland electricity distributors, Energex and Ergon Energy. The review identified a number of improvements that needed to be made to the way in which operational and maintenance activities are carried out by Energex and Ergon Energy as well as improvements to the way in which these businesses are regulated. An action plan was developed to ensure the future reliability of Queensland electricity networks.

Some of the vital components of the plan, which came about from recommendations arising out of the review, were that Energex and Ergon be required to prepare and implement comprehensive summer preparedness plans, which include increased vegetation management, targeted capital expenditure and, importantly, more effective customer communications; requiring Energex and Ergon to prepare and implement annual network management plans, which clearly outline the state of their distribution networks and the activities planned to improve them; new and stringent licence conditions, which detail mandatory minimum service standards for electricity supply that distributors must deliver; a guaranteed service level regime where individual customers will receive rebates on their electricity accounts if

Energex and Ergon fail to deliver defined service levels; and a comprehensive monitoring and reporting framework to provide for greater public accountability. Our government has already begun to implement some of these initiatives through administrative arrangements.

The purpose of this amendment bill is to deliver legal certainty and clarity to do this. The detail of the new minimum service standards and guaranteed service levels will be contained in a new industry code to be put in place once the amendments in the bill have been made.

I would like to talk about customer service levels. If a customer experiences more than a specified number of outages in a year, or an outage that lasts longer than a specified period, under this bill the customer will be entitled to a rebate on their electricity bill. If Energex or Ergon arranges to connect or reconnect a customer and does not do it on time, the customer will receive a rebate. If a customer is wrongly disconnected, the customer will receive a rebate. If Energex or Ergon is late for an appointment, it should offer the customer an opportunity to reschedule an appointment. If that does not happen, the affected customer will be entitled to a rebate. This will provide an incentive for Energex and Ergon to ensure that poor service does not occur or, if it does, it is addressed quickly.

I am pleased that this government realises that customer service must be a high priority. Payment of a rebate under the proposed guaranteed service level regime will not remove or change in any way the existing legal rights of customers to pursue compensation for loss or damage arising from a distributor's failure in relation to customer electricity supply. Customers may refer the matter to the Energy Consumer Protection Office if a dispute over a rebate arises.

The other matter of concern to me is regarding the management of vegetation, particularly in relation to damage from storms. Minimising interference with the electricity network from trees or other vegetation was identified by the independent review as a significant factor in improving electricity supply reliability. These changes will ensure that there is no doubt about Energex's and Ergon's ability to carry out the necessary vegetation management work that is such a vital part of improving and maintaining supply reliability.

This bill will ensure that the difficulties faced by customers experiencing blackouts due to severe storms will be minimised. It will also ensure that Energex and Ergon are driven to improve service to customers, particularly in relation to reliability of electricity supply. It responds to the recommendations of the independent review in a detailed and positive way ensuring that, despite the increasing demand on supply, the people of Queensland are the main focus here. I commend the bill to the House.

**Ms NOLAN** (Ipswich—ALP) (10.41 p.m.): The hypocrisy of the Deputy Leader of the Opposition in this debate has been, even by his own miserable standards, breathtaking. I am afraid that, as a woman who has a passing interest in both truth and consistency, I cannot let it go unchallenged. I have worked as a Treasury adviser and I also well remember the Borbidge-Sheldon years and these guys' performance on electricity. While the Nationals today might want to make like cleanskins in this debate, I think it is important that people know just where they have been.

In the past year the Nationals have changed their position on electricity policy more often than they have changed their underwear. The self-righteousness of the member for Callide this evening as he told us that he personally had warned that trouble lay ahead with power and, secondly, as he tried to pin the tragic death of Greg Maddock on the Premier was truly appalling.

As shadow treasurer the member for Callide has an important role to play in the parliament, and the myths that he has tried to perpetuate tonight have been truly stunning. The shadow treasurer began by trying to tell us that for years, in his words, he had personally warned that the extraction of dividends from the electricity GOCs would lead to blackouts. Let us take a look at the record here.

While the dividends the Beattie government has taken from power GOCs have come, by definition, after capital upgrades and maintenance, the Borbidge government, of which Mr Seeney was a part, took a very different approach. Between 1996 and 1998 the Borbidge-Sheldon government restructured the industry to extract \$850 million in special dividends. Then Treasurer Joan Sheldon said at the time that the payments reflected a policy of 'better value from more effective management'. How nice! How sweet and benign!

While Opposition Leader Lawrence Springborg unilaterally announced in August that it was National Party policy to decorporatise the electricity sector and somehow take it back into the bowels of government, it was well known during the Borbidge years that, having lived first off the short-term proceeds of the Suncorp Metway sale, Borbidge and Sheldon were actively trying to privatise the power GOCs in order to sustain their leaky budget for a few more years. How quickly the times change. Five years ago the Nationals were privatising electricity completely. Now, flying in the face of 20 years of Australian micro-economic reform, they want to socialise it, bringing the management of this huge economic driver back into the bowels of bureaucracy. Bob Quinn described the new Nationals policy in the *Gold Coast Bulletin* on 14 August as 'frankly ridiculous'—and he was right. What this massive change of position proves once and for all is that the Nationals will say and do anything, because at their core on matters of economic policy they understand very little and they believe in absolutely nothing.

The third myth that the National Party has tried to perpetuate in this debate is that Queensland suffers from a lack of power generation. Those of us who remember the Sheldon treasury will very well recall that a lack of generation and delays in linking to the national electricity grid led to blackouts in early 1998. But we also know that since those days we the Beattie government have opened the coal-fired Swanbank E, Millmerran and extensions at Tarong. Queensland now has excess power generation and indeed sells its surplus at a profit to the national market. But when the Premier mentioned this in late July, what did Lawrence say? He said—

We had Mr Beattie as late as Wednesday claiming on ABC Radio that there is excess generation capacity throughout Queensland.

Lawrence said—

Again he has lied to and misled the people of Queensland.

This was on 30 July. By that stage this issue had been running for more than six months, but the Nationals had not worked out that in electricity there is generation, there is transmission—that is on the big lines, for those guys who do not understand—and then there is distribution. And this issue is not about generation; it is about distribution.

So what does all this amount to? It amounts to a National Party opposition that does not understand the electricity industry, that does not know how power is generated, transmitted and distributed, that does not understand its governance and that has more positions on how to deal with it than a swami taking a yoga class.

What do the Nats do when they are out of their depth on policy? They do what they have always done: they jump straight into the gutter. When the Somerville report came down Peter Beattie said—

We are the government, and at the end of the day that's where the buck stops.

He said—

We are not seeking to blame anyone else.

The Nationals' leader, in contrast, called for blood, demanding the sacking of boards and energy executives with the words—

This government never sacks anyone. It doesn't matter what they've done or haven't done.

But after Greg Maddock tragically killed himself the Nationals very much changed their tune. They completely ignored the fact that the investigation into Mr Maddock's expenses was initiated by the Auditor-General, and they tried to pin Maddock's suicide on the Premier. In question time on 11 November our charming friend Mr Seeney asked the Attorney-General whether, given that 'the coroner has the power to determine "what caused the person to die"', the coroner would 'investigate the concerns expressed by Mrs Maddock, Don Nissen, Sally Pitkin and Brian Kilmartin in relation to the Treasurer's—that is not Treasury and not the Auditor-General but the Treasurer's—'investigation of Mr Maddock'. I have to say, this question was one of the grubbiest I have heard in here because implicit in the question is an attempt to associate Mr Maddock's tragic suicide with personal pressure from the Treasurer and, as they have suggested repeatedly through this, with personal pressure from the Premier.

Of course, no-one will be surprised to know that the question was wrong in law. The coroner investigates what physically killed a person, and we all know what that was. The coroner does not investigate how that person happened to be feeling at the time. It was wrong in politics, given that it was the opposition, not us, which demanded the sacking of the power executives. And it was just plain offensive to presume that any of us can ever imagine why a person chooses to kill themselves. How do we ever know why a person kills themselves? How foolish to suggest that we can even try to presume and how offensive to ask a question like that as a means simply of scoring political points. Mr Seeney's question in this parliament in the last sitting week was a low point even by the Queensland Nationals' standards, but doesn't it just sum them up?

In this debate the Queensland Nationals have failed to understand how the power industry works. They have gone from one policy extreme of privatisation back to socialising it again. They have completely ignored their own actions while in government and they have topped it off not just by pretending that they did not call for the power executives to be sacked but also by trying to blame the Premier for a man's death. But, then again, from these hypocrites over here what more would we expect?

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (10.49 p.m.): I rise to speak to the Electricity Amendment Bill and the Electricity Amendment Bill (No. 2) 2004. The Electricity Amendment Bill highlights a number of issues, particularly the 13 per cent gas scheme. The main purposes of that scheme are to reduce the growth in greenhouse gases associated with electricity used in the state, to contribute to the diversification of the state's energy mix towards the greater use of gas in electricity generation and to encourage the development of new gas sources and gas infrastructure to meet the state's future energy requirements. If those three issues were taken in isolation, everybody in this state would agree with them provided that there was no other balancing side to consider.

The member for Callide very vocally raised the issue of the extra cost to ordinary consumers that the mandatory 13 per cent gas scheme will require. Criticism has been made of his contribution. However, a small number of exempted industries are required to accommodate this new legislation and they are developments of state importance. I think it is fair to ask the minister to clarify what the smaller consumers, the ordinary consumers, will bear in terms of an increase in their power costs as a result of this proposal.

Obviously, there will be an increased cost involved in power generation as the result of an innovative change like this. I am sure that the minister's staff have costed that increased cost and would be able to provide us with figures specifically in relation to the additional generation costs for the 13 per cent mandated gas component. I ask the minister to clarify that in his reply to the House. From my perspective, it is a very important issue. As I said, most people would support an increase in the use of natural gases and feedstock that is less polluting. However, if there is a downside such as a cost, I believe there is an obligation on the government to make that very clear and transparent.

The other issue that I would seek clarification on relates to the third purpose of the 13 per cent gas scheme, which is to encourage the development of new gas sources and gas infrastructure to meet the state's future energy requirements. Again, that is a very positive sentiment. I ask the minister whether any undertakings have already been given to gas proponents in relation to a contribution the state might be making and whether this legislation is actually setting up the structure for that commitment, contract, guarantee or undertaking to be delivered? The minister's response to that will in great measure determine whether I support that element of the bill.

Although the Liberal Party has indicated that it will support the bill, the member for Surfers Paradise also confirmed the member for Callide's comments in relation to the increasing cost of power on the basis of the 13 per cent gas scheme. He spoke about the increase being not too burdensome. In today's economic climate with many people on low to medium incomes, any significant increase, which is a subjective term, has to be made clear. The benefits and disadvantages must be made clear to the community so that they, too, can respond to the government's decision. I am sure that the majority would agree with the sentiments, but the detail is very necessary.

The bill requires that, for this legislation to be implemented, a great deal of the detail will be introduced in a code. Whilst it is subordinate legislation, as the result of a slightly complex process, that subordinate legislation is justified because of this parliament's contribution in terms of disallowance. The reality says that the process may be true in terms of the democratic process here in Queensland. The facts are that the government has a significant majority and it is important that all members of the community get to understand what these codes are, and that they get clear access to the information and an opportunity to respond to it either directly with the minister or through the elected members.

The bill also proposes to make the ECPO an industry-funded dispute resolution service available to customers who consume less than 20,000 kilowatts of electricity per annum. I neglected to do this at the start, but I thank the minister and his staff for their briefing to the Liberals, the Independents and One Nation at the last sitting. It was certainly very helpful, if interrupted by a number of divisions. I thank the staff for their perseverance and tolerance. The meeting was disrupted a number of times and we certainly appreciated their willingness to stay and give us their attention and time. At that time I wondered whether the exclusion of the larger contestable consumers would in any way impact on smaller consumers in terms of the obligation to provide funding to the ECPO. The minister's staff advised me that the distributors fund the dispute resolution entity and, therefore, there will be no impact on consumers.

I have had on a number of occasions to send electricity consumers to the industry dispute resolution centre. Although the outcomes have not always been to their satisfaction, they have found it a good process to go through. I note that some information will be withheld from the disputing parties. I can only assume that that is to ensure that the actual mediator is not unduly influenced or is not seen to be influenced one way or the other by either party. If that is going to build confidence in the process, it is certainly welcome.

