



# WEEKLY HANSARD

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## 51ST PARLIAMENT

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## TUESDAY, 29 NOVEMBER 2005

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Mr SPEAKER (Hon. T McGrady, Mount Isa) read prayers and took the chair at 9.30 am.

### PRIVILEGE

#### Use of Parliamentary Letterhead, Member for Gympie

**Mr SEENEY** (Callide—NPA) (Deputy Leader of the Opposition) (9.31 am): I rise on a matter of privilege. Mr Speaker, last week I asked a question in this House regarding the member for Gympie which you ruled out of order. Subsequently, you accepted from the member for Gympie an explanation that the document referred to was a one-off clerical error. Since then, a number of similar documents have been sent to my office which, given your ruling, could have more properly been sent to either you or the Clerk of the Parliament. While I would urge the people of the Gympie electorate to send any future material to you or to the Clerk, I take the opportunity this morning to table the four documents that have been forwarded to my office so that you or the Clerk may take the appropriate action.

### FLOWERS ON SPEAKER'S DAIS

**Mr SPEAKER:** Honourable members, the member for Nicklin has graciously donated the flower arrangements which are at the front of the chamber. These arrangements come from a leading export company based on the Sunshine Coast. Apart from the flowers, the large variety of foliages in the arrangement is all from native plants growing in Queensland. The company currently exports 90 per cent of its production of these foliages all around the world and this is increasing yearly.

### OFFICE OF THE GOVERNOR

#### Annual Report

**Mr SPEAKER:** I lay upon the table of the House the annual report of the Office of the Governor for 2004-05.

### PARLIAMENTARY PRECINCT, MEMBERS' GUESTS

**Mr SPEAKER:** I have issued a memorandum to all members reminding honourable members about their responsibility when inviting guests into the precinct. I am issuing a similar memorandum to all former members and visiting members of other parliaments. I would ask all honourable members to observe the matters contained in the memorandum.

### PETITIONS

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

#### Deaths of Arnold, Ms V and Leahy, Ms J

**Ms Lee Long** from 1,364 petitioners requesting the House to appoint an independent investigator and investigation team from outside the State of Queensland to fully investigate all the known facts surrounding the deaths of Vicki Arnold and Julie-Anne Leahy and new evidence recently released and to prepare a full and comprehensive report to be placed before the Chief Coroner of Queensland for his investigation, assessment and compilation of a report to be placed before this House.

The following honourable members have sponsored e-petitions which are now closed and presented—

#### National Trust of Queensland Act 1963

**Dr Flegg** from 20 petitioners requesting the House to immediately call on the Government to reassess the National Trust of Queensland Act 1963 to assure that the Trust can no longer sell properties without consulting a magistrate.

#### Little Goat Island, Pumicestone Passage Marine Park

**Dr Flegg** from 43 petitioners requesting the House to immediately call on the Government to acquire Little Goat Island and guarantee its ongoing protection as part of the Pumicestone Passage Marine Park.

**Fuel Taxes**

**Mr Finn** from 892 petitioners requesting the House to act to reduce the financial burden on Queenslanders by requesting the Federal Government provide urgent relief for Queenslanders paying large federal taxes on fuel purchases; demand a greater share of the Federal Government's fuel excise revenue be returned to the States; develop state policies to reduce the impacts of increased fuel prices and investigate fuel alternatives to reduce Queensland's reliance on overseas oil and petroleum products.

**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—

25 November 2005—

- Gold Coast Hospital Foundation—Annual Report 2004-05
- Late tabling statement by the Minister for Health (Mr Robertson) regarding the Gold Coast Hospital Foundation Annual Report 2004-05
- The Prince Charles Hospital Foundation—Annual Report 2004-05
- Late tabling statement by the Minister for Health (Mr Robertson) regarding The Prince Charles Hospital Foundation Annual Report 2004-05
- Far North Queensland Hospital Foundation—Annual Report 2004-05
- Late tabling statement by the Minister for Health (Mr Robertson) regarding the Far North Queensland Hospital Foundation Annual Report 2004-05

28 November 2005—

- Supreme Court of Queensland—Annual Report 2004-05 (copies available on CD only)
- Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Dr Flegg from 625 petitioners and an e-petition sponsored by Dr Flegg from 55 petitioners requesting the House to immediately call on the Government to acquire Little Goat Island and ensure its ongoing protection as part of the Pumicestone Passage Marine Park
- Electoral Commission of Queensland—Report on the details of polling at the Chatsworth and Redcliffe By-Elections held on Saturday 20 August 2005
- Princess Alexandra Hospital Foundation—Annual Report 2004-05
- Late tabling statement by the Minister for Health (Mr Robertson) regarding the Princess Alexandra Hospital Foundation Annual Report 2004-05
- Queensland's Category 2 Water Authorities—Summary of Annual Reports and Financial Statements 2004-05
- Queensland's River Improvement Trusts—Summarised Annual Reports and Financial Statements 2004-05

## STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Education (Queensland College of Teachers) Act 2005—

- Education (Queensland College of Teachers) Regulation 2005, No. 279 and Explanatory Notes and Regulatory Impact Statement for No. 279

Public Health Act 2005—

- Proclamation commencing certain provisions, No. 280

Health Act 1937, Public Health Act 2005—

- Public Health Regulation 2005, No. 281

Radiation Safety Act 1999—

- Radiation Safety Amendment Regulation (No. 2) 2005, No. 282

Jury Act 1995—

- Jury Amendment Regulation (No. 1) 2005, No. 283

## REPORT TABLED BY THE CLERK

The following report was tabled by the Clerk—

Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

**State Development and Other Legislation Amendment Bill 2005**

Amendment made to Bill

**Clause 28—**

At page 18, line 13, '.'—

*omit, insert—*

‘; and’.

**Liquor and Other Acts Amendment Bill 2005**

Amendment made to Bill

**Clause 26—**

At page 18, line 35, '.'—

*omit, insert—*

‘; and’.

## MEMBER FOR ASPLEY

**Mr SPEAKER:** Sometimes the Speaker has some pleasant duties to do. I understand that the member for Aspley is in the chamber. Can I just say welcome back. It is a delight to have you in our midst again.

## MINISTERIAL STATEMENT

### Queensland Health, Recruitment of Health Professionals

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.35 am): Mr Speaker, can I join with you and welcome back the member for Aspley. She is a very courageous lady. It is great to have her back. We love her dearly.

I want to talk this morning about the recruitment campaign that the Minister for Health and I devised and that I launched in Great Britain. We are not just targeting Australia in our drive to recruit more doctors, nurses and other allied health professionals. While in London earlier this year, I kicked off our campaign to lure United Kingdom health professionals to Queensland. The reality is that we simply do not have enough locally trained doctors or health professionals, and this is not a problem unique to Queensland. The federal government restricts the number of Australian trained doctors, so we have no choice but to look overseas if we are going to keep pace with population growth.

I am pleased to say that our recruitment drive in the United Kingdom has already proved a great success. Since the launch in September, we have had 587 expressions of interest including 364 doctors, 76 nurses and 80 allied health staff. However, as impressive as these figures are, they do not tell the full story. That is best left to the people who have been impacted by the campaign and who have made the decision to move to the Smart State. Take, for example, the case of Dr Anthony Espinet, who featured in a recent article in the *Gold Coast Bulletin* under the heading 'Coast life just what the UK doctor ordered'. Dr Espinet left his job running the cardiothoracic surgical unit at a British hospital to make the move to the Gold Coast Hospital. His reasons, in his own words, were: 'This is working in paradise. Just look at it—the weather, the beach, the friendly people. Why else would you want to work anywhere else?' I could not agree more.

This campaign shows that we are getting basics right. I table for the information of the House the recruitment campaign as at Monday, 28 November which shows that, as I said earlier, we had 587 expressions of interest, 364 of which were from doctors. It also shows that we have had 20 expressions of interest from New South Wales and the ACT, and 14 from Victoria. Of the total number of 463 doctors, which was the total figure world wide—that is outside the UK—we had, as I indicated before, quite a number from Britain itself.