A number of initiatives have been set out in the Electricity Amendment Bill (No. 2). It requires Energex and Ergon to prepare and implement comprehensive summer preparedness plans, which include increased vegetation management, targeted capital expenditure and more effective customer communications. It requires Energex and Ergon Energy to prepare and implement annual network management plans that clearly outline the state of their distribution networks and the activities planned to improve them.

The member for Nanango commented that, if companies or corporations as large as Energex and Ergon were not already preparing management plans, they would be probably the sloppiest of the large industries or corporations in the state. It is my understanding that they have been and that the relevant minister has signed off on them in each subsequent year. At that point in time the responsible shareholding ministers become owners of that management plan. For many Queenslanders, that element was the most galling in the very recent, very public and very tragic dispute between senior management staff at Energex and the elected representatives here in this parliament who are the

shareholding ministers. The reality is that, if there have been shortfalls in funding for infrastructure and maintenance, then the shareholding ministers must own that shortfall because they sign off on those management plans. Now we are in a situation of significant catch up. Both Energex and Ergon are finding it difficult to reach very publicly stated targets set by the elected arm when they have staffing challenges in terms of identifying and putting on appropriately trained people to do the work that is necessary.

We are in for a summer that, as I think the member for Bulimba said, will hopefully be a very wet one. Many of us are praying for a wet summer because we have been in drought for a long time, but with that comes some disadvantages in terms of electricity supply. I have not heard too many people complain if we lose electricity because of a lightning strike or other natural disaster. It is accepted that it is something that cannot be avoided. However, where that damage occurs because the infrastructure has deteriorated over time because of previous natural disasters and therefore a lack of proper inspection in the time between the storm and the actual fault and failure, then that is something that is less acceptable. Plain infrastructure failure or the delivery network failure is what people find most annoying and very, very frustrating. A couple of areas in my electorate that regularly have blackouts are Mount Larcom and Bracewell. They have suffered significantly in terms of their small businesses with a loss in freezer capacity and a loss of goods in the freezer. One shop in particular has been pretty unsuccessful in trying to get appropriate compensation.

The bills talk about new stringent licensing conditions which detail mandatory minimum service standards for electricity supply that the distributors must deliver. I raised this last sitting, but I will raise it again now because I think it is incredibly relevant. Across central Queensland we have had a number of local electrical small businesses which have provided connection, reconnection and disconnection services in various areas. They usually tender for small parcels—that is, small geographical areas—because the obligation is a four-hour connection and a 24-hour disconnection, and those time lines have to be met in their performance agreement. This year all of the tenders were put up together, and small electrician businesses agreed to have one-month or six-month extensions on their contracts to allow for all of the tenders to fall due on the same date. They were tendered out. The process was sloppy. A human resources management firm in Victoria won the contract. There is no way under the conditions they are trying to hire electricians in my electorate alone that it will be able to meet the performance standards because it is saying to prospective staff, 'You've got to cover an area from Raglan down to 1770 and then out to the Mount Rainbow range.' It cannot be done in four hours. The geographical spread is too broad and it cannot actually achieve that service obligation.

We have taken an immediate backward step in terms of locals who know the area and who want to provide a good service. In fact, after the contractor in my region lost the contract he received a very kind letter from a local representative saying that the contractor had offered an exemplary service. I believe the first step backward from new stringent licence conditions detailing mandatory minimum service standards has already been achieved.

A previous member mentioned and I have read it in the paper—I think it was during the last sitting or the sitting before—how public comment was being sought in relation to the community's view on a number of standards of power supply. Questions were being put to people in these terms: 'Would you be prepared to pay more for a reliable power supply? Would you pay less for a power supply and tolerate certainly outages?' It went down a sliding scale from there. I find the notion of paying for a service that government has an obligation to provide, and has had for generations, reprehensible. Now that things are getting difficult—in part because both sides of politics have withdrawn significant sums from the power generators—saying to people, 'If you're rich enough you can buy a reliable power supply; if you're a middle income family you might just get outages two or three times a year; if you're a low income earner, we can switch you off whenever we need to because you can't pay the surcharge to get a reliable supply,' is reprehensible. It is not something that any government should consider, let alone be asking its community to respond to.

In closing, I would like to put on the record my very great appreciation for our local Ergon staff. They respond in a timely way to our concerns. They respond as best they can to their service obligations in terms of new connections given that they are short staffed. We have a problem in my electorate with the time that it takes for new connections to be achieved. People who are paying payments to the bank for new houses have to wait in rental accommodation for those connections to occur. That is not the staff's fault; they are understaffed. It is a lack of vision on the part of the current and previous governments that the system has run down to that extent. I look forward to the minister's responses, particularly in relation to the cost to ordinary consumers of the 13 per cent gas scheme. Again, I believe the majority of people would support it for its environmental benefits, but in line with those benefits the disbenefits must be articulated clearly so people can make a choice and a decision based on all the facts.

**Mr COPELAND** (Cunningham—NPA) (11.05 p.m.): I rise to briefly contribute to the cognate debate on the Electricity Amendment Bill and the Electricity Amendment Bill (No. 2) before the parliament tonight. The shadow minister, the member for Callide, has announced the position of the Nationals' opposition, so I will not go into detail regarding the position that he has already stated.

The electricity industry in Queensland is, without doubt, under pressure. It has been under pressure for some time and it has been the subject of a lot of controversy, specifically over the last few months but for far longer than that. The Nationals have been saying for some years that the electricity industry simply cannot cope with the special dividends that have been withdrawn from it and that the maintenance program—the development program—needed to be upheld so that the people of Queensland could access reliable, cheap electricity in their homes. That simply has not happened under this government. In fact, the same situation that we are seeing in the electricity industry is going to occur with other infrastructure, whether it is transport, whether it is water or whether it is the power industry, as we have seen in recent times.

I really feel for the staff of Ergon and Energex. I would specifically like to touch on Ergon because in the last week or two I have had an explosion of complaints into my office about the performance of Ergon and what it is able to deliver. I do not in any way blame the local staff of Ergon. I have been in contact with them about a number of the issues that I will raise here tonight, but they have their hands tied. Unfortunately, as the previous speaker, the member for Gladstone, said, the resources that they are provided with simply do not allow them to do the job that everyone expects them to do and we are wanting them to do, particularly coming into the storm season, as we are at the moment.

It is quite unfortunate that the staff of Ergon and Energex have been caught up in the controversies that have been surrounding the energy industry. It is not funny to see; it is amazing to see that they are having to change their focus now onto the maintenance program of the energy infrastructure such as the clearing of trees. And, boy, haven't we seen a lot of that in Toowoomba in the last couple of weeks? The maintenance crews have been focusing on clearing vegetation—things that should have been done routinely and as a matter of course over the last few years but which all of a sudden have been focused on given the controversy that has surrounded this government's handling of the energy industry. All of a sudden, things are happening but those things are happening at the expense of other normal day-to-day activities of Ergon. In my electorate that has meant that people have not been able to get quotes for electricity connections. They have not been able to get those electricity connections for up to six months. I will detail those instances later.

My sympathies are with Ergon staff because they are at the tail end of this. It is the government that is complicit in what has gone wrong with the energy infrastructure. It is the government that has not provided the resources to allow them to get on with the job that they are wanting to do, and now it is those staff at the tail end who are having to live with the consequences of that inaction by this government. That is a real shame because I know that local staff members in Toowoomba have been bending over backwards to try to help but they simply cannot do it. They simply do not have the ability or the resources to do what we expect them to do as members of the community. That is a real shame and a real indictment on the five former energy ministers who sit in this government.

I would like to touch on four examples but I will not mention the names of any of these people. I have been in contact with the local Ergon staff in Toowoomba and they have tried to help but, unfortunately, they cannot. That is a real shame. As I said, this is no criticism of them. They have had their energies put into other areas, obviously, as a directive from above. They are having to maintain the existing network and they are having to maintain the vegetation around the powerlines, so they are unable to be involved with new connections. I will not mention the names of any of these people. The local Ergon staff have tried to help me but they have not been able to. I think it is important that members actually raise these matters in parliament where the debate takes place because it is important that the people of Queensland know what is going on.

The first people that I would like to mention are a young couple that I have known for some time. They live in Toowoomba but they want to build a house at Nobby—a small town, but it is a town that actually has electricity connected. However, unfortunately the earliest time that they can get a quote for connection to the house block that they want to purchase is January 2005. They have to get quotes for all of the costs involved with building a house, which obviously includes the connection of power, so that they can get a home loan from a bank. However, they cannot get a quote from Ergon until January, so they cannot actually proceed to get their home loan and to have their house built. They cannot be given a date at all as to when the power will be connected. At best, they have a quote scheduled for January and an open-ended connection time.

This lady who contacted my office said that it was salt rubbed into the wound when, after she had been negotiating with Ergon that day, that very night she saw an ad on television with the slogan 'Everything in our power. People powering people.' She could not get any power at all. That is a real problem for them. They are a young couple trying to get a home loan but cannot get a home loan because they cannot get a quote, and they cannot get a quote because Ergon has other priorities that it is busy with.

The second example is a fellow who lives in Toowoomba and is wanting electricity connected in Cambooya. Again, the block is in town—as was the block in Nobby—so the electricity is already there. They were advised that the builder would start building their home last week and would finish by the end

of March 2005. Ergon has been contacted and this fellow has been told that the power cannot be connected for at least six months due to the backlog that exists in our area.

This fellow and his wife have a young family. They cannot afford to pay both rent in Toowoomba and the home loan that they have taken out while they wait for power to be connected. That is what they are faced with because it will be quite some time before the house is completed because the power is unable to be connected. They applied for power about three weeks ago. If they delay the builder, they will also have to pay the builder a penalty rate. It is a real quandary that that young family finds itself in. As I said, it is in a town. It is not as if it is a new connection where they have to extend the powerline some hundreds of metres or kilometres. Six months is unacceptable.

The third example is a small development company in Toowoomba which is doing a small subdivision. Everything is approved. Development approval has come through from the council and all the civil engineering drawings are done. Now they are trying to seal the plan but they cannot do that until they get an Ergon lighting plan for the development. They are waiting not to have the lighting connected but simply for a lighting plan from Ergon so that they can actually have that plan sealed. They paid their money to Ergon in about mid-July, which is some months ago, and they are still waiting. In fact, the response I received from Ergon is that they will be waiting until January before they will have a design for that property. All of the civil works are ready to go and all the development approvals are ready to go.

Unfortunately, this development company is small and does not have the resources of a larger development company. They will have to wear that cost for at least another two months until they can get under way. That is a real problem. As I said, they paid money back in mid-July to have the lighting plan done and nothing has happened. A number of months has elapsed—a number of months where they have been unable to proceed with their project.

A number of large developers in Toowoomba have suffered similar problems—and it is not good for any developer to suffer with these problems—but some of them are probably able to weather the storm better than others. This particular company is only quite small and is unable to wear the cost quite as well as some of the larger companies.

The final example that I would like to touch on tonight is that of a couple living at Greenmount. They have two adjoining blocks and they live on one of the blocks in a motor home. Power supplied to that block was not supplied to the adjoining block. They have a power board on the block that they live on in their motor home. They want to build on the property next door. The power goes straight past the two blocks. They cannot be given a quote until the end of December this year and power cannot be connected for another five months. That is simply unacceptable. Having to wait five or six months for all of these connections to be put in place is really quite ridiculous. It is not acceptable in a state that is supposedly the Smart State.

They are four very basic examples. I am glad to see the Minister for Primary Industries nodding his head in agreement that that is not acceptable.

**Mr Palaszczuk** interjected.

**Mr COPELAND:** Having to wait six months without power connected and having to wait some months just for quotations to be provided is simply not acceptable. That is only a snapshot of what is actually happening in my electorate. That is only those who have come into my electorate office in the last few days. I know that the problem is much more widespread than that. It is a very, very big problem.

As the member for Gladstone said, no-one has a complaint when the power goes out due to storms. Everyone understands that. However, when the power goes out because of bad maintenance or lack of maintenance, people get really, really angry. That is what is so wrong about the government's handling of this issue. The maintenance program has been allowed to run down. We have raised this matter over and over and over again. It is simply not acceptable for this government to say that it did not know about the problems. We have already established that it did know about the problems. It is simply not acceptable for the government to blame the weather or the vegetation or the dust and dew on the lines—all the things that we have heard about. That is just not acceptable in Queensland in this day and age.

On a particularly cold Sunday afternoon a few weeks ago, my wife and I arrived home at Cambooya after a function and discovered that the power was out. I said to Rae to go inside and have a shower, because she was absolutely freezing. But, of course, we need power not only for hot water but also for the pressure pump to actually have any water in our house. That would be fine if it was a stormy afternoon and there was a problem with the weather. It was not. It was a clear, cold day.

I rang the Ergon help line—on my mobile phone—because that is what the government tells us to do. We have to ring on our mobile phones because our roaming phones in the house do not work. The sort of stories that I was told were absolutely ridiculous. It simply was not acceptable. When I arrived in the office on Monday morning, the next day, I heard about a whole lot of people who had experienced exactly the same thing. There was no excuse for the power outage that afternoon. It was blamed on high transmission lines failing, it was blamed on low transmission lines failing—and they were just the excuses given directly to me. Obviously, I did not pursue it because it was not the fault of the people

answering the phone. They were having to deal with people like me ringing them up because we were not happy with what was going on. It is simply not acceptable.

This government has let the power industry and the power infrastructure of this state run down to a dreadful degree. The people of Queensland are now having to live with that. The fact that people are having to wait six months for a power connection in a residential area, in Queensland towns, is ridiculous. If it was a major connection, if it was some hundreds of metres or kilometres, then people may be a little bit more understanding, but not when the powerline runs across the front of your two adjoining blocks. That simply is not acceptable.

I understand completely why people in my electorate are angry because it is getting worse and worse. We have had problems in Pittsworth. I have spoken about the shopkeepers before. We have had problems right across the electorate. The problems are not just confined to the rural areas; they are also in the Toowoomba city area. It is a problem everywhere.

The other thing I will touch on is the tactics of Powerlink regarding the construction of the powerline in my electorate. It is being constructed now. The project has obviously been planned for some time. It really was quite upsetting for a lot of people who have been directly impacted by that powerline to see that one of the briefing notes that was tabled in this House—this was as a result of the FOI pursuits by the opposition during the last sitting of parliament where it was established that there was in fact a memo from Greg Maddock that covered a number of briefing notes provided to the minister—was from Powerlink. I do not have it in front of me, but it effectively said that the power infrastructure provides us with a good media opportunity to push through new infrastructure in the face of mounting community opposition.

I think it is an indictment on the government that it has used a situation that it has created, a situation where infrastructure has run down, to have a favourable media environment for it to crush community opposition. It is a real shame. It goes to show the arrogance of this government. It confirms what many people in my electorate think when they try to turn on the electricity and it simply does not go on. The government stands condemned for its inaction on this issue. We know that the same thing is happening with transport and water. I hope those in the electorate remember this government's inaction over the next two years.

**Hon. R.J. MICKEL** (Logan—ALP) (Minister for Energy) (11.21 p.m.), in reply: I would like to thank all honourable members for their contributions to this debate. The bill delivers on a key commitment of this government by changing Queensland's energy mix through the establishment of a 13 per cent gas scheme. It will reduce greenhouse gas emissions and create economic opportunities, particularly in regional Queensland. This bill will also deliver a better deal for Queensland's electricity customers through the introduction of guaranteed service levels and minimum service standards for Energex and Ergon Energy. It provides the legislative framework for the establishment of an industry code which will ensure that Energex and Ergon, which are monopolies as far as domestic residential consumers are concerned, put the customers first.

It is a pity that, unlike the Liberal Party—the decent opposition and the one rising in the polls, as I am reminded by my honourable friend, and the Independent members—the National Party never took up my offer of a briefing on this bill. Perhaps the contribution of those members might have been better informed. I am afraid the honourable member for Cunningham has just left us. If we stripped away what he said, his attack on Powerlink was simply this. He does not want the electricity transmitted, but somehow he wants it distributed. That is the policy confusion that exists because the Nationals are not better informed. I might say of the honourable gentleman that it did not stop him attending the Powerlink celebrations last week when the funding for the community benefits scheme went through. I thank him for his attendance. I wish he had been more forthright with the people on that occasion.

The member for Callide criticises us for establishing a 13 per cent gas scheme. There is nothing wrong with supporting the development of a gas industry. For industrial development we need gas and electricity. In 1998 Queensland had three gas producing regions and two gas producers. Now we have seven gas producing regions and eight gas producers. There has been a major increase in field-on-field competition. This bill will create opportunities in the sector.

Already we have seen companies such as Incitec, Comalco, QAL and AGL signing up for coal seam gas. Within five years coal seam gas has grown to supply up to about 30 per cent of Queensland's needs. The member for Callide talked about supporting the coal industry. We are doing that by encouraging the development of a coal seam gas industry. Coal seam gas significantly reduces the impact of the coalmining industry on the environment and benefits coalminers through the capture and sale of a wasted product.

The members opposite, with their opposition to the gas scheme, do not want a gas-fired baseload power station in Townsville. They say often times in politics that what we can have is too much of both sides agreeing with one another. If one comes from Townsville or the Townsville region, this bill presents one with the sharpest of contrasts when it comes to energy policy. There is a government that supports regional development through a gas-fired option versus an opposition in Townsville that rejects it. People can work it out for themselves. Here is the sharpest of contrasts.

**Mr Seeney** interjected.

**Mr MICKEL:** The member for Callide is interjecting. I heard him. I heard the entire opposition in complete silence. Yet when it comes to respect for the House what do we see from the honourable member for Callide? A glass jaw and no respect. That is why those opposite are going south in the polls. What is it? We have a 13 per cent gas policy and we have a six per cent opposition.

If coal was a viable option for Townsville there would already be a coal-fired power station there. The member for Burdekin and the member for Charters Towers are telling people in that region that they do not support gas-fired power stations, which would resolve some of the problems they have talked about. The member for Burdekin also claimed that power prices would double as a result of the establishment of a 13 per cent gas scheme. Put simply, their sums do not add up.

I notice the member for Gladstone and the member for Nanango enjoined me to make the following commitment. Ordinary Queenslanders will not pay more for their power as a result of this legislation. Why not? Because the shareholding minister sets the price. The price—and this was a government commitment that we will honour—for power will not rise above the CPI.

The member for Gladstone also asked me whether the government had made any undertaking to gas producers in relation to the 13 per cent scheme. The answer to that, I am advised, is no. The opposition also sought assurances that the government is not removing the current protection for non-contestable customers in terms of their conditions of supply. The bill continues to provide that the terms of customer standard contracts will be regulated as they are now. However, they will be contained in the industry code in the future. The code will be approved by the regulator and will be designed to deliver a better deal for customers and clarify their rights.

The member for Burnett asked about Agnes Water. I am advised by Ergon that he has already been advised of the situation there in a private discussion or briefing he had with an Ergon representative. He chose to ignore that and continue on.

A number of members spoke about dividends. The independent review—and again the National Party did not bother to show up; it was lunch time and when there is a choice between lunch and hard work lunch will always win out—into electricity distribution and service delivery found that the payment of special dividends did not—they had to get to page 6—affect the distributors' ability to spend on their networks.

Dividends are paid only after capital works and maintenance have been provided for. Dividends are returned to the community in the form of social dividends. Those opposite are saying that they do not want government owned corporations to make a profit and deliver a dividend to taxpayers. In other words, the people of capital hate profit. When it comes to dividends, let us look at it. Let us take Ergon Energy for instance.

The annual report showed that Ergon Energy paid an \$87 million dividend last financial year and received over \$220 million in community service obligation payments from the government. What were those community service obligations for? I heard many members from the opposition say, 'What's in this stuff for rural and regional Queensland?' Well, \$220 million just for a starter. Why? What that does is keep the price of electricity uniform. It means that people pay the same price in Brisbane as they do in Townsville, in Birdsville, in Longreach, in Clermont and all of the other places—the same price. That is \$220 million. I might say that the price for that is this: the Commonwealth government will penalise Queensland because it interferes with national competition policy.

We were also asked, 'How does this dividend get injected into the industry?' Last year Ergon Energy injected over and above what had been prescribed by the QCA—a further \$200 million—into capital works. In addition to that, we have injected \$410 million into Enertrade for the Townsville gas power station project. We have provided \$260 million equity to CS Energy to help fund the Kogan Creek Power Station project. The opposition also questioned the future funding for the Energy Consumer Protection Office. I am advised that the office will continue to be fully funded by industry levies based on the electricity companies' customer levels and the number of their customers who use the office as a dispute resolution centre.

The member for Hinchinbrook raised the issue of the Kareeya to Innisfail powerline and asked whether we are in a position to make an announcement. I would like to be in a position to make the announcement. We are still waiting for the federal Environment Minister to make his announcement on the project. If he could apply pressure to his colleague in Canberra, I would welcome that. The member for Toowoomba South asked about the detail of the industry code. This bill establishes the legislative framework for the code, and the first phase of that code takes effect on 1 January 2005.

Honourable members were kind and generous enough to the workers in both Energex and Ergon Energy in recognition of the job that they do under very difficult circumstances in putting the power back on. On behalf of those companies, I thank them for that. I will pass their comments on to the work force. In relation to the specific issues that members raised concerning their electorates, where I have not sent letters to those members already—and a number of the issues raised by members of the National Party I notice were a rehash of letters I have already had sent to me and I already sent the replies to them—I

will have all of those matters examined. Where there is new material in it, I will have that matter investigated for them. Where I can, I will have my office contact those members to ensure that the constituents in their areas are receiving adequate information.

In relation to the connections issue, I will have a meeting tomorrow with Ergon in relation to the issues that were raised by the member for Cunningham and a number of other members in regional areas about time delays. I will also mention that issue with the implementation unit to see if there is a way that we can start to marry up the expectations of people with a speedier connection. I want to thank all honourable members for their interest in what I think is a very exciting industry which has \$18 billion worth of assets in the Queensland industry. This year it will generate excess amounts of electricity. When one looks at the size of our electricity system—the largest in the world—we have every reason to be proud. It has challenges; certainly it has. It has all of the challenges of providing a service to isolated communities and to communities up and down the length and breadth of Queensland. It does that in a way that I think we can be justifiably proud. I do not want to walk away from the challenges. I squarely face up to the fact that that report identified challenges. It has been my task from day one to make sure that we make a qualitative and quantitative difference. I thank all members for their support in that process.

**Question**—That the Electricity Amendment Bill be now read a second time—put; and the House divided—

**AYES, 65**—Attwood, Barry, Barton, Bligh, Boyle, Choi, E.Clark, L.Clark, Croft, Cummins, E Cunningham, English, Fenlon, Finn, Flegg, Foley, Fouras, Fraser, Hayward, Hoolihan, Jarratt, Keech, Langbroek, Lavarch, Lawlor, Livingstone, Lucas, Male, McArdle, McGrady, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, O'Brien, Palaszczuk, Pearce, Pitt, Poole, Pratt, Purcell, Quinn, Reilly, Reynolds, E. Roberts, N.Roberts, Robertson, Scott, Shine, Smith, Stone, Struthers, Stuckey, C.Sullivan, Wallace, Welford, Wellington, Wells, Wilson. Tellers: T.Sullivan, Reeves

**NOES, 15**—Copeland, Hobbs, Horan, Johnson, Knuth, Lee Long, Lingard, Menkens, Messenger, Rickuss, Rowell, Seeney, Simpson. Tellers: Hopper, Malone

Resolved in the **affirmative**.

Electricity Amendment Bill (No. 2) read a second time.

## Consideration in Detail

### Electricity Amendment Bill

Clauses 1 to 3, as read, agreed to.

Clause 4—

**Mr SEENEY** (11.41 p.m.): Clause 4 provides an exemption for retailers who supply large customers from paying the annual membership fee to the Energy Consumer Protection Office. This issue was raised by a number of speakers during the second reading debate and the minister touched on it in his reply. But like so many other things that the minister said in his reply, it did not stand up to any sort of logical consideration.