I should advise the House that just because there has been that number of expressions of interest does not mean that they will all come. What we have to do now is encourage them. We will get only a fraction of those people who are expressing their interest, but we need to ensure that the procedures of the Medical Board are such that we can get as many of those doctors as possible. We need to ensure that there are no procedural matters that interfere with those doctors coming here.

## MINISTERIAL STATEMENT

### Queensland Health, Recruitment of Health Professionals

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.38 am): Mr Speaker, you would be aware that on Sunday I launched a major health staff recruitment advertising campaign in line with the recommendations of the Forster review. The campaign is part of our push to recruit for Queensland Health an extra 500 nurses, 400 allied health professionals and 300 doctors over the next 18 months. Funding of approximately \$840,000 for media placements to run the campaign will come from the Department of the Premier and Cabinet, not from the health department. Production costs and so on will be in addition to that, but I think people would see that as money well spent. We spend around \$2.8 million a year in recruitment. This funding will be in addition to that.

The series of ads features four doctors and seven nurses talking about their careers in Queensland Health and the positive experiences and opportunities that they have had. These are real people who are talking openly and honestly about real experiences. The vast majority of the thousands of doctors, nurses and other health professionals at work in Queensland Health are amongst the most talented and dedicated in world. These staff are performing very demanding jobs every day, and they are doing them extremely well.

During a media conference on Sunday the doctors and nurses involved in the campaign explained to the media why they had volunteered to be in the ads. They indicated that they felt things were really changing for the better in Queensland Health, and they want to encourage more people to become part of the health team in Queensland.

In the mini budget we provided the biggest health funding boost in the history of Queensland to provide better equipment, systems and training to support staff in their jobs. The extra \$6.4 billion in just over five years should help us attract new staff to Queensland Health as well as lure back people who have worked in the health system before and resigned for whatever reasons. I think that money is well spent. I will report on the amount fully to the House. I do indicate, though, that recruiting this number of doctors will not be easy but we will be doing our best to ensure we deliver the numbers we said.

I was interested to see two things. One was that on 23 November the *Courier-Mail* reported—

About 285 Queensland final-year medical students are expected to graduate in December to enter the medical system.

University of Queensland students say their four-year post-graduate training, particularly the practical rotations, has equipped them with the skills to start their careers.

Final-year student Blake O'Brien, 26, said his training and experiences with the health system had exceeded even his high expectations because of the positive interactions with patients.

'I have loved it. It has been better than I thought it would be, just from the sense that it's such a privilege to be taken into people's lives,' Mr O'Brien said.

'Even as a student we can feel that we have are having a positive impact on people's lives.'

He defended Queensland Health, saying the future of the system was in the hands of hard-working, dedicated staff.

I could not agree more, and I table the article. I also share with the House that I received a reply to a letter I recently wrote to the Prime Minister. It states—

Thank you for your letter dated 30 September 2005 regarding the Queensland Health systems review. Australia is fortunate to be serviced by one of the best health systems in the world, and it is particularly pleasing to note that the review finds continuing evidence to support this claim.

I agree with the Prime Minister. The letter continues—

Your government's review has identified some important ways to improve the Queensland health system. I believe that many of the issues you have raised tie in well with the existing issues on the COAG agenda and the work of the Productivity Commission's review of the health work force.

I find myself in agreement with the Prime Minister.

## MINISTERIAL STATEMENT

### Roads Funding

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.41 am): Later this morning the minister for transport and I will outline details of a record \$10.5 billion funding program for Queensland roads. The rolling five-year Roads Implementation Program will be boosted by an extra \$2.5 billion and covers the 2005-06 to 2009 period. This massive roads infrastructure program will provide around 31,000 jobs for roadworkers and people in the road construction industry. We are investing in our roads, the people who build them and the motorists who drive on them—from Brisbane out to Birdsville and up to Bamaga.

Under our government road funding has grown significantly in real per capita terms from \$213 per person in 1996-97 under the Borbidge government to \$378 per person in 2006-07 under my government. That is an increase of 77.5 per cent—not bad. This year's program is made up of \$8.8 billion in state funding and \$1.7 billion from the federal government under the AusLink plan. The record funding represents a 31 per cent increase compared to last year's program and would allow priority projects to be fast-tracked and new works to be included in the five-year program. We are building more than roads and bridges; we are building on the economic strength of Queensland. We are creating jobs for Queenslanders and protecting a lifestyle that is the envy of Australia. We are getting the basics right.

## MINISTERIAL STATEMENT

### Airport Link Consultation

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.43 am): The Brisbane Lord Mayor and I are urging Brisbane residents to participate in the second round of community information sessions and staffed library displays for the airport link and northern Brisbane busway proposals. Community consultation for both proposals is being conducted together to allow people to focus on their combined effects. I seek leave to have details of that consultation incorporated in *Hansard*.

Leave granted.

Both projects share a similar study corridor between Bowen Hills and Kedron, so we need to consider the cumulative effects of the two projects on the local and wider community.

We also need to investigate opportunities to integrate the projects wherever possible to achieve the best outcome for the local and wider community.

That's why it's so important for people to come along to one of the community consultation activities we have planned in the coming weeks.

Airport Link is a mainly underground toll road proposed to connect Brisbane's northern arterials to the Inner City Bypass and proposed North-South Bypass Tunnel at Bowen Hills.

The Northern Busway is proposed to connect the Inner Northern Busway at Royal Children's Hospital (Herston) to Aspley/Bracken Ridge via Windsor, Lutwyche, Kedron and Chermerside.

We have a range of experts from both project teams about the studies being carried out.

Staffed Library displays planned during December include:

- Saturday 3 December, 9.30-11.30am—Chermerside Library
- Saturday 3 December, 9.30-11.30am—Hamilton Library
- Saturday 10 December, 9.30-11.30am—Nundah Library
- Saturday 10 December, 9.30-11.30am—Grange Library.

Airport Link is part of the Queensland Government's South East Queensland Infrastructure Plan and Program and Brisbane City Council's Transport Plan, and TransApex.

The Queensland Government's \$530 million Northern Busway plan to encourage public transport use is also identified in SEQIPP and is being investigated by TransLink.

More information on Airport Link is available at [www.brisbaneairportlink.com.au](http://www.brisbaneairportlink.com.au) or phone 1800 99 00 38 (freecall).

More information on the Northern Busway is available at [www.translink.com.au/northernbusway](http://www.translink.com.au/northernbusway) or phone 1800 28 92 10 (freecall).

## MINISTERIAL STATEMENT

### Blue Cards

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.43 am): My government is committed to making the state a safe place for our children. To meet this commitment we have put in place a range of preventive measures to reduce the risk of harm to children including the working with children check, or blue card, for people working in or operating regulated businesses. I seek leave to have incorporated in *Hansard* the details of some of the recent activities, together with an explanation of the decision-making process in relation to Santas and blue cards.

Leave granted.

Under this system people seeking to work or volunteer services in specified areas of regulated employment are required to undergo criminal history screening conducted through the Commission for Children and Young People and Child Guardian.

A person is not issued with a blue card if they are found to have police or disciplinary information which poses an unacceptable risk to the best interests of children.

As a result, those people are not lawfully able to operate businesses, or work as employees or volunteers in areas of regulated employment providing services to children.

Since the introduction of the Working with Children Check on 1 May 2001 to 31 October 2005, 487,848 blue cards have been issued. Since the beginning of this financial year, the Commission has issued 74,204 blue cards.

On average, 4,240 applications are received by the Commission each week. The average time taken to process an application is currently 31 days, where applications are complete and the applicant has no relevant police or disciplinary information.