This clause exempts a number of retailers who supply large customers from paying that annual fee. The legitimate question that was raised during the second reading debate was how this would affect the budget of that office. Given that it is safe to assume—and the minister did not provide us with any figures—that at least some large customers will become exempt, logic would have it that that is going to have some impact on the cash inflow that the Energy Consumer Protection Office has to work with and that that shortfall will have to be met by the other smaller customers who will continue to pay that annual fee. I ask for a clarification of whether or not the government is going to somehow subsidise the operation of that consumer protection office. Is it going to be forced to operate with some sort of deficit budgeting arrangement, or is it the case that the office has been operating at a surplus up until now and can afford to lose the income that it has been receiving from these larger customers? I think that the issue was raised a sufficient number of times during the second reading debate to deserve clarification in this consideration in detail stage.

**Mr MICKEL:** Let me explain what clause 4 does. It amends section 64A(1) (b) of the Electricity Act 1994 by omitting the requirement for retailers without a retail area who only supply customers whose consumption of electricity has been more than 200,000 kilowatt hours in any 12-month period to make an annual membership fee contribution and pay a user-pays fee for dispute resolution and complaint investigation services. The budget for this remains the same. The same amount is spread over the distributors and, I am advised, also the retailers.

**Mr SEENEY:** I thank the minister for reading the explanatory notes to us. He may be surprised to know that I had already read the explanatory notes. The explanatory notes do not answer the question that was asked by a number of speakers during the second reading debate, nor do they address the lack of logic in the explanation that the minister gave.

I would have to say that any minister who comes in here and replies to a genuine question that was asked by a number of members by simply standing up and reading the particular section out of the

explanatory notes treats this House with a huge amount of contempt and arrogance. This parliament deserves better from a Minister for Energy who is the fifth failure in a row if that is all that he can contribute to a genuine concern that has been raised in the consideration in detail of this bill before the House. It is a legitimate question to ask.

If the Energy Consumer Protection Office is going to lose that income, then either the other customers are going to have to pay extra in the annual fee that they pay, or the government is going to have to subsidise that operation, or it is going to operate at a deficit. I think that is a genuine question. The House deserves to know which of those options the minister is going to pursue. I believe that the minister should offer some sort of explanation or answer to what is a reasonable question.

**Mr MICKEL:** As usual, in any debate with the honourable member for Callide, if we leave out his personal abuse, he is left with very little to say. The point is this: I was not sure what information the member had, so I explained the full thing to him.

**Mr Seeney:** You read the explanatory note.

**Mr MICKEL:** I was not aware that the member had that. I was not aware, given the—

**Mr Seeney** interjected.

**Ms Bligh:** It is reasonable to assume you hadn't read that.

**Mr MICKEL:** It is reasonable to assume that. Because the member was too lazy to go to a briefing, I was not sure what information the member had been provided with or what he had. The government will not be subsidising this. The customers do not pay a fee.

**Mr SEENEY:** I will not pursue the issue. I think the record will show clearly that the minister does not have a clue. He has come in here totally unprepared. He has no explanation for the particular sections of this bill. If his contribution to the consideration in detail stage is just going to be standing up and reading sections from the explanatory notes, then he is wasting the time of this House and he is failing in his duty as a minister. I think the arrogance and contempt that he shows for the process is there for all to see and failure No. 5 is a badge that he should wear because of his own inaction.

Clause 4, as read, agreed to.

Clause 5—

**Mr SEENEY** (11.49 p.m.): Clause 5 seeks to clarify the legal situation in relation to transmission lines that cross privately owned land. To save the minister reading them to me, the explanatory notes refer to an opinion that has been expressed by a court. I seek details of the particular situation that has led to this clause being part of this bill. What is the particular situation that led to clause 5 being made part of this bill and to the insertion of new sections 'which expressly authorise transmission and distribution entities to transmit or supply electricity through transmission or distribution lines which have been built on land acquired by the entity'? Those words are a direct quote from the explanatory notes, to save the minister reading them for the benefit of the House. There is no explanation. I think it warrants some sort of an explanation of the situation which has arisen which has led to the inclusion of this clause in the bill.

**Mr MICKEL:** All this does is put beyond doubt—there was a doubt—that you could build a transmission line but could not supply power to it. It was a QC's opinion. All we are seeking to do with this is, as the explanatory notes explain, clarify it and put it beyond doubt.

Clause 5, as read, agreed to.

Clauses 6 to 11, as read, agreed to.

Clause 12—

**Mr SEENEY** (11.51 p.m.): I will persist with an examination of these clauses, even though it is obvious from the minister's last two answers that he does not have a clue about the detail of this bill. It is particularly disappointing that a minister should come into this House so unprepared.

Clause 12 inserts a new chapter 5A into the act. Essentially, this is quite an extensive chapter that is the main thrust of the whole bill. It puts in place the mechanism and the framework for the 13 per cent gas scheme that is the main part of the bill. There is a whole range of issues in that 13 per cent framework which members have canvassed in the second reading debate. There is one in particular which I would like to raise at this point to challenge the response the minister gave to a number of members on this side of the House.

I raised the issue of how the creation of a 13 per cent mandatory market—an artificial market—for what is a much more expensive energy source would affect the average price that Queensland consumers would pay. That concern was echoed by a number of members on this side of the House, because it is simple mathematics. If one pays twice as much for 13 per cent of the total, it must necessarily follow that the average for the total is greater. It cannot be avoided; it is simple mathematics. Yet, when the minister responded to the concerns that were raised in the second reading debate that the creation of this artificial market for this more expensive energy source would inevitably result in an

increase in electricity prices for Queensland consumers, the assurance that he gave was the timeworn rhetoric that the government indulges in that the price of electricity will not rise beyond the CPI.

The question I ask the minister quite directly now is: how is that mathematically possible? Is the state government going to absorb the extra costs? Is the state government going to expect Ergon and Energex to absorb the extra cost and therefore reduce the amount of dividends or reduce the amount of investment that they are going to make? There are no other options. It is simply not logical to say that the creation of this artificial market for an energy source that is estimated to be more than twice the cost of the coal-fired baseload power stations will not result in an increase to the total average cost.

Somebody has to pay that cost. It does not disappear into thin air. It is paid by the electricity consumers in the form of a higher average cost for electricity, it is absorbed by the electricity retailers—that is, Ergon and Energex—and neither of them are in a position to absorb the sorts of costs that we are talking about here, or the government somehow subsidises it.

I think the genuine concern about the extent to which this will cause a rise in electricity prices needs to be addressed in a more detailed way than the minister standing up and glibly repeating the government's timeworn rhetoric that they are somehow going to be tied to CPI. That in itself is a misleading position. It is misleading because the whole thrust of the introduction of private generators to the electricity industry has brought about a huge reduction in wholesale prices. The wholesale price of electricity in Queensland has gone down considerably over the last five or six years, but the retail price to Queensland consumers has continued to be jacked up each year by the state government through its government owned corporations.

The great benefit that was supposed to flow to the Queensland economy from the deregulation of the electricity industry has been absorbed into government coffers in a very direct way. So this nonsense about the government increasing the price of electricity in Queensland by the CPI is grossly misleading. Over the last five or six years Queensland electricity consumers had every right to expect a considerable reduction in electricity prices because the entry into the electricity industry of a number of private generators and the connection of the Queensland system to the rest of Australia through the Westlink interconnectors have forced the wholesale price of electricity considerably lower than it was five or six years ago, yet that benefit has certainly not flowed on to electricity consumers.

What will happen with this so-called energy policy that the bill before the House puts in place is that not only will those benefits continue not to flow to Queensland electricity consumers; it is inevitable that, directly or indirectly, electricity consumers will be saddled with an even greater impost in terms of electricity prices.

The point was well enough made in the second reading debate that the great economic and competitive advantage that the Queensland economy has had for decades is the fact that we have been able to provide a cheap, reliable source of electricity based on mouth-of-the-mine coal-fired baseload power stations like Callide, Tarong and the Swanbank power stations—power stations that are built at the point of mining of the resource so that the costs are considerably lower than they are in other economies. That has been our competitive advantage. That is the great advantage that was built upon by National Party-led governments for decades—to build the Queensland economy into a strong, robust economy that every Queenslander benefits from. In the last five or six years that competitive advantage has been eroded. It has been eroded by this deliberately misleading policy that the minister sought to repeat tonight that, somehow or other, increasing the electricity prices each year by CPI is something the government should be patted on the back for. That is not the case.

The government should be criticised severely for increasing the price of electricity by the CPI over the last five or six years at the same time that the wholesale price of electricity in Queensland and right throughout the seaboard of Australia has fallen dramatically. We have not benefited from that fall in wholesale electricity prices. This particular clause of the bill before the House tonight escalates that impact on Queensland consumers and further erodes the economic advantage that has been the great strength of the Queensland economy. That has been one of the main planks of the concern that the opposition has expressed. A number of the Independent members echoed that concern in their contributions to the second reading debate. I hope that those Independent members were not convinced to vote the way that they did by the glib and shallow assurances that were given by the minister in his summation of the second reading debate.

The bottom line is that somebody has to pay. No explanation has been given to the House as to who is going to pay the extra costs of the increased electricity tariff that will inevitably result from this energy policy. I seek from the minister a detailed explanation of this most important part of the bill. As I said, this clause puts in place the whole regime, which is very extensive, but that is the most important part. I believe the House deserves a detailed explanation.

**Mr MICKEL:** Again, if he left out the personal abuse the honourable gentleman would be restricted to about five minutes. The point is this: either one agrees with our policy of a 13 per cent gas scheme or one does not. The National Party has made it quite clear that it does not and I accept that as a point of difference between us. However, I find it passing strange that the National Party, the agrarian socialists, do not support market intervention.

The point is that this policy has the support of gas companies, and why not? It encourages the energy mix that we are seeking. It encourages a gas industry in Queensland. In his second reading speech, and I passed over it, the honourable member pooh-poohed the idea of the PNG gas pipeline. He said that it was of no great moment to him. I am sure Exxon would beg to differ, because it is significantly enlarging its presence in Brisbane. If the honourable member bothered himself a little, if he wiped away a bit of the personal abuse and practised a bit of civility, he would find that Exxon would be happy to explain the program to him. It is the same with AGL and Origin. They are interested in investing in Queensland. They are interested in significantly expanding the opportunities for a gas industry in Queensland. It is our expectation that, as there are more contestable customers and more generation from gas companies, of course the price will lower. Supply and demand mean that if more people are generating it and there are more customers, there will be a larger pool.

The honourable gentleman went on about the CPI increase for domestic residential customers. Drawing on his great command of economics, he said, 'Well, the pool price goes up for generation and it goes down for generation at times, therefore electricity should go down.' He ignores the fact that the electricity industry is made up of two components: transmission and transmission costs.

Tonight many members spent time discussing the significant costs associated with the distribution system. That distribution system has to meet the challenges of increased population, increased industrial activity and increased growth—and I have never walked away from this once—in airconditioning. In spite of those significant challenges, our election commitment was and stays that there will be a CPI increase for domestic residential customers. In pooh-poohing that idea, the honourable member also ignores that very significant commitment.

On top of that, we deliver power to all parts of Queensland at a uniform price. As I said, if one did away with the CSO, off the top of my head the figures suggest that domestic residential customers in Longreach would pay three times as much as they are currently. Our CSO of over \$200 million last year protects those people. It is a significant commitment. As I indicated in my second reading speech, it is one that draws the ire of the federal government. It is one that draws the angst of the competition policy. Yes, we will be financially penalised for that policy this year. I noticed that members on the other side never mentioned that financial penalty. We will stare it down and we will ignore the federal government, which is trying to penalise our policy, in order to provide a uniform tariff for people in Queensland no matter where they live.

In a nutshell, we are providing an energy mix. We are providing an energy policy that recognises the significant contribution of coal-fired power stations. In 2007 the power station at Kogan will come on stream and it will be the lowest producer by a mile. At the same time, we recognise environmental concerns and regional concerns, and we recognise that the by-product of the coal industry, coal seam methane gas, has a role. Last week the honourable Premier went up to Moranbah and announced a project that will directly help the city of Townsville.

That is why I took issue with what we are proposing and what the National Party is proposing. I do not criticise them for that. They see it in the way they do. We argue that Townsville needs this and can benefit from it, and they do not. It is a point of political difference and I accept that. I accept also that they will not like the fact that we are providing an incentive for a gas industry in Queensland. That also is a point of political difference, but it is one we on this side of the House will accept.

I will say this: I do not walk away from it when I meet with Origin Energy or AGL and tell them that we have an incentive scheme that may benefit them. I also mentioned that to Exxon when its representatives met with me. Why should I not? This government is very proud of the fact that our policy will result in more gas generation in this state, because we believe it has significant and positive consequences for rural and regional Queensland.

**Mr WELLINGTON:** In his last contribution to the debate on this clause, the member for Callide used words to the effect that he was hopeful that Independents were not being misled by the minister's glib comments. As an Independent who is now present in the chamber, I can say to the member for Callide that I understand and I believe all members are aware of the importance of people speaking frankly in parliament and of the serious nature of ministers or members misleading parliament.

I say to the member for Callide that we do not take ministers' comments lightly. If a minister comes into this House and responds to questions put by us or anyone else and says that the costs will not rise above CPI, I for one do not see that as a glib throwaway comment. I see that as something that is stated in this House, that is recorded in *Hansard* and that will be recorded for history as to what a minister has said. If a minister is going to intentionally mislead this House, there will certainly be ramifications. As I have said, we do not take the minister's comments when he says that costs will not rise above CPI as a glib throwaway comment.

**Mr SEENEY:** I want to respond to the comments that the minister made because I do not think he has addressed the concerns that I raised when he explained who is going to pay the extra costs if it is, as he says, that the government is going to maintain its position that this policy is not going to increase power prices to Queenslanders.

The minister once again covered a range of peripheral issues that were not the subject of the question that I asked him about this particular clause. The crux of the question is that this energy policy requires 13 per cent of the electricity sold by electricity distributors to be sourced from an energy source that—depending on whom one asks and depending on whose figures one accepts—is double the price of the rest of the market. That is going to increase the average price. That is mathematical; members cannot get away from that.

The minister touched on a whole series of other issues in an effort not to answer that fundamental question. He talked about the Townsville power station and repeated the rhetoric that it was going to lead to regional development. For heaven's sake, the Townsville power station produces 230 megawatts. It is designed to produce 230 megawatts of electricity. It is not going to provide any opportunities for industrial development in that regional area. Of course there is a need for a reliable baseload power station in north Queensland to provide those opportunities for regional industrial development, but the one that is being built there as part of this policy is not that. It is not a baseload power station upon which industry can build its future. As late as three or four days ago Sun Metals was expressing that concern in the media: that it needed a coal-fired baseload power station in north Queensland to allow it to proceed with stage 2 of its plant. Let us not persist with that rhetoric. We are talking about 220 megawatts, for heaven's sake. I think the old plant that it replaced was about 180 megawatts, so we have an extra 50 megawatts in a Queensland electricity system that consumes about 6,500 to 7,000 megawatts. This gives members an understanding of the size of it.

The question I would like to put to the minister is that, if the average price of electricity for Queensland consumers is not going to rise, then why does this bill specifically contain clauses which exempt projects of state significance? Why does this bill recognise—as it should—that increased power prices will have an impact on those major products which the state is trying to attract? Why does this bill provide those projects with an exemption from this policy position, which it is reasonable to assume will lead to an increased electricity cost for those projects and make it less likely that those projects will be established in Queensland? Of course that exemption has been put in place to ensure that the increased electricity prices that will flow from this policy do not impact on those projects of state significance. Of course that is why the exemption is there. That exemption should be there because this policy position must lead to an increase in electricity prices. No-one wants to see those increased electricity prices impact on projects of state significance that should be attractive to the state.

The real shame is that when this bill is passed those increased electricity prices will impact on existing industries, existing businesses and existing domestic consumers because they are not exempt. They are not being provided with the exemption that new projects of state significance have.

**Mr MICKEL:** The honourable member just cannot get it through his head that this will actually increase demand. He fails to understand that. He simply mentions, I think, 220 megawatts. What he envisages is that that is Townsville's need now and it will never grow. I am a bit more optimistic about the Townsville region than that. What happens is this: as demand increases, generation may also increase. Once generation is increased, more customers may also at the same time reduce the CSOs that I have spoken about. The honourable member also referred to Sun Metals. He said that what it needs up there is a coal-fired power station. I may be doing him a disservice, but I think what he said in his speech at the second reading stage is that what Townsville needs is a coal-fired power station. The economics are this: if a coal-fired power station were economical, Townsville would have it now. What the honourable gentleman has to think about is that, if Townsville does not have it, perhaps it is not economic; perhaps there is not a coal reserve nearby that makes it economic.

Sun Metals made a number of comments last week. I met with them as well. There are a number of ways that the issue in Townsville can be addressed. We can do the economics on a coal-fired power station. In fact, I will not rule it out for that reason. We will do the economics of that. I will not do it tonight, obviously; I will get somebody to work on it. If this is the way the bill is going to be, we will do the economics on a gas-fired power station.

As I said to the member, the honourable the Premier last week went up to Moranbah—I did not notice the member for Charters Towers referring to this—and announced that the gas would flow through the Enertrade deal to Townsville. There is a third option, and that third option is a transmission option. We are having a look at all of those options. The only thing I want to say to the honourable member is this: do not be so pessimistic about Townsville. It will grow. As it grows, the number of customers will grow.

**Ms Bligh** interjected.

**Mr MICKEL:** I do not know what they have against Townsville.

**Ms Bligh:** They hate Townsville.

**Mr MICKEL:** Townsville will grow. We have proponents, I am told, through State Development lining up with projects all the time. If a number of those projects came together, then obviously there would be a bigger demand and that has an impact on the prices.

**Mr HOBBS:** A while ago the minister said that he was providing an incentive to the gas industry. We want to know what the cost of that incentive is. The minister must have done a calculation. Somebody surely must have done a calculation to say that this is what the cost will be because, as the member for Callide has already said, some exemptions have been made for projects of state significance. There has to be a significant amount of money involved in this clause. We want to know what it is.

It is not unreasonable to ask a question in relation to that. Maybe the minister could give us the cost of production of a kilowatt hour for a baseload station and also that of a peak load gas-fired station. Would he just tell us what he thinks the costs are? That is what we would like to know. This is a very important clause and the question in relation to funding really has not been fully answered. The overall funding for this is quite significant and I really believe that we need some sort of answer in relation to it. Can the minister provide us with the—

**Ms Bligh:** You have asked him.

**Mr HOBBS:** Can the minister provide us with the cost of those baseload power stations and the cost of producing power in a gas-fired station?

**Mr MICKEL:** I understand that this is a very difficult concept. I thought I had explained that we would need a cost analysis of exactly where it is sourced from. The extra costs incurred in supplying domestic customers, if any, is borne by the government through CSOs. However, there are also benefits.

**Mr HOBBS:** But what are the costs? Tell us the costs. The minister must know the numbers.

**Mr MICKEL:** I have just explained to the member—

**Mr HOBBS:** The minister does not know the numbers.

**Mr MICKEL:** I have just explained to the member that it depends on the variables. There are a lot of variables, such as where it is sourced from and the size of the project. The point I can make is this: there are also benefits. The government gets royalties from coal seam methane. There would be benefits accruing to an entire community if industry expands as a result of this decision. Of course I cannot say to the House tonight, 'Look, here is the number.' It depends on a number of variables about locations, regions, where it is being supplied to and it would vary from year to year. I am not trying to be clever. It is just not possible to give the House a number. The member is after one number.

**Mr HOBBS:** Roughly; a ballpark figure of what the incentive is.

**Mr MICKEL:** There is no such number. I used Townsville as an example and I said that at the moment it will take a number of months to determine, in terms of a baseload capability, whether you would have a gas capability. I think it highly unlikely that you would ever get coal, but I indicated to the House that I would ask for those sorts of numbers to be run or, indeed, whether those two numbers get superseded by a transmission capability.

If the member is asking for one number tonight, then I am sorry. I can give it to him in these terms: yes, there is a CSO that is borne by government, but, equally, if there is a huge take-up rate, then the CSO number gets offset. There are royalty offsets. I cannot give the member a better explanation than that because right now there is no better explanation.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! Member for Callide, as the Deputy Speaker I am trying to be fair during this debate on the clauses. I have heard the minister give an explanation and I do not think it is my responsibility to demand another answer from him. The member keeps on labouring this point. He raised this point in his response to the second reading speech.

**Mr SEENEY:** Which point?

**Mr DEPUTY SPEAKER:** The point about the costs of a coal-fired power station.

**Mr SEENEY:** That is not what I am going to ask.

**Mr DEPUTY SPEAKER:** Thank God for that! I call the member for Callide.

**Mr SEENEY:** I was going to take up the point, which I believe that the minister made in a roundabout way, that the government would absorb the cost of this in the CSO payments that it makes each year to maintain the tariff equalisation.

**Mr DEPUTY SPEAKER:** Order! The member said that he was not going to raise this point.

**Mr SEENEY:** That is the point that the minister made. Now, I wanted to challenge—

**Mr DEPUTY SPEAKER:** Do you not understand what that means?

**Mr SEENEY:** Sorry?

**Mr DEPUTY SPEAKER:** Do you not understand what that means?

**Mr SEENEY:** I certainly do. I am going to challenge the minister on the veracity of that response, because the CSO payment—for the information of the Deputy Speaker and members of this House—

applies only to franchise customers. It does not apply to the contestable customers right across Queensland, which are the big electricity consumers. The government cannot absorb in the CSO payment the extra costs to those contestable customers—it cannot do it—because there is no CSO payment associated with the electricity that is supplied to those contestable customers. That is the reason there is an exemption in this bill for projects of state significance. Those projects, like the existing large industrial users, are not subject to the CSO payments.

I have drawn the attention of members to the list of what are termed non-liable loads, which are electricity consumption loads that are not the subject of this 13 per cent requirement and, therefore, will not bear the extra costs. They are listed on page 51 of the explanatory notes and they are also listed in the bill. There are some interesting ones listed. One that might interest the member for Gladstone is the Boyne Island smelter, which is listed as a non-liable load. That means that it is exempt from this requirement, just as those projects of state significance that we talked about before are exempt. The reason they are exempt is that the government recognises—even though it will not admit it in this debate—that this policy will increase the cost of electricity to those contestable customers.

What the minister says about the CSO may well be true. The government has the ability, with the CSO payment, to absorb any extra costs or whatever costs it likes in terms of the franchise or domestic customers. It does not have that ability—it just cannot do it—for the larger contestable customers or the industrial customers. This bill recognises that the cost of electricity to those people must inevitably rise and it provides exemptions for customers such as the Boyne Island smelter and it provides exemptions for future projects that will be deemed to be of state significance. The fact that those exemptions are provided in the legislation proves beyond doubt that the government expects the price of electricity to rise. We need some honesty about that here in parliament. We do not need this continual verbal carry-on from the minister—

**Government members** interjected.

**Mr SEENEY:**—that indicates that he does not understand the legislation. Let me clarify our position. We believe that any environmental benefits could have been achieved by providing incentives for the entire electricity industry to meet better emission standards, rather than creating this artificial market which will inevitably lead to an increase in electricity prices for industry in Queensland that cannot afford those increased electricity prices and the impact that will have on their competitiveness. We believe that industry in north Queensland needs an economical supply of electricity—a baseload power station that will provide them with the competitive advantage that the Queensland economy has enjoyed for decades and that has allowed the development of industry right throughout the state.

**Mr DEPUTY SPEAKER:** Order!

**Mr SEENEY:** That is our position and it makes a lot more sense than the one espoused by the minister.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! I suggest to the member for Callide that there are standing orders about repetition. I have heard the member make that argument three times tonight.

**Mr Seeney:** That is unfair. That is not right.

**Mr DEPUTY SPEAKER:** Order! It is not unfair. The standing orders are clear. The member has made the same argument three times.

Clause 12, as read, agreed to.

**Mr Seeney:** You're trying to gag us all.

**Mr DEPUTY SPEAKER:** Order! I ask the member for Callide to withdraw that comment.

**Mr Seeney** interjected.

**Mr DEPUTY SPEAKER:** Order! I ask the member to withdraw that comment without qualification or I will warn him under standing order 254.

**Mr Hobbs:** It's too late.

**Mr DEPUTY SPEAKER:** I point out to the member for Warrego that I can do that at any time tonight. I am not going to allow the member for Callide to say that I am trying to gag debate. I have been very tolerant of the fact that the member has spoken on every clause and criticised the character of the minister rather than the argument. That is repeated clause after clause. I have been very tolerant tonight. I know it is late, but my tolerance is very low. I ask the member for Callide to withdraw that unequivocally.