These timeframes have been longer than anticipated due to:

- increased awareness of the expansion of the categories of regulated employment resulting in additional numbers of applications received;
- the large number of child care applications due for their two-yearly renewal;
- the prioritisation of volunteer applications, who must now hold a blue card before they can start volunteering in any area of regulated employment, regardless of how often they come into contact with children and young people, including volunteers for Schoolies Week;
- operational issues including obtaining comprehensive criminal history information from external agencies;
- applications requiring additional identification information; and
- the provision of natural justice.

When an applicant has criminal history information which contains serious offences or other offences which are concerning, the Commissioner provides an applicant with an opportunity to make submissions in respect of the information, which is then considered prior to making a final decision. While this process can be time consuming, it provides applicants with natural justice and allows the Commissioner to make a fully informed decision.

An applicant who receives a final negative notice also has the opportunity to appeal the matter to the Children Services Tribunal for a review of the decision.

In an effort to improve timeliness in processing applications, the Commission has undertaken a review of its Employment Screening Services business processes and is currently implementing a number of recommendations, including making changes to its operations so the service area has the continued capacity to meet the growing processing demands in a timely way.

The Commission is committed to making the blue card screening as user friendly as possible. Recently the Commission conducted a client satisfaction survey to determine how satisfied people are with the process of obtaining a blue card.

Despite some known delays in processing blue card applications, it was pleasing to note that 85% of people who participated in the 2005 client satisfaction survey expressed satisfaction with the time taken to process their application.

If people have any delays with their application, they should contact the Commission for assistance.

It is important to stress that the blue card can never replace vigilance by parents, families and communities. However, with the help of the community and promotion of other child protection strategies these initiatives will contribute to better protection of our children.

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### **Decision-making process for Santas & Blue Cards**

The decision not to include all Santas as a separate category of regulated employment was based on the nature of contact with children and the context in which it occurs, ie.:

- infrequent (i.e. once a year)
- usually of very short duration (a matter of minutes)
- conducted in a public place, and
- supervised by other adults, usually the child's parent

In addition, the government has checked that Santas employed by major stores are thoroughly screened by the employer, including strict referee checking, before being employed.

Whether a Santa requires a blue card is decided on a case by case basis and depends on whether the Santa will be screened by their employer (eg. a shopping centre) or whether the activity falls under the Commission's Act.

Some Santas may already hold blue cards if they work as volunteers or paid employees in other areas screened by the Commission.

A blue card is transferable across the categories of employment and business under the Commission's Act.

The categories of employment screened are:

- Residential facilities
- Schools—boarding facilities
- Schools—employees other than teachers and parents
- Child care
- Churches, clubs and associations involving children
- Counselling and support services
- Private teaching, coaching or tutoring
- Education programs conducted outside of schools
- Child accommodation services, including homestays
- Religious representatives
- Sport and active recreation
- Emergency services cadet program
- School crossing supervisors

The categories of business screened are:

- Counselling and support services
- Private teaching, coaching or tutoring
- Child care
- Education programs conducted outside of school
- Religious representatives
- Child accommodation services including home stays
- Sport and active recreation

#### *Hostel for Children other than residential facility*

People who work, volunteer or run businesses, providing Santa services in the categories of work screened by the Commission DO require a blue card.

Employers and businesses in these categories must also have a written risk management strategy in place to protect the children they come into contact with from the risk of harm.

#### *Department Stores*

A Santa employed by department stores does not require a blue card as the store conducts its own screening and the activity occurs:

- in a public place
- Santa is usually accompanied by another adult (such as Santa's helper and/or photographer), and
- the children are usually accompanied by a parent or guardian.

#### *Schools and Child Care*

A Santa in a school or child care centre would require a blue card, as these categories of employment are screened under the Commission's Act.

The only exceptions are volunteers who are parents of a child attending the school or child care centre.

#### *Churches, clubs and associations involving children*

A Santa working either as an employee or volunteer at an event organised by a church, club or association, would need to be screened.

The only exception would be parents of children involved in the church, club or association, who would be exempt under the Commission's Act.

#### *Sport and active recreation*

Following changes to the Commission's Act earlier this year, Santas also need to be screened if they volunteer, are employed in, or run a business providing recreation services, as this falls under the Commission's new "sport and active recreation" category of work.

Santas who are self employed are treated as businesses under the Act.

Example: Santas falling under the "sport and active recreation" category would include self-employed Santas who provide services at special events.

#### *Changes to volunteer screening*

In some circumstances, Santa's who did not previously need a blue card may now have to be screened.

Volunteers may now need a blue card (if they fall in the categories screened by the Commission) even if they only act as Santa once a year.

Changes to the Act mean volunteers must now have a blue card regardless of how often they come into contact with children and young people.

#### *Risk Management*

The Commission is committed to promoting safe, risk free service environments for Queensland's children and young people.

It continues to maintain a watching brief on this issue.

No information has been received that any Santas have ever been charged with child sex offences. The Commission would welcome any information on this issue.

If any risks become apparent, the Commission will advise the government accordingly, and take action to ensure the safety and wellbeing of children.

Under changes to the Act, Santas who run their own businesses or work as employees in the categories screened must now have a written risk management strategy in place to ensure children in their care are protected from harm.

#### *Parental responsibility*

Parents with any concerns about risks to their child should remain with them at all times to ensure any contact with Santas is supervised.

#### *Research*

Research shows that the nature of contact Santas have with children make it extremely unlikely for an offence to occur.

Stephen Smallbone and Richard Wortley—*Child sexual abuse: offender characteristics and modus operandii*—from Australian Institute of Criminology found that:

- offences most frequently occur in an offenders home, in cars, or in isolated places.

They state that child sexual abuse overwhelmingly occurs where perpetrators are related to or known to the victim—in most cases the parent was aware the perpetrator was spending time with the child.

Their research shows that in the majority of cases, children are "groomed" by the offender before an offence occurs—this can involve giving gifts, lavishing attention and attempting to form emotional bonds with the child.

## MINISTERIAL STATEMENT

### Queensland Energy Policy

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.44 am): Queensland reached a milestone last Friday in making our state more environmentally friendly. At the official opening of Origin Energy's coal seam methane gas plant at Spring Gully I announced that we had achieved an ambitious goal that we had set for ourselves five years ago. In 2000 our *Queensland energy policy: a cleaner energy strategy* required that 13 per cent of electricity sold in Queensland was to be generated from gas, including coal seam methane gas, by the end of 2005. That target has been met.

It is pleasing that we have seen the emergence of a significant new coal seam methane gas industry in Queensland in just one decade, most of it under my government. Queensland now produces about 30 petajoules of CSG a year which is 30 per cent of our total gas production. Production in 1998, when we came to office, was two petajoules a year. More than 350 jobs have been created in the coal seam gas industry since 1998. As new gas-fired power stations and other major projects using gas are constructed, production of CSG will continue to increase. Queensland has abundant reserves of this gas in coal deposits, and the draining of CSG from mines also reduces the risk of explosions.

## MINISTERIAL STATEMENT

### Childhood Obesity

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.45 am): On the weekend the health minister and I announced that the Queensland government will be conducting a widespread survey of schools next year to get an accurate picture of the current eating habits and physical activity and weight levels of Queensland children. The survey will involve around 7,000 children from years 1, 5 and 10 and could form the basis for future policies and programs to stop increasing levels of inactivity and obesity amongst young Queenslanders. It is estimated that one in four Australian children are obese or overweight. If we do not do something about this, for the first time in history our children will live shorter lives than their parents, and that is not acceptable. I seek leave to have details incorporated in *Hansard*.

Leave granted.

The Federal Government undertook a similar program in 1985 and again in 1995. But it has given no indication of being prepared to progress this work any further so, once again, it is left to the State Governments to pick up the pieces.

My Government has tackled the problem head-on across several key departments.

We have introduced strict healthy food guidelines at our school tuckshops through Education Queensland, rolled out several Get Active programs targeting children through Sport and Recreation Queensland and launched an extensive Healthy Kids for Life plan through Queensland Health.

The Healthy Kids for Life plan includes a high-profile healthy eating campaign called "Go for 2 and 5 fruit and vegetables" which is screened on television.