**Mr SEENEY:** Mr Deputy Speaker, in accordance with your instructions, I withdraw.

Clauses 13 to 19, as read, agreed to.

### **Electricity Amendment Bill (No. 2)**

Clauses 1 to 3, as read, agreed to.

Clause 4—

**Mr SEENEY** (12.31 a.m.): Clauses 4 and 5 refer to the contractual arrangements that, in the one case, already exist between the distributors and the negotiated or contestable customers and, in the second case, are deemed to exist between the distributor and those customers who are not negotiated or contestable customers. Clause 5 actually formalises what the bill refers to as those deemed contractual arrangements. It suggests that no changes are going to be made to those deemed contractual arrangements.

Can we assume from that that the contractual arrangements that are going to exist between the electricity distributors and the non-contestable customers will present changes to those non-contestable customers? Clause 4 is similar but relates to the contestable customers. Does that clause bring about any changes to the way that those negotiations will be entered into with contestable customers?

**Mr MICKEL:** There were two parts to the question. There will be no changes to the negotiated contracts for contestable customers. For franchise customers the existing deemed contract with the host retailer will be split into two—one deemed contract with the host retailer and the second deemed contract directly with the distributor.

**Mr SEENEY:** The minister said that for franchise customers there will be negotiation between the retailers. I struggle to understand how that addresses the point that I raised. The point with franchise customers is that currently there is no contractual arrangement. The bill before the House deems that there was a contractual arrangement that existed. I am not sure how it is going to work. That is the question I am raising. The explanatory note puts it better than I can. It says—

Clause 5 amends section 40AA ... (which deals with deemed contractual arrangements where premises are connected to a distribution entity's supply network but no connection contract is in place) to provide for a direct contractual arrangement between a non-contestable customer and the distribution entity.

The non-contestable customer is the franchise customer. That is the term that the minister used. The term used in the bill is non-contestable customer. This bill is somehow deeming that a contract exists even though it acknowledges that it does not exist. It is going to create it. The minister's answer was that to do that there is going to be negotiation between the distribution entities and the customer. Am I correct in saying that they are going to negotiate what that contract is going to entail or is it going to be a single contract, a template type contract that is signed by all franchise customers, non-contestable customers, when they connect to the network in case of new customers or when they accept the new arrangements in the case of existing customers? There is certainly an area of confusion that the minister's answer added to. I hope that the minister's advisers can provide him with some advice to give to the House.

**Mr MICKEL:** What this is about is reliability. Reliability can only be established with the distributor. The retailer simply sells the product. Let me to go page 3 where it says—

To support the new regulatory framework discussed above, and particularly the new GSL regime, the Bill includes amendments which will create a direct contractual relationship between ENERGEX'S and Ergon Energy's distribution businesses and their non-contestable customers. Under the current provisions of the *Electricity Act 1994*, the default contractual relationship is between the retail business (including on behalf of the distribution business) and the non-contestable customer. A direct contractual arrangement will ensure there are clear lines of accountability for delivery of the distribution businesses' obligations to their customers.

Because it is about reliability, the responsibility has to be with the distributor.

**Mr SEENEY:** I accept that the contract has to be between the customer and the distributor. What I am seeking is some sort of indication about how that contract is going to be arrived at. There are going to be a very large number indeed of what are currently non-contestable customers, franchise customers as the minister calls them, who will find themselves with a contract with their distributor.

The explanatory notes talk about a deemed contractual arrangement—that is, one that is deemed to exist now. What I am trying to find out is whether or not those existing customers are going to have any input or any choice in that deemed contractual arrangement that is going to be turned into a real contractual arrangement, for want of a better term, by this bill.

I accept that the bill is about reliability. I accept that it is about establishing a mechanism to ensure that reliability. That is why we support that. But I am trying to understand—I am trying to get an explanation for the House—the mechanics of this contractual arrangement in the case of the very large number of non-contestable customers who under this bill are considered or are deemed to have a contractual arrangement with those distributors. The minister's first answer, strangely to my way of thinking, said that the distributors were going to negotiate that between themselves. So Ergon and Energex are going to negotiate what the contractual arrangements are going to be between them and their non-contestable customers. That is a very strange situation indeed, I would suggest.

I would have thought that Ergon and Energex, as the major distributors, may well have carried out that negotiation with some sort of consumer group or some sort of representative of the customer base that is going to be the subject of these new contractual arrangements which the bill is putting in place. It is one thing for new customers to enter into those contractual arrangements, but as I understand it the minister is somehow deeming those contractual arrangements to suddenly exist with gazettal of this bill

and is saying to the House that the details of those contractual arrangements are going to be negotiated between Energex and Ergon. That is a particularly strange set of circumstances, I would suggest.

**Mr MICKEL:** If the honourable member checks the *Hansard*, he will see what I actually said. It goes to the heart of why, when we offered those opposite a briefing on a number of dates, it would have clarified a lot of issues. I am not asking the member to agree with us, but it would have clarified some of these issues for him. Why? Because the contracts are deemed now. They will be a standard contract approved by the regulator, as they are now. The fundamental change is that they will now be in a code. They are in a code because we want to make that process more transparent.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Clause 6—

**Mr SEENEY** (12.42 a.m.): I understood the minister to say in answer to the question I posed about the last clause that the detail of those contractual arrangements would be in the code. Clause 6 is a very large clause that begins the process of putting in place the whole contract with customers. I do not see there any mention of where the contracts will be in the codes. The codes are dealt with later on in the bill in clause 15, as I understand it. Clause 15 is also a very extensive clause that deals in some detail with the approved codes, when they take effect, the access to approved codes, when the act prevails over the approved codes and when the codes will be approved. I have a number of questions about the application of those codes and how those codes are going to be arrived at. I think we established in the second reading debate that those codes are going to be subordinate legislation and therefore subject to disallowance.

Can the minister confirm his previous answer that these contractual arrangements are going to be part of that process; that they are going to be part of the codes and therefore subject to disallowance by this House? With regard to those contractual arrangements between the electricity distributors and the non-contestable customers, will they be subordinate legislation? If they are part of the codes, then I take it that that will be a given. But I would find that to be a particularly strange situation as well. I can only give the minister another chance to perhaps clear up some of the confusion that he may have inadvertently caused by his previous answer. I am not opposed to this process; I am just trying to understand the detail of it. Unfortunately, each time the minister answers the question he adds to the confusion. Perhaps he can explain how the contracts will be treated in relation to the codes and to the processes of disallowance by this House. Will they be considered by this House? Will they be considered as subordinate legislation? I think that would be a particularly strange circumstance—that is, to have the standard contract between the electricity distributors, the contract that is deemed to exist by this bill, to be the subject of a regulation and therefore subordinate legislation and subject to disallowance before the House. Perhaps that is the system that the minister is envisaging, but I would like the minister to have an opportunity to clarify that.

**Mr MICKEL:** Again, the honourable member says that he tries to transfer his own confusion and lack of reading of this bill on to us. I can simply say that the code has to be approved by regulation. The regulation is tabled in this parliament, as is the code. Therefore, it can be subject to a disallowance.

**Mr SEENEY:** For heaven's sake, that is what I told the minister. I told him that. That is set out in the clauses to come.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! Can I suggest that we are not to debate the clauses to come.

**Mr SEENEY:** Come on! Fair go!

**Mr DEPUTY SPEAKER:** On reading clause 6—it is very simple to me—it states two fundamental things there. It talks about a code which will come by regulation which cannot be debated now. It talks about something that will happen subordinate to this legislation. That is the process, Mr Seeneey—subordinate to this legislation. That is why it is called subordinate legislation. It can then of course be disallowed as you said, and that is the process that parliaments use. We cannot debate a code now when the code may not have even been prepared.

**Mr SEENEY:** I am not trying to debate the code now, Mr Deputy Speaker. I would suggest—

**Mr DEPUTY SPEAKER:** On my reading of clause 6, it is very simple to me. I cannot understand—

**Mr SEENEY:** I would suggest that, if you let me address clause 6 your understanding of it may improve, because clause 6 deals with standard customer connection contracts. Clause 6 deals with the approval and amendment of a distribution entity standard customer connection contract. That is the contract that was referred to in the earlier clauses that was deemed to exist—that did not exist before but this bill deems it to exist somehow by a mechanism that I am trying to get to the bottom of.

**Mr DEPUTY SPEAKER:** It says that in the bill. It is very clear.

**Mr SEENEY:** Mr Deputy Speaker, the answer that the minister gave in the consideration of the previous clause was that that standard customer connection contract would be covered by the code. I only referred to the code because it is dealt with in the clauses to come, not in this one. In all of that, there is no mention to support what the minister said. The minister introduced this concept in his answer that this standard customer connection contract was going to be part of that code preparation process. If it is, then it certainly becomes subordinate legislation. That is the point I made. That is what I said to the minister. I find it quite incredible that this standard customer connection contract is going to be subordinate legislation. Is it or not? The code certainly is. That was the point I made. That is what I stood up and said. The minister just repeated back to me what I said about the codes, which are performance standards that the electricity distributors have to meet.

My interest is simply in defining the details of the standard customer connection contract that is referred to in this clause, which is going to be deemed to exist between the electricity distributors and all of the non-contestable customers who are out there at the moment. That is a very large number of Queenslanders. It is almost every Queenslander who has an electricity connection. They are going to be deemed to have this customer connection contract with the electricity distributors, which the minister has already indicated is going to be negotiated between those distributors. Is it going to be the subject of subordinate legislation or not?

**Mr MICKEL:** My answer to the member is that it is in the legislation. I cannot help the member any more than I have done. I am happy to provide the member with a brief so that even he might be able to understand it.

**Mr McGrady:** He wouldn't turn up.

**Mr MICKEL:** He did not turn up. All I can say is, yes, it is tabled in the parliament and, yes, it is subject to a disallowance. It is as simple and as uncomplicated as that.

Clause 6, as read, agreed to.

Clauses 7 to 14, as read, agreed to.

Clause 15—

**Mr SEENEY (12.51 a.m.):** Clause 15 is probably the most important clause in the bill. It provides for the making of codes, to which the minister referred earlier in his answer about the standard customer connection contract. I will quote some parts of the explanatory notes to save the minister doing it. They state—

Clause 15 inserts in chapter 2, part 8 of the Electricity Act 1994 a new division 3.

That sets out the industry codes. It states further that the code—

... provides power for the Regulator to make industry codes that apply to distribution entities, retail entities and/or special approval holders authorised to perform distribution or retail activities.

That is as we would expect it to be if we are going to put in place this whole framework for supply standards to be adjudged. The clause goes on to deal with the approval of the codes, when the approved codes have effect, the access to the codes and when the act prevails over the approved code. I make the point again that there is no mention there of the customer connection contract, but I take the advice that the minister has given to the parliament.

I would like to ask a question in relation to the creation of these codes, given that they are the basis upon which any claim for compensation would be made. First of all, I seek from the minister his confirmation that that is the case. I presume that these are the codes against which the performance of the electricity entities is going to be judged and, therefore, compensation paid. Given that that is going to be the situation, what consultation does the minister envisage is going to be entered into in the drawing up of these codes to ensure that they are sufficiently rigorous in order to give some sort of guarantee to electricity consumers that they will provide a real incentive for the supply standards that the minister has indicated are the whole reason for this bill being before the House?

It is all right to have a set of codes upon which a compensation penalty is based, so long as those codes are realistic and so long as they provide a real mechanism to ensure that consumers are protected and ensure that electricity authorities provide the service that we have all agreed in this debate in this parliament tonight should be part of their charter. I think that there would be very great interest not just from domestic consumer groups but also groups that represent industries and businesses right across the state, whether that be big businesses or small businesses, in a consultation process that allowed them to have an input into these industry codes and, therefore, to have confidence in the codes when they are implemented. I seek the minister's comments on that.

**Mr MICKEL:** Can I clarify for the honourable gentleman the first point that he made about a standard contract. He said that he could not find it. Can I ask the honourable gentleman to turn to proposed subsections 64FA(3)(f) and 64FA(3)(g)? He will find what he is talking about with the contracts right there. It is already printed there for him. So I think that clarifies the first point that he made.

The second point that the member made relates to consultation. One thing that I have been concerned to do already with the general framework for the code is to speak with the two distribution companies and to also speak with the implementation unit about some of these points. But I want to undertake further consultation with consumer groups to make them aware of it. I also want to undertake some consultation with the union movement, which is involved in this.