But we want to do more and this survey will help to identify ways we can do more.

Queensland Health will fund the University of Queensland's Children's Nutrition Research Centre to conduct the school survey.

It will be conducted in randomly selected government and non-government schools throughout Queensland next year.

The results of the survey will guide the development of health promotion programs which address the causes of overweight and obesity in our children, such as low levels of physical activity and poor nutrition.

Children who are overweight or obese are more likely in the short-term to develop hormonal, gastrointestinal and joint problems than healthy children.

In the longer term, these children are more likely to become overweight adults and develop chronic diseases such as type 2 diabetes and heart disease.

All of these conditions are largely preventable, so we must act now to ensure today's children grow into healthy adults.

## MINISTERIAL STATEMENT

### Federal Industrial Relations Legislation

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.46 am): The last time I spoke on the issue of industrial regulations in this House I asked: when it came to the crunch on the Howard government's industrial relations bill, would Nationals' Senator Barnaby Joyce stick up for the working families of Queenslanders or would he roll over for John Howard? Sadly, it appears that the National Party senator will yet again side with John Howard against Queensland families. He is ignoring the pleas of working men and women, tens of thousands of whom signed a petition asking him to reject the flawed and dangerous legislation. Instead he appears to have cut a deal with the Howard government which merely tinkers around the edges of this terrible piece of legislation.

For weeks now the future of working people in Queensland has been in the hands of Senator Joyce, and what has he offered them? Simply false hope. He has been a diversion, wringing his hands about the importance of Christmas Day and Anzac Day, something everyone agrees upon, but ignoring the grubby detail of the Howard government's IR bill.

Senator Joyce told workplace relations minister Kevin Andrews that he wants technical changes. No doubt the minister could hardly believe his good fortune. While Senator Joyce has generated forests of newsprint on the single issue of his so-called icon holidays, he has created a diversion for the Howard government on the most damaging elements of their IR bill. Senator Joyce has had nothing of substance to say on vital issues including workers losing overtime or shift loadings, annual leave loading, additional pay for working on public holidays, redundancy payouts, weekend penalty rates and allowances.

The National Party senator is walking away from the people of Queensland, and he should never be believed again. His so-called technical changes will do nothing to protect working Queenslanders facing the loss of entitlements and conditions. They will not help support productivity and innovation. They will do nothing for employment security and will not improve our nation's skills. Senator Joyce is turning his back on the people of Queensland. He has made a lot of noise about protecting workers, but it now appears that Queenslanders will have to rely on the Queensland government's challenge to the High Court for protection. We will continue to fight for the living standards of Queensland families. The Nationals have failed yet again on an issue of major importance to our state. What Senator Joyce says is, 'I don't like it, but I'll vote for it.' He should never be trusted or believed again.

## MINISTERIAL STATEMENT

### Independent Members, Approaches by Political Parties

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (9.48 am): Many Queenslanders will be concerned by the implications of allegations recently in relation to the Liberal Party attempting to encourage the member for Gympie to become a Liberal candidate. The Liberals have confessed that they did, indeed, approach the member, despite the fact that she had been a member of One Nation. It is logical that if they approached one Independent in their quest to become the largest conservative party they would have approached others as well.

I want to draw to the attention of the House a story in the *South Burnett Times* of 25 October after the parliament in Rockhampton. The newspaper states that the Independent MP for Nanango, Dorothy Pratt, said that she had been approached by the Liberals and Nationals three weeks ago to run under their party banner. What she basically said, though—and she is absolutely right—is: 'They don't want me. They just want the seat back. I'll stay an Independent.' The article goes on to indicate that,

notwithstanding all the hoo-ha in the National and Liberal parties, they are prepared to target former One Nation members, notwithstanding the fact that they both said that they would not do it.

One has to ask a number of very serious questions: what is the Liberal Party doing? It supposedly had a coalition agreement. Yet now we have another Independent that has been approached. I wonder how many more Independents have been approached. One has to wonder what the member for Chatsworth was doing when he was President of the Liberal Party. What sort of involvement did he have in all of this? One has to ask: why does the alleged new coalition agreement not ban any deals, which is what they made a big fuss about? They were the ones who made the big fuss about it. The real question is: did the Nationals know the Liberals were making approaches and did the Liberals know the Nationals were making approaches?

**Mr SPEAKER:** Premier, as you know, the matter of the member for Gympie is before the privileges committee. Can I ask you please to refrain from mentioning that aspect.

**Mr BEATTIE:** I agree, Mr Speaker, and I accept your ruling without reservation, of course. But I am very happy to deal with another seat because I just wonder how many more Independents have been approached. Was the member for Tablelands approached, for example? One wonders how many more approaches have been made. What it means is that the Nationals and Liberals have basically torn up the agreement that they supposedly had. The Liberal leader told everyone he was disappointed that the Nationals leader had asked him to stand aside instead of trusting his integrity. It is not much of a basis for a coalition. There are a series of questions which I think the people of Queensland are entitled to know the answers to. I do not intend to waste the time of this House, so I seek leave to incorporate them in *Hansard*.

Leave granted.

Was the Liberals' attempt to seduce the Member for Nanango identical to the attempt to persuade the member for Gympie to become a candidate in that it was hidden from the Nationals and designed to woo her to become a Liberal candidate outside of the Coalition agreement?

Did it involve an offer of money or campaign help worth a certain amount of money?

How many meetings, phone calls or emails were there—and who were they from?

Was the Member for Robina involved?

Was the Member for Chatsworth involved?

If the approach was made with the knowledge of the Nationals, why did the Liberals make the approach rather than the Nationals?

When the Nationals made their approach to the Member for Nanango, who did so?

Did the offer involve money or services worth money?

How many meetings, phone calls or emails were there—and who were they from?

The Nationals Leader criticised the Liberals for secret deals being done with former One Nation members, saying it was "against all the principles which both parties had espoused for the last couple of years".

What does he now say about the Nationals' attempt to persuade the member for Nanango to join them?

And now that we know that two Independents have been approached, we need to hear from the other Independents about whether they, too, have been propositioned to join the Liberals and or the Nationals—and on what basis.

Were they, too, offered money?

It has been alleged former Liberal Leader David Watson, State Director Geoffrey Greene and Hervey Bay Liberal hopeful Stephen Dixon were among the Liberals who approached the Member for Gympie.

Were they also involved in approaches to other Independents?

One final question—Why doesn't the alleged new Coalition Agreement ban any deals with former One Nation members as the former Coalition Agreement did?

The National and Liberal leaders have virtually torn up any agreement they might have had.

The Liberal leader told everyone he was disappointed the Nationals leader had asked him to stand aside instead of trusting his integrity.

The Nationals leader denied he had asked the Liberal Leader to stand down, despite the Member for Moggill saying he had been there when the Nationals Leader had made the demand.

What does this mess now mean for the voters of the Gold Coast?

The failed joint pre-selections could well be over.

There is talk that the Member for Chatsworth is prepared to let the Nationals contest Broadwater for the Coalition where the Liberal candidate is not in his faction so that his candidate can stand in Mudgeeraba.

## MINISTERIAL STATEMENT

### Community Benefit Funds

**Hon. AM BLIGH** (South Brisbane—ALP) (Deputy Premier, Minister for Finance and Minister for State Development, Trade and Innovation) (9.51 am): Each year thousands of Queensland's unsung heroes benefit from millions of dollars in grants given out by two key funds designed to give a helping hand to those who rarely put themselves first. In December Christmas will come early for those community groups again as the Jupiters Casino Community Benefit Fund and the Gambling Community Benefit Fund grants are allocated. I am also pleased to inform the House that December will also see

the state government announce the inaugural recipients of the Golden Casket Foundation medical research grants.

Grants from both the Jupiters and gambling community benefit funds go to well-deserving people who give up their time to dedicate themselves to their communities. These are groups which are, in many cases, staffed by volunteers who are always on hand to help out and they deserve and frequently require a helping hand themselves in return. Both the gambling and Jupiters funds are terrific programs, programs which help ease the fundraising burden a lot of community groups and associations carry while they are out there working tirelessly for their individual communities.

This week I have approved 46 grants valued at more than \$1 million through the Jupiters Casino Community Benefit Fund which will go to not-for-profit organisations throughout south-east Queensland. I can announce that among the recipients of this round of Jupiters funding are several police citizens youth associations, child protection groups, rural volunteer fire brigades, surf-lifesaving associations, elderly care groups and environmental care associations.

This is the 18th year the Jupiters Casino Community Benefit Fund has been distributing funds, and a plethora of groups have been assisted since the first round back in 1987. In fact, since that time the fund has distributed more than \$60 million to more than 2,500 community groups, \$5.7 million of it in the 2004-05 period. The fund is generated from a community benefit levy paid by Jupiters Casino on the Gold Coast and the Treasury Casino in Brisbane from their annual revenue. Two other grants programs—the Breakwater Island and Reef Casino community benefit funds—also distribute a combined \$700,000 a year.

Later this month, I will announce the latest recipients of the Beattie government's Gambling Community Benefit Fund, which, in the past financial year, has distributed \$32.9 million in grants to 2,160 organisations. Since its inception in 1994 the fund has distributed \$280 million.

Earlier this year the state government announced applications for Golden Casket Foundation medical research grants. Foundation grants make use of the interest generated from unclaimed first division lotto prizes and will benefit the medical and research communities with grants of up to \$250,000. This is a smart move that will be a major shot in the arm for our state's medical research sector, and I am looking forward to announcing the beneficiaries.

## MINISTERIAL STATEMENT

### Federal Industrial Relations Legislation

**Hon. TA BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (9.54 am): We have seen a lot in the media recently about the Queensland Nationals, and Barnaby Joyce in particular, prevaricating over their support for the federal government's extreme industrial relations laws.

Yesterday, and again today, there were reports about how workers may not lose their rights to have a day off on Christmas Day and Anzac Day public holidays. These reports said pressure from the National Party and Senator Joyce had forced the government not to allow workers to be sacked if they chose not to work on these days. What a friend of the worker! What a bounty for struggling employees! What has industrial relations come to in this country if the best that can be said about our laws is that an employee might not be sacked if they want to spend Christmas with their family, Anzac Day having a beer with old war mates or Good Friday in a church?

I have a message for anyone lining up to thank the Prime Minister or Barnaby Joyce for this scrap: the federal government and big business still have not come to the party and agreed that penalty rates will continue to apply for working on these public holidays. And what about everything else workers and their families lose over the other 360 or so days of the year?

While Barnaby Joyce is doling out the cheap presents for a few days, he is really nothing more than Scrooge in a Santa suit. The fact is that under this bill, which we all know will ultimately be backed by all the Nationals, the only employment conditions that have been guaranteed are five cut-price minimum conditions: a minimum wage, 52 weeks unpaid parental leave, four weeks annual leave—and even two weeks of that could be traded away—10 days carers leave, and a 38-hour week averaged over 12 months.

This leaves current entitlements such as extra pay for working on public holidays, overtime or shift loadings, annual leave loading, allowances, redundancy pay and weekend penalty rates up for grabs. Any or all of these entitlements can be taken away without any compensating benefits in return. A worker may have the protection of not having to work on Christmas Day, but they can also lose the leave loading they have been previously entitled to.

Senator Joyce has focused his attention on Christmas Day and Anzac Day, but he is happy for every other day of the year to be treated the same. If you work in a business with fewer than 100 employees, you can be dismissed for just about any reason at all. It is not impossible to propose

fundamental changes that could mitigate the unfairness of WorkChoices. But the best way to resolve the WorkChoices disaster is to drop this entire draconian legislation in the rubbish bin.

So much for the Queensland Nationals demanding that the federal government protect the Queensland Industrial Relations Commission. Another so-called non-negotiable item has been relegated to the too-hard basket. It would appear that the price of coalition unity in this state between the Liberals and the Nationals is the sacrificing of Queensland workers' rights.

## MINISTERIAL STATEMENT

### Ministerial Clinical Advisory Committee

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Health) (9.57 am): One of my key commitments to rebuilding Queensland's public health system is that doctors will have a greater role in planning and decision making. Our restructured public health system will be one where more decision making happens at the local level where health services are actually delivered. As I have repeatedly said, that means doctors will have more say in how we run our hospitals. They will also have a greater role in planning and advising government about on-going health reform and initiatives to make Queensland's health system the best in the world.

Members will recall my director-general has already appointed a clinical advisory group of 20 senior doctors. This group of doctors, which met for the first time last week, represent hospitals throughout Queensland and will advise the director-general on service reforms to maximise the benefit of available health resources to the people of Queensland, strategies to improve clinical processes within health services and models of care that better cater to the changing needs of the community.

I am also committed to ensuring doctors and other medical professionals have a greater say in decision making at the state level. That is why today I am announcing the establishment of a Ministerial Clinical Advisory Committee comprising Queensland's peak health professionals.

This high-level committee will advise me about innovative and strategic health policy initiatives, clinical issues and the implementation of our \$6.4 billion health reform program. Membership will include nominees from a range of clinical organisations, including the Australian Medical Association, visiting medical officers, the specialist medical colleges and associations representing salaried medical officers, rural doctors, nurses and dentists. It will also include representatives of health sector unions, allied health professionals, the private hospital sector, private health insurers and community groups. I have written to all of these peak organisations asking them to nominate a senior officer to serve on this committee.

This initiative reflects the Beattie government's commitment to provide a better public health system for Queenslanders who use the system and its work force. It shows we are serious about making sure decisions that deliver good health care are made closer to patients and those who deliver that care, and it honours our pledge that doctors and other health professionals will have a greater role in decision making to steer the reforms necessary to give Queenslanders the best health system in the world. Given comments today by the AMA President, Dr Steve Hambleton, stressing the importance of bringing doctors back into the planning and decision-making processes and engaging clinical staff, I am confident that today's announcement will meet with their approval.

## MINISTERIAL STATEMENT

### Road Funding

**Hon. PT LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (10.00 am): The massive 10½ billion dollars for roadworks and supporting services over the next five years reflects an increase of \$2.5 billion or 31 per cent over the previous five-year Roads Implementation Program. This more than doubles the \$5.2 billion five-year roads plan that was in place when the Beattie government came to power in 1998.

Members of this House are aware that federal funding for roads is inadequate. Just in south-east Queensland it is estimated that we need at least \$6.2 billion in federal funding for roads over the next eight to 10 years. What has been committed is about \$940 million, leaving a shortfall of at least \$5.3 billion. Only the Beattie government is serious about the business of building roads in this state.

A 2001 survey by the Bureau of Transport and Resource Economics of state roads expenditure showed Queensland spends more per capita on roads than the national average and 2½ times more than is spent by Victoria. So how does this compare with the record of members opposite or indeed the record of the federal government? Taking into account the population growth and the industry expansion needs of Queensland, state funding has grown in real per capita terms from \$213 per person in 1996-97 to \$378 per person in 2006-07—year two of the RIP—reflecting an increase of 77½ per cent.

By comparison in real per capita terms federal funding to Queensland only grew from \$68 per person to \$84 per cent or 23½ per cent over the same period. Unlike members opposite we will continue to deliver and continue to argue that the federal government should meet its obligations to Queensland motorists.

This year's program also reflects our determination to reduce the number of people killed and seriously injured on the state's roads. In a week of tragedy on our roads, the Premier and I announced an initial two-year \$84 million Safer Roads Sooner program that will deliver significant road safety upgrades right across the state. Overall \$225 million will be invested in low-cost, high-benefit targeted road safety initiatives through the Safer Roads Sooner program over the life of this RIP. What is the federal government's commitment to Queensland's Black Spot program? An existing \$27 million allocation for which there is no commitment beyond 2007-08.