It is fair to say that in the development of the codes, one of the things that I have been concerned about is the treatment of Ergon. I also have a concern about the Ergon work force. I know that the work force has been diligent in the summer preparation that it has undertaken. Really, as the minister, I could ask for no more than what the work force is delivering and neither could the people of Queensland. The recent spate of storms highlighted the fact that we had people who had been working all day on the building up of the network who were then called out to repair, in some fairly savage circumstances, the network at night. It is not unnatural that in some of those circumstances those people get tired. So issues of reliability have been of concern to me.

I say to the House tonight that, in the development of the code, I think it unreasonable that I demand of Ergon the same standard that I would require of Energex. The member for Charters Towers is present in the chamber. In relation to the development of the code, I will give members the example of what that member spoke about tonight. That member referred to a customer in Pentland. I think he expressed outrage on his behalf that it had taken 24 hours to restore power. What the member did not mention, because it did not suit his argument, was the terrain in which Ergon had gone out. It was vicious terrain and it was a vicious night. As I understand it, over that terrain and in those weather conditions the workers could not find the problem. They made every effort. But when they could not locate the problem, they had to return the next morning. As I understand it, they used helicopters and it took the number of hours that the member indicated to find the problem.

The member said that it was a manpower issue. In fact, it was a terrain issue. Those members who have worked in the electricity industry and those members who represent rural and regional Queensland would understand that. Those conditions are vastly different from those in inner-city Greenslopes. Therefore, the code would reflect that difference. But one thing that I said to the companies that I would not back down on is this: where a company says to a customer that it is going to show up on a certain day, particularly if it is in a provincial city, I want a very good reason from that company as to why it did not show up on that particular day.

Why should people be subject to the same miserable standards that Telstra inflicts on its customers, when people wait around all day and maybe they let them know at 5 o'clock in the afternoon that they are not coming? I think that if there is going to be a customer focus in what is a monopoly for residential consumers then they should at least turn up on the appointed day or let the customer know of the circumstance that has intervened to prevent them from showing up.

Also within this code are definitions for connections and wrongful disconnections. All members could bring me a case of somebody who was wrongfully disconnected. I think there should be something in the code about wrongful disconnection. What I am saying is that we will acknowledge regional differences and we will acknowledge rural differences, and I will not put them under the same pressure as I would, for example, the Energex service. So, yes, there has been and there will be consultation. That is the assurance I can give the honourable gentleman.

Clause 15, as read, agreed to.

Clauses 16 to 27, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

Bills read a third time.

## ADJOURNMENT

**Hon. T. McGRADY** (Mount Isa—ALP) (Minister for State Development and Innovation) (1.02 a.m.): I move—

That the House do now adjourn.

### Charters Towers, Flying Foxes

**Mr KNUTH** (Charters Towers—NPA) (1.02 a.m.): I rise to speak on a very important matter that was reported in the *Sunday Mail* under the heading 'Bat virus alert after attack on child'. There have been three attacks in the last three weeks. In one, a bat left a Townsville boy with four puncture wounds and a cut on his head. In another, a woman was attacked and bitten after a bat swooped down on her and bit before she had a chance to pull it off. In another incident, which witnesses described as straight

from a horror movie, a four-year-old was attacked by a bat which sunk its teeth into the face of the child. The child has to be treated for lyssavirus with a series of injections to his face.

These bats have been swooping on the residents of Charters Towers for four years, yet there are still thousands of bats living above people's homes. The public health unit has issued serious warnings for people to keep away from flying foxes, but the government has allowed the people of Charters Towers—the elderly, nursing mothers and children—to be exposed to a potentially serious health risk for four years. This is unbelievable and absurd.

The people of Charters Towers are sick of these bats. They are sick of the stench, they are sick of the disturbance of the peace and they are sick of the bats' excrement. They want the bats out of the town, dead or alive. For the health and safety of the residents of Charters Towers, we want to know what this government is going to do to protect the people against these rabies-like, lyssavirus-carrying bats. If anyone becomes seriously ill or dies as a consequence of the government's inaction, the government will be held accountable because it has continued to allow these bats to inhabit human confinements.

### **Labrador State School, Peace Day Concert**

**Mrs CROFT** (Broadwater—ALP) (1.04 a.m.): Recently I had the pleasure of attending the Labrador primary school's Peace Day concert, an event that celebrates the Labrador community's many diverse cultures and the children's desire to learn and play in an environment that is caring, considerate and peaceful. I understand that the preparations for the concert were a real school effort that began the day before the concert with the special education unit hosting a breakfast during which the school's string quartet played to the delight of indulging staff and special guests. For the students there was cake and a sausage sizzle organised by year 6S and 6R, the advertising for the concert was coordinated by year 5MB and the programs for the day were made by year 6B. During the week 5L arranged competitions through their newspaper, years prep to 3 had a colouring-in competition and years 4 to 7 made over 2,000 paper cranes that are being sent to Hiroshima's peace garden.

There was a real excitement in the air on concert day. A traditional welcome by the two Kombumerri elders was followed by a popular multicultural parade with more than 30 students from different cultural backgrounds appearing on stage in their national costume. All year levels participated in the concert songs that depicted peace, harmony and fun. From the Beatles' *Imagine* to *Baby, I Need Your Loving*, every performance gave the audience something to sing along to. Jan Hounslow, a former teacher of 30 years at Labrador, presented the Jan Hounslow Peace Medallion to Mason Fasavalu. Mason was recognised by Labrador State School for being respected, for demonstrating integrity and self-discipline and for not being afraid to stand up for what is right.

A guest appearance by the Wiggles' cousins, the Giggles—Principal Brian Ragh, teachers David Hartley and Peter Tyne and groundsman Trevor Bogle—was a big hit. The staff and the community enjoyed a morning tea catered for by the SEU and sponsored by the school P&C. To see the laughter on the children's faces, to see them cheering as those in national dress walked on to the stage and to see the whole Labrador community strongly supporting a Peace Day concert such as this was truly uplifting.

Labrador primary school is to be congratulated for its commitment to creating an open-minded and peaceful environment within the school grounds and to running programs such as the Peaceful School project, helping students to address issues of responsibility and conflict resolution. I hope, too, that one day we will see peace on this earth and that these children's wishes will come true. I say congratulations to all the staff and students at Labrador primary school.

### **Sunshine Coast Growth**

**Mr McARDLE** (Caloundra—Lib) (1.07 a.m.): As is well known, the Sunshine Coast region has for many years been grappling with its growth on many levels, including economic. Yet in recent times there has been a concerted effort by the council to direct growth across the region to maintain the Sunshine Coast with a sustainable environment and provide employment opportunities in new industries to retain young people who are currently obtaining an education and leaving the region and to attract other young people to the area on a permanent basis.

The task the Sunshine Coast has set itself has not been established easily, and many years of history have had to be put aside. Where in the past rivalry has occurred, the knowledge that if we are to grow we must work as one has now taken hold. This can best be put down to many organisations and people, and I would like to detail some. In doing so, I name them as representing the whole of the Sunshine Coast population.

The councils themselves have provided leadership and direction by establishing SunROC under the leadership of Graeme Pearce. SunROC has undertaken a series of studies detailing critical questions and potential solutions, with yesterday seeing the launch of three of these studies. Mr Pearce has drawn together a body of very talented men and women whose experience has ably assisted this process. Business has also seen the need to look at itself and, importantly, at how it lobbies government at all levels.

Until recently there were a number of chambers of commerce throughout the coast which dealt expertly with the needs of their members in their locality. To their credit they saw the bigger picture, and within the last three to four weeks we have seen two regional bodies established, being the regional council, under the auspices of Commerce Queensland, and the Sunshine Coast Business Council. Both of these bodies will work with the individual chambers. From advice I have received, the bodies have diverse interests and goals but are uniform in original approach.

One of the bodies growing in influence is the Sunshine Coast Business Women's Network, chaired by Karen Neuendorf. Mrs Neuendorf holds a conviction that women have a greater role to play in the coast's development and has directed her drive and dedication to that end.

Two other people I would like to mention are Professor Paul Thomas, Vice-Chancellor of the University of the Sunshine Coast, and Colin Graham, who heads the Innovation Centre based at the university. Both men believe in the Sunshine Coast and are committed to it. Of course, the work undertaken is a long way from completion and there remain many hurdles and challenges ahead.

As I have stated, the people I name should be seen as representing the spirit of the Sunshine Coast residents. Like many others in many areas of the country, they have enormous pride in where they live and it is this pride that will carry the issue through. I have no doubt that the Sunshine Coast is set for a great future and that will occur because the people who live there will make it happen.

### **Community Renewal and Social Capital Development, Deception Bay**

**Hon. D.M. WELLS** (Murrumba—ALP) (1.10 a.m.): I table a report that will be of interest to honourable members, particularly those who have had community renewal in their regions. The report's author, Carissa Crowley, has taken part in the Parliamentary Internship Program. The topic that she decided to work on was the extent to which community renewal projects in Deception Bay have contributed to the growth of social capital in that area.

The report concludes that community renewal projects in Deception Bay have, to a large extent, contributed to the growth of social capital in the area. Although the growth in social capital is not extensive, Carissa's report says that it is definitely visible when considering the conclusions from the measurements, the increase in the economic credentials of the area and the change in people's attitudes during the past four years.

Social capital is no longer a new concept and has been embraced by organisations as mainstream as the World Bank. However, it is a much more difficult concept to quantify than simple-minded measurements such as gross domestic product per capita, which can be reduced to a single line. Social capital is basically a measurement of the degree of trust and cooperation in the community. Authorities such as Fukuyama argue that there would be a direct correlation between the viability and the economy of an area and the extent of social capital because, for a flourishing economy to survive, it is necessary for there to be considerable reserves of trust within the community.

Another leading writer in the area, Putnam, argues that social capital can be measured by the extent of voluntary community activity. The social capital of a community is related to the number of healthy community organisations. I think that this is the means by which community renewal engenders social capital in communities.

What community renewal does is to come into an area where there is extensive poverty, unemployment, homelessness and social alienation and offers significant sums of money to spend on worthwhile community projects. The fact that there is money to spend requires community consultation. The necessity of making decisions with respect to that money gives rise to a leadership group where perhaps there was no identifiable leadership group previously. In the ideal scenario, that leadership survives the duration and departure of community renewal from the area.

To an extent this is what happened in Deception Bay. There is definitely a new spirit of self-confidence in the Deception Bay community. People have more pride in their suburb and are more self-assured. Crime is down, economic predictions are improved and the suburb looks more beautiful as a result of the community renewal programs. There are services and facilities where there never were before. These add to the quality of life in Deception Bay. Community renewal has been a tremendous boost to Deception Bay, infinitely more than the dollars that were spent on it.

Carissa's conclusions are necessarily tentative given the difficulty of getting conclusive statistics about a microcosm and given the difficulty of making comparisons over a short space of years. However, her judgment is a positive one. Her recommendations are also interesting. These include that the government should attempt to measure the social capital before, during and after the advent of community renewal in particular areas and that it would be a good idea for projects to be targeted to the age group most in need, and that community renewal should not leave an area until major efforts have been made to strengthen the growth of social capital in that area.

### **Frozen Goods, Transportation by Queensland Rail**

**Mr JOHNSON** (Gregory—NPA) (1.13 a.m.): Tonight I appeal to the Minister for Transport and Main Roads, Paul Lucas, to pay particular attention to the ongoing crisis of Queensland Rail's frozen goods wagons that are destined for Charleville, Quilpie and Cunnamulla and that also drop off goods at Mitchell on the way. This is a very contentious issue that has caused a great deal of consternation to the people of that region in recent weeks. Despite the approach of Christmas and New Year, it seems that QR may discontinue this operation at the end of December.

I appeal to the minister to show leadership and understanding to the businesses and the people of western Queensland who live in places like Quilpie, Cunnamulla and Charleville and whose goods are transported by rail. Some 40 tonnes of cold goods come into Charleville per week and probably about half of that goes into Quilpie, Cunnamulla and Mitchell. This is a very serious situation because the businesses there have to plan ahead. They have to book their goods. The butchers in places like Quilpie and Cunnamulla get a lot of boneless beef from the abattoirs further to the east, and they have to get their orders in on certain days so that they can get the cold goods to the oilfields west of Cunnamulla and Quilpie. The situation has reached crisis point.