Queensland is the growth state of Australia and this record RIP will help make sure that it stays that way for decades to come. Our commitment to extra funding in rural and regional Queensland together with our partnership with local government in the roads alliance are further evidence of our intent. To re-emphasise this for the member for Chatsworth, who obviously has some cognitive difficulties, the funding was \$213 per person in 1996-97 and it will be \$378 per person in 2006-07.

## MINISTERIAL STATEMENT

### Sir David Longland Correctional Centre, Prisoner Transfer

**Hon. JC SPENCE** (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.02 am): Today I am pleased to announce a significant milestone for the Sir David Longland Correctional Centre. In August I announced changes to Sir David Longland which were that the centre would close temporarily for redevelopment and expansion, with prisoners and staff to be transferred to other jails. Three months later I can advise that all prisoners have now been relocated to other jails in south-east Queensland. In three months, 342 prisoners have been successfully relocated without incident. The last prisoners were moved on Thursday, and on Friday the prison closed its doors ahead of the \$76 million redevelopment of the centre.

As members would be aware, the redevelopment and expansion of Sir David Longland will boost prisoner capacity from 342 cells to 558 cells. The size and scope of these prisoner transfers has been meticulously planned, with no margin left for error. I am pleased to advise that not only have all prisoners been transferred without incident but also they have been transferred two weeks ahead of schedule. Given that Sir David Longland housed some of the state's most serious criminals, this is a credit to all involved in these prisoner transfers.

In addition, most staff have also been transferred and this process is continuing. Some staff were, understandably, anxious about their futures. However, the department has been able to use consultation to minimise disruption to the lives of staff, while providing an opportunity for staff who want to move or tackle a new career. I am pleased to advise that no industrial action or disputation has occurred during the term of the project at Sir David Longland.

A task force comprising union and departmental representatives has been meeting weekly since July and has been dealing with all of the issues associated with the temporary closure of the centre. A project team for the temporary closure of Sir David Longland also started in July and it has individually case managed staff placements. To date, 180 staff out of a total of 250 staff have been successfully placed in alternative positions. A career change option was announced two weeks ago for staff in the Wacol precinct and it is expected that there will be enough positions available in the Wacol precinct, vacated by staff at other centres who decided to take the career change option, for the remaining Sir David Longland staff to be placed into.

All staff who elected to transfer to Woodford or Maryborough correctional centres as their first transfer preference have already moved to their new locations. Sir David Longland Correctional Centre is now temporarily closed. The demolition and expansion works should start in February or March next year and are expected to take 20 months. This has been an excellent outcome to finish the temporary closure project ahead of schedule and without any serious disruption from staff or prisoners. I look forward to keeping the House updated on the project once the redevelopment gets under way next year.

## MINISTERIAL STATEMENT

### Swimming Pool Fencing

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (10.05 am): Queenslanders love water. It is an integral part of our lifestyle in the sunshine state. For young, inquisitive toddlers a backyard pool on a hot day is enticing. That is why we must have safe pool fences. The Queensland Injury Surveillance Unit estimates the state government's

introduction of mandatory pool fences in 1991 has saved the lives of over 100 toddlers. Before 1991, each year there was one death per 11,666 pools. Since the introduction of mandatory pool fences the rate is one death per 42,857 pools per year. They are certainly better results, but not good enough.

With an average of five to eight deaths per year, drowning is still the most common cause of accidental death in children aged under five in Queensland. Most swimming pool drownings occur in unfenced pools, pools where the gate has been left open or pools with defective gates or latches.

This afternoon I will officially launch a public awareness campaign on pool safety which elite swimmer and mother of two Hayley Lewis has agreed to support. Starting today, Hayley's pool safety message will be broadcast on radio stations across Queensland. I am also asking for the community's views on how we can make our pool fencing laws more effective. Some of the key issues for discussion are: whether pool fences must be certified as compliant before homes can be sold; making it mandatory for councils to implement neighbourhood pool inspection programs; to assist with this, allowing councils to charge pool owners a small annual levy to fund inspections; and asking the pool industry, particularly pool builders, to take more responsibility for their products during and after pool construction by ensuring pool fences are built before a pool is filled with water.

I am very impressed with Brisbane, Logan, Maroochy, Mackay, Gold Coast and Noosa councils who are actively addressing pool safety. Their lead needs to be followed by other councils. There are over 300,000 swimming pools in Queensland. The best way to ensure they are safe is to have in place a formal pool fence inspection program.

## MINISTERIAL STATEMENT

### Bendigo Bank, Aurukun

**Hon. RJ MICKEL** (Logan—ALP) (Minister for Energy and Minister for Aboriginal and Torres Strait Islander Policy) (10.08 am): Recently I had the great pleasure of opening a new Bendigo Bank facility in the Aboriginal community of Aurukun in the west of Cape York. In a great partnership, Aurukun Shire Council and Bendigo Bank has worked together to open the first banking service offered to the community in 20-odd years. All too often we hear of banks closing in rural and remote communities. This time, just the opposite is the case. Aurukun Shire Council is very aware of the importance of financial services and has been working for a number of years to make banking services in Aurukun a reality. Through the council's hard work and the cooperation of Bendigo Bank, they have now broken long, dry spell.

The opening of this facility, which will be administered out of Cairns, will go beyond making banking and financial services available to people; it allows people ready access to and control of their finances. It builds financial education. I am advised that more than 70 of Aurukun's 1,200 residents who have been using branches outside the community have already opened accounts with Bendigo Bank. The great news is that the next wave of customers will come from Aurukun's 200 primary school kids, who will each have an account opened in their name with an opening balance of \$10 to kick-start a savings culture which to date has been almost nonexistent. Bendigo hopes to encourage local kids to attend school to earn 'bonus points' which will translate into extra deposits of up to \$5 a week.

Bendigo Bank's corporate citizenship extends beyond pure banking services. The bank understands that a viable bank needs a viable community and that one of the biggest threats in regional centres like Aurukun is the exodus of bright young people. The Premier recently spoke at a function to mark the 1,000th young Queenslanders' participation in the Lead On youth development program. Lead On is a program established by the Bendigo Bank with state government seed funding run by young people for young people. A youth advisory board makes all of the decisions with projects so far undertaken including youth newspapers in Ipswich and Beaudesert and the organisation of a major festival in Noosa. Lead On is up and running in four regional centres, and discussions are well under way to get it running in eight more, including Aurukun. I should also commend the work being done by the Starlight Foundation at Cherbourg in helping youth in that community.

Aurukun Shire Council this year won a grant under the state government's Indigenous Business Development Grant Scheme to conduct a feasibility study into the commercial native honey and wax industry in the region. A year ago we had the Federal Court determination which recognised native title over 1.227 million hectares of Wik and Wik-Way peoples' traditional lands in western Cape York.

I want to congratulate and acknowledge the work of Bendigo Bank's chief operating officer, John Goddard, and his team for bringing an important service to Aurukun. I also congratulate Mayor Neville Pootchemunka and of course the people of Aurukun. The Queensland government is committed to working hand in hand with Aboriginal and Torres Strait Islander communities, and we will continue to support Aurukun in its bid to build a stronger community.

Finally, I want to commend the Labor Party's National Vice-President, Warren Mundine, on his call for Aboriginal men to stop domestic violence. As he says, this behaviour is unacceptable. He is right in saying that there is no excuse for it. He is showing true leadership. I call on other prominent Aboriginal leaders to support this position.

## MINISTERIAL STATEMENT

### Mine Safety

**Hon. H PALASZCZUK** (Inala—ALP) (Minister for Natural Resources and Mines) (10.12 am): I have good news for Queensland. Once again Queensland has proved it is leading the way in mine safety. The state government, through its Safety in Mines Testing and Research Station—or SIMTARS—at Redbank, has developed a unique rescue vehicle. This modified vehicle is designed to operate underground in extremely dangerous conditions such as after an explosion or fire. I am proud to say that it is the first of its type in Australia and I will be attending a demonstration of the purpose-built vehicle later today.