One of the most important factors is that the rail service to the western areas has been ongoing ever since rail has been a part of the operation. We all know that a carrier hauls profitable lines of goods, but sometimes they have to carry goods that might not be so profitable. The livestock from the western areas certainly provides a very profitable market for Queensland Rail. The people of western Queensland deserve to be given notice of exactly what is happening.

That is why I say ask the minister to act now while we are at the end of November. He must not wait until the Christmas period is over to let us know whether that service will be discontinued. The service has been ongoing and it is absolutely paramount to the viability of those businesses that supply cold goods to the communities of those centres that I made reference to, and also to the extended communities further west.

### **Firth Park**

**Mrs REILLY** (Mudgeeraba—ALP) (1.16 a.m.): On Sunday I had the pleasure of representing the Deputy Premier, Treasurer and Minister for Sport, the Hon. Terry Mackenroth, at the official opening of the new facilities at Firth Park at Mudgeeraba. As the local member, this was a particularly proud moment for me because these new facilities will provide a community hub for the Gold Coast hinterland.

The state government, through the Major Sports Facilities Grants program, provided \$356,000 towards the refurbishment and completion of the second floor of the Firth Park clubhouse. The Gold Coast City Council matched those funds and local councillor Ted Shepard provided \$250,000 from his divisional funds to see the project come to fruition. There was also a substantial donation from local benefactor John Kearney, providing the final cog in the wheel that meant that this building, which is a local icon, could be completed.

For almost 10 years the top floor of the Firth Park clubhouse was used only by pigeons and it was the dream, the vision and the commitment of the Mudgeeraba Sporting District Association, under the stewardship of Arthur James, which has seen this second floor hull turned into a true community facility. There is now a proper entrance, a lift for disabled access, a function room, a kitchen, a gym and a wraparound balcony. The facility will be put to good use by the sporting clubs and their members: the Mudgeeraba Redbacks Rugby League team, the Mudgeeraba Hockey Club, the Mudgeeraba Redsox baseball team and the Gold Coast Hinterland Netball Association. Hundreds of children and families use the grounds and facilities each week, but now they will also be used by the wider community. The building can now house martial arts, and dance and aerobics classes, it can be used by local groups for community meetings, and health and physical education students from Griffith University will undertake study there under supervision. The function room will also be available for hire for private functions, birthday parties, weddings and the like, giving the sporting clubs the opportunity to raise funds to put back into their sports and, more importantly, their kids.

The success story that is Firth Park is testimony to what can be achieved when state and local government work together and when community members share and pursue a dream. Thousands of people came together on Sunday for a family fun day at Firth Park to celebrate and recognise this great community achievement. It was a great day and a great tribute to the people who made it happen—that is, the parents and members of the MDSA, the mighty Arthur James and the generous John Kearney. It was my privilege to be a part of it and to work with my council counterpart to secure the funds to make the dream a reality.

### **Chaplaincy in Schools**

**Mr CHRIS FOLEY** (Maryborough—Ind) (1.19 a.m.): I rise to participate in the adjournment debate tonight to highlight the wonderful work done in Queensland by chaplains in our high schools. In fact,

chaplaincy is a direct force against the ravages of drugs, substance abuse and many other problems that face our society. Chaplains provide a listening ear and help young people who are most vulnerable through very difficult times. I dare say that our youth suicide rate would be a lot higher if it were not for the great work that chaplains do in Queensland.

SU Queensland first introduced a chaplain to a state school in 1989 and chaplaincy has grown now to be a frontline force helping youth in 130 schools across Queensland.

**Mr Reeves** interjected.

**Mr CHRIS FOLEY:** Absolutely. Chaplaincy complements school support and care programs by specifically addressing students' spiritual and emotional needs. Depending on their training and speciality, chaplains can provide pastoral care, they can help students at risk through adventure based learning, run holiday camps, activity programs and often coach sport as well. Most importantly, chaplains provide a personal point of contact in care for students, teachers and their families within the school.

SU is the key chaplaincy employing agency working in Queensland schools, and SU Queensland is the first choice for schools and churches interested in placing chaplains in local schools. What normally happens is that representatives from local schools, local communities and local churches band together to form chaplaincy committees to administer and raise funds to provide these wonderful services to Queensland.

Currently there are more than 150 chaplains on the ground as part of the school community. These are young people often from diverse backgrounds who have committed their life to working daily with young people who are struggling with a whole range of issues.

**Mr Reeves** interjected.

**Mr CHRIS FOLEY:** Chaplaincy provides a tremendous opportunity for a committed practical expression of love and caring as part of the normal school life.

I am reminded by my colleague that a lot of chaplains do great work at schoolies as well. Chaplains are uniquely placed and equipped to provide pastoral care for young people, and provide guidance and spiritual input into the school program. Again I say well done to the chaplains in Queensland.

### **World Teachers Day; Marymount College**

**Mrs SMITH** (Burleigh—ALP) (1.22 a.m.): Late last month we acknowledged teachers and their contribution to our communities through the celebration of World Teachers Day. Twenty-nine October is the day on which we take time out to congratulate the dedication and devotion of teachers. In Queensland we mark this day by presenting scholarships and awards to outstanding teachers.

I was pleased to be able to attend the 2004 Teacher Excellence Awards presentation held in Brisbane. I was particularly pleased to see Danielle Radley, a teacher from the special education unit at Miami State High School, receive her scholarship. These awards recognise exemplary practice by outstanding state school teachers and provide scholarships valued up to \$5,000. Danielle was a recipient of a Continued Learning Scholarship. All too often teaching is an overlooked profession that does not receive the respect that it is due, yet a great teacher is very important. I think all of us can think of one or more teachers who made a positive impact on our lives.

In the same week one of the schools in my electorate held its awards night. Marymount College is an important part of Burleigh community. It is a Catholic school and as such its mission is to provide accessible and affordable christian based education to children of parish members. This is a challenge, particularly under a federal government that thinks any private school charging less than \$10,000 a term is not trying hard enough and is undeserving of Commonwealth assistance.

As well as its traditional academic awards, Marymount College presents many special awards for students who have had achievements throughout the year in non-academic fields. I was proud to present an award to the youth member of parliament for Burleigh, Elizabeth Kath, and congratulate her on her participation in the YMCA's Youth Parliament. It is a great program and she was a very worthy youth parliamentarian.

In addition to these awards, I was happy to present awards to students who were granted direct entry into Griffith University and part scholarships to Bond University. It is encouraging to see Gold Coast universities supporting Gold Coast students. Simon Marrison, a graduating year 12 student, deserves special recognition. He received a full scholarship to Bond University valued in excess of \$140,000. I would also like to congratulate Anthony Yuen, who was dux of the school. His outstanding achievements across all subjects made him the standout student of the year. Also receiving an award was Beth McIntyre, a student of the school who has Down syndrome. Beth was honoured with a community award for her contribution to the school. Well done, Beth! I would like to thank Mr Bob Peacock, the principal, for including me in this special night, and I congratulate teachers and students on another successful year.

### Young Drivers, Comprehensive Car Insurance Premiums

**Hon. K.R. LINGARD** (Beaudesert—NPA) (1.24 a.m.): I want to bring to the attention of the parliament, and especially to the government ministers, the high cost of comprehensive insurance of vehicles for young people around the 17-year-old mark. The figures I have been given is that to comprehensively insure a vehicle worth about \$16,000 it costs a young person at least \$2,300. Compare that to the price that we as older people pay for that sort of comprehensive insurance.

I bring it to the attention of ministers because I believe that the government has to intervene in what is happening with these insurance companies, whether it controls it itself or whether it assists young people. Obviously young people, depending on where they live, would face different circumstances, but the young people whom I am talking about are the young people who live about 60 or 70 kilometres from town and who have reached the age of 17. It may be all right for a young person coming into the city, travelling to university. They have public transport and they can make a conscientious decision about whether they want to buy a vehicle, but a 17-year-old who wants to stay at home in a place like Jimboomba or down towards Beaudesert and gain an apprenticeship somewhere really does have to face the cost of buying a car. If they want to buy a second-hand car they run the risk of all of the repairs, but if they want to buy a newer vehicle and pay about \$16,000 for it, then they have to pay \$2,300 to \$2,500 for comprehensive insurance. It is quite clearly out of their price range.

When members think of having to pay \$2,500 for petrol, registration of about \$600 or \$700, repairs, insurance of \$2,300 and then make repayments, they will realise it is costing young children around \$8,000 or \$9,000 just to run the vehicle to get to their place of work. It is only natural that people living 60 or 70 kilometres away from a main town will try to gain apprenticeships in the city—gain apprenticeships at Loganholme like this particular young person is—and they will have a real difficulty if they do not have access to transport. There is no way that public transport can provide the access that they require.

I believe that governments have to look at somehow controlling the comprehensive insurance premiums these young people are charged, because quite obviously \$2,300 is out of the price range of young people around 17. It is inevitable that they will either not insure or just insure third party, and quite obviously that is going to lead them into other financial difficulties.

### Australian Acupuncture and Chinese Medicine Association Conference

**Mr LAWLOR** (Southport—ALP) (1.27 a.m.): A few weeks ago I attended a conference and was privileged to represent the Premier, Peter Beattie, and Queensland's Minister for Health, Gordon Nuttall, at the opening of a conference of the Australian Acupuncture and Chinese Medicine Association. This organisation is to be congratulated for the amazing piece of organisation and effort that it put into arranging the conference on the Gold Coast.

The Gold Coast was privileged to be the first place that such a conference has been held in Australia in the 17-year history of the World Federation of Acupuncture-Moxibustion Societies. More than 700 people attended; 300 of them from 25 overseas countries. It was the biggest and most successful conference. This was the sixth world conference in the 17-year history of WFAS. This is the first time it has gathered in Australia. Apart from AACMA's contribution to the world of acupuncture, it did extremely well in showcasing sunny Queensland and its famous Gold Coast, and particularly the new Gold Coast Convention and Exhibition Centre—a great gift to the people of the Gold Coast by the Beattie government.

It is very appropriate that the organisations should be meeting on the Gold Coast as Queensland is becoming more and more a hub for international events involving the Asia-Pacific region, from where most of the international delegates visited for the three days of the gathering of like-minded people. The forum brought with it a lot of credibility in gathering together world leaders and experts in the field of acupuncture, including a number of high level academic institutions, among them a wide range of universities and hospitals from Korea, China, Japan, Indonesia and Vietnam and from Australia, including the University of Western Sydney, Victoria University, RMIT, University of Technology in Sydney, Australian College of Natural Medicine, the Academy of Traditional Chinese Medicine Australia and the Sydney Institute of Traditional Chinese Medicine. The conference had a co-sponsor in the World Health Organisation.

It is estimated that there are almost 2,000 qualified practitioners in Australia, with the AACMA representing about two-thirds of them. In Queensland there are 425 such practitioners, a vast majority of whom are attached to the AACMA. I think that tells us that acupuncture is a popular profession in this state and in this country. The Queensland government will certainly take on board the views and ideas that stem from this highly prestigious event, in particular to learn more of what acupuncture and Chinese medicine can offer to primary health care. The conference promoted a marriage of good fortune between the old and the new.

I seek leave to incorporate in *Hansard* the names of those involved in the conference. When you read those names, Mr Deputy Speaker, you will understand that probably only Michael Choi could pronounce them.

Leave is granted.

James Flowers, Conference President and President of the Australian Acupuncture and Chinese Medicine Association Ltd

Judy James, Australian Acupuncture and Chinese Medicine Association Ltd Chief Executive Officer

Prof. Zhenji Li, Vice Director-General of the State Administration of Traditional Chinese Medicine, People's Republic of China

Dr Seung Hoon Choi, World Health Organisation, Western Pacific Region

Prof. Liangyue Deng, President of the World Federation of Acupuncture-Moxibustion Societies

Richard Li, Vice-President, World Federation of Acupuncture-Moxibustion Societies for the Oceania region

Councillor Ron Clarke, the Mayor and Helen Clarke

Prof. Zhixiang Shen, Representative of the Embassy of the People's Republic of China

Prof. Xuetai Wang, Honorary President of WFAS (China)

Hai Xu, Science and Technology Consul

**Mr LAWLOR:** I congratulate everyone involved in this conference.

Motion agreed to.

The House adjourned at 1.30 a.m.