When there is a fire or explosion underground there is a high level of methane, and current mines rescue vehicles will not operate in such atmospheres. However, this vehicle will. The vehicle has a number of additional features such as a navigation system for use in dust or low-visibility conditions, a rapid shut-down device for the engine and an on-board air supply for the driver and passengers. Importantly, these modifications can be added to existing mine personnel transport vehicles at all Queensland coalmines. With distances to the surface becoming greater every day, a rescue vehicle that will work in dark, smoke-filled or toxic gas environments is important.

The mine rescue vehicle project has been sponsored by the Australian Coal Association Research Program and the Queensland Mines Rescue Service. Further evidence of the government's commitment to mine safety was shown recently when the department and SIMTARS signed an MOU with China's State Administration for Work Safety. This agreement ensures cooperation with China to exchange mine safety information. SIMTARS also has an MOU with the China Coal Research Institute at Fushun which involves cooperating to improve underground coalmine gas analysis to assist in the prevention of mine fires and explosions.

However, on a very sad note, I was saddened to hear reports overnight of a major coalmine explosion in China's north-east which has claimed more than 100 lives. I can also confirm that SIMTARS has signed an MOU with the Korea Gas Safety Corporation which recognises the certification of explosion protected equipment. I am also looking forward to meeting with two Korean engineers today who are being trained in this field at SIMTARS.

## MINISTERIAL STATEMENT

### Liquor Licensing, Community Events

**Hon. MM KEECH** (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (10.15 am): The Beattie government continues to listen to the concerns of all Queenslanders and has taken action to support community events in rural and remote centres. Richmond Shire Council recently hosted a forum to discuss the impact of proposed Liquor Licensing and security requirements at community events and festivals in outback Queensland. I asked senior divisional officers to attend the forum and report back to me. They reported there were frank discussions on the challenges of small rural communities' experience in meeting many government regulations. This included requirements to provide security for events and festivals, late notification of approvals, restrictive trading conditions, and the level of communications between event organisers, police and Liquor Licensing officers. I believed we needed a compromise and asked Liquor Licensing to find a better balance between controlling liquor related risks at major community events and ensuring the viability of the events, which are the lifeblood of our communities.

I am pleased to inform the House, including you, Mr Speaker, following your representations as the member for Mount Isa, that the division has now implemented a range of new policy initiatives designed to reduce the impact on event organisers. New standard conditions will allow local volunteers to monitor the sale and supply of liquor as an alternative to using licensed crowd controllers. Use of the new conditions will still be subject to consultation with local police and an assessment of the risks involved. More stringent security conditions will be imposed if there are reasonable grounds to do so.

I asked Liquor Licensing to review processes for granting general purpose permit applications and to improve service delivery and time frames. I also asked the division to develop a more comprehensive communications strategy for major community events to improve effective partnerships and communication between event organisers, police and Liquor Licensing officers. This is a sensible

compromise. The Beattie government will ensure the continued viability of community events without compromising public safety. The new policy will have statewide effect and is a great outcome for people and organisations running community events in rural and remote areas.

The new policy was implemented successfully at the Pentland race meeting held recently. Locals were used as crowd controllers, security officials and control stewards for liquor sales. The race meeting went off without a hitch. Richmond shire mayor Councillor John Wharton, who called the recent forum, welcomed the policy change. He described the new rules as 'just commonsense'. These events, which are conducted across Queensland, contribute greatly to local economies by attracting thousands of visitors. The Beattie government has listened to the people. We have a responsibility to ensure that the events are viable but are also run safely. That is exactly what the government's new Liquor Licensing policy initiatives will achieve.

## PERSONAL EXPLANATION

### Death of Pet, Member for Gympie

**Miss ELISA ROBERTS** (Gympie—Ind) (10.18 am), by leave: In recent times the media has published a letter I wrote to the Cooloola Shire Council regarding the death of my chihuahua, Popsicle. In order to set the record straight, I will clarify the circumstances surrounding her death. I arrived home one Friday to find my chihuahua bleeding to death in my neighbour's yard. I and two other witnesses were unable to reach Poppy because the dog which had ruptured her spleen was still in the yard.

As two of us present had previously been bitten by this dog, we were too afraid to go into the yard to try to help Popsicle. I rang the owners of the property and I told them that if they did not get home soon so I could save my baby, I would kill their dog. I was frantic to reach Poppy. She still had her eyes open and she was bleeding. A witness tried to pull Poppy towards with us a broom, but I was worried that she would hurt Poppy even more.

Yes, Mr Speaker, I swore at the neighbours. I was so distraught I could hardly breathe. If I had a gun, I probably would have shot the neighbour's dog there and then. I had previously asked my neighbour, Ken, to erect a fence between our properties. I offered to let him take four days off work and I would pay him his four days' pay personally. I even offered to pay for all the materials required as well. Yes, the four-page letter was sent to the council on an office fax letterhead. Yes, Lawrence, it was sent by my mother. It is the only fax cover we have.

It is clear that the coalition is out to get me. Last Friday Mr John Bisset, a Liberal Party member, rang my office to warn me that Ray Spencer, a Gympie Liberal Party member, was ringing around asking for dirt on me. However, not only is the coalition attacking me; it is even attacking innocent old ladies. Last Saturday an 81-year-old woman who has the same initials as me and who is listed in the phone book—and I am not—rang my mother distressed because a National Party male had rung her abusing her and calling her names and swearing at her. Mr Speaker, Elsie Roberts has a broad English accent—not unlike yours, actually. As I have said, she is 81 years of age. When she told this person that he had the wrong number, he did not stop but continued to abuse her. So she in turn rang the police.

The nastiness, viciousness and vitriolic actions of the men in the coalition is disgusting and sickening. They are hypocrites and are blaming me personally for the fact that they failed—

**Mr SPEAKER:** Member for Gympie, please do not refer to the opposition as being hypocrites.

**Miss ELISA ROBERTS:** They failed the Gympie electorate for over 20 years. I have done and will continue to do everything I can for the people I represent.

Yes, the coalition is hurting me; I am only human. It is obvious that the Liberal Party had more faith in me two months ago than their coalition partners. I realise it will be difficult for the police to prove that the offer was made to me by Bob Quinn, but I was offered \$50,000 and \$10,000 for polling. My letter written to the council—

**Mr QUINN:** Mr Speaker—

**Mr SPEAKER:** Order! Member for Gympie, the matter you are referring to now is before the privileges committee. I ask you to refrain. Can you bring the personal explanation to a conclusion, please.

**Miss ELISA ROBERTS:** Yes, I will.

**Mr SPEAKER:** There is a point of order by the Leader of the Liberal Party.

**Mr QUINN:** I find the suggestion that I offered the member for Gympie \$50,000 untrue, offensive and I ask that it be withdrawn.

**Mr SPEAKER:** Will you please withdraw it. The matter is before the privileges committee.

**Miss ELISA ROBERTS:** I will withdraw. The letter that I wrote to the council shows that I tell the truth at all times, warts and all. There are people in this chamber who are trying to break me, but I have too many people I have to stay strong for. On my father's grave and on Popsicle's grave, everything I have said is true. When I was in the army, my weapon was an SLR. In this place, my weapon is the truth.

I thank the two little children who came to my office yesterday to offer me one of their little puppies to replace my Popsicle.

## PERSONAL EXPLANATION

### Article in *Sunshine Coast Daily*

**Hon. CP CUMMINS** (Kawana—ALP) (Minister for Small Business, Information Technology Policy and Multicultural Affairs) (10.23 am), by leave: Today's *Sunshine Coast Daily* carries a story about a general letter of support I wrote in February 2003. I would like to table a copy of the letter for the information of the House. That shows clearly the date on the letter, February 2003. I advise the House that I have today written to the editor of the *Sunshine Coast Daily* seeking clarification on what appears to be a deliberate omission of the date. The headline and the omission of the date clearly implies that I wrote this as a minister, which is untrue.

Since I was first elected to Caloundra City Council in 1997, I have been called upon on numerous occasions to write letters of support for a wide range of community groups, sporting organisations and local businesses to benefit the Sunshine Coast. This includes the one I wrote for Mr Andrew Duncan of the Marine Life Rescue Centre over two and a half years ago—back in February 2003. I believe there is nothing unusual about an elected representative writing a letter of support. In fact, I note that the federal Liberal Party member and former National Party member for Fisher, Peter Slipper, also provided Mr Andrew Duncan with a similar letter.

Mr Duncan was involved in a proposed aquaculture project, an industry—aquaculture—which I think has great potential for the Sunshine Coast economy. As I have done for numerous Sunshine Coast residents, I wrote to the relevant ministers to put Mr Duncan in contact with the relevant departmental officers. I also wrote a general letter of support encouraging interested parties to meet with Mr Duncan to discuss his proposal further. I again state clearly that it is obviously always up to any individual to make a business decision on its own merits and after their own investigation and consideration.

## MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

### Report and Information Paper

**Mrs ATTWOOD** (Mount Ommaney—ALP) (10.26 am): I table Report No. 70 of the Members' Ethics and Parliamentary Privileges Committee titled 'Registration of members' interests—matter referred under schedule 2 of the standing rules and orders of the Legislative Assembly'. The MEPPC believes that the requirements on members to register their interests must be unambiguous. We recommend that schedule 2 of the standing orders be amended to clarify the current definition of 'sponsored travel or accommodation'. I commend the report and the committee's recommendation to the House.

I also table the November 2005 version of the Members' Ethics and Parliamentary Privileges Committee's right of reply information paper. The paper has been updated for the assistance of members and their constituents to clarify that, although referred to as a citizen's right of reply, the Legislative Assembly does not restrict the right of reply to persons who are Australian citizens.

## PRIVATE MEMBERS' STATEMENTS

### Health System

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (10.27 am): As I understand it, tomorrow the Davies commission will be reporting to the Premier and to the parliament on the outcome of the months of inquiry that happened as a consequence and subsequent to the debacle at the Bundaberg Base Hospital. But there are a range of matters that can never and will never be investigated or properly uncovered in Queensland.

We know that Commissioner Davies wrote to the Premier a couple of months ago indicating that there were matters involving 11 major hospitals throughout Queensland and our entire mental health system which required further investigation either by way of extended terms of reference, which was not his preference, or by way of a new commission of inquiry. I have here two lever arch folders of

correspondence from people who have written to us or emailed us about their personal story in relation to matters involving them in those hospitals referred to by Commissioner Davies, the mental health system in Queensland and also at other hospitals.

We really have to ask the question: why is this Premier scared of independently investigating these numerous matters—129 in actual fact? Some of those people affected have already written to the Premier. I know why: because of the political consequences for this government.

When this Premier commissioned Commissioner Davies he was very keen to restrain the depth of investigation that Commissioner Davies could undertake by limiting the terms of reference. We know why. These people are pleading for the Premier's help. These people wrote to Commissioner Davies and the Premier said that he does not have the capacity to properly investigate.

At the next state election the people of this state will know the biggest issue: it is health. They ask us continually to say to the government, 'It's health, stupid.' Health is the most important issue in Queensland and will be at the next state election. We have to ask this question of the Premier: why does he fail to get the basics right? Why is he failing those 129 people whose stories are contained in these folders? Why can they not be offered a chance to have some recourse for their treatment?

### Member for Aspley

**Ms BARRY** (Aspley—ALP) (10.29 am): Mr Speaker, it is nice to be back, albeit for only a short time, and to take this opportunity to say to you and to other honourable members: thank you for your understanding of my absence over the past few weeks and in anticipation of the occasional absences that I will have early next year.

As honourable members know, I was diagnosed with breast cancer four weeks ago today and I am about to undergo some rather extensive treatment for it. I have undertaken some surgery very successfully by Dr Colin Furnival and the fantastic team at the Wesley Hospital and I am now in the safe hands of the oncology team at the Royal Brisbane and Women's Hospital. Of course, they are old friends to me.

On behalf of my family, myself and my staff, can I say how incredibly touched we have been by the support that you have all shown us over the past few weeks. My comrades, my colleagues, my friends and my community have been a source of strength for all of us. I would like to say that the best thing that can happen to you when you get the feet knocked out from underneath you is to have someone give you a hand to get back up. My family and friends have felt a sea of hands from everybody. I would like to say thank you. On behalf of my husband and my family, I would like to say thank you, particularly to my staff.

Over the past few weeks I have undergone a few tests of faith. The first one is that I have no intention of hiding the fact that I have cancer. I am an 18-year veteran of cancer nursing and I can say one thing: cancer is just a word. The luckiest people are the people who seek help for it. I encourage everybody who fears that they may have cancer to put their health first.

Secondly, I also now understand that the best people to help you face your demons are those people who have faced their own. I would like to go on the record and say to the member for Clayfield, the honourable Liddy Clark, who is herself a long-time breast cancer survivor, that she has been like a life raft to me in the past two weeks. Like the Premier said, she is a great sheila.

Finally, I have always believed that if you are going to fight a battle against cancer and win the war, the best place that you can be treated in is Queensland. Queensland health professionals are world class. They are the very, very best there is. My life is in their hands and I am grateful for that.

**Mr SPEAKER:** Order! Before I call the Leader of the Opposition for the first question, I acknowledge teachers and students of the Park Avenue State School in the electorate of Rockhampton, which is represented in this parliament by Mr Robert Schwarten. That is where the member went to school.

## QUESTIONS WITHOUT NOTICE

### Roadside Drug Detection Trials

**Mr SPRINGBORG** (10.30 am): My first question without notice is to the Minister for Police and Corrective Services. I refer the minister to her government's bizarre announcement yesterday that she will be introducing a trial of roadside drug testing in Queensland, paying \$20 to participants on a voluntary basis and giving an immunity in the event that they are found with drugs in their system. Is it not true that this trial is little different from one implemented by the previous transport minister, under pressure, in Cairns some two years ago? Is it not also true that this trial will further delay the introduction of random roadside drug testing in Queensland to 2007, some eight years after the all-party parliamentary Travelsafe Committee recommended the introduction of such testing in Queensland to save lives and injury on our roads?

**Ms SPENCE:** I thank the Leader of the Opposition for the question. I am really pleased that, for once, he has got his facts right. It is true that we conducted similar research in Townsville, I think, two years ago. The results of that research certainly have been noted by the government. We have decided to conduct the research in the south-east corner of the state—primarily it will be in Brisbane, Logan and the Gold Coast—because we need more data before we introduce drug-driving detection throughout the state. We certainly are committed in the long run to introducing that, but we do not want to rush into this.

This research will provide us with really good information about the prevalence of drug use in the south-east corner of the state, and when we ultimately introduce the testing we will know the time, the place and the location for drug detection. Drug detection is not as simple as random breath tests, which are very cheap to operate and to perform. If we are going through this drug detection process, it is likely that the initial test—the swab—could cost anything up to \$35. To get the testing then done at the laboratory, we are looking at about \$120 to test for two drugs. So before we introduce drug detection testing throughout the state we really are going to have to have some targeted information about time, place and location, and I believe that this study that we are going to undertake next year will provide us with that valuable information.

It is not as easy as it seems. I think the biggest drug testing organisation in Queensland is the Department of Corrective Services. It does drug detection testing every day on community service people, on parolees and in our prisons. They know a lot about this area. We really do have to make sure that we can verify the information if it is going to stand up in court. It is well known that there have been problems with the Victorian trial. They have had a number of false positives—cases that have not stood up in court. That is why they are extending their trial for six months. The answer is, yes, we are committed to introduce drug-driving detection testing throughout the state, but we really do need this extra study to provide us with this valuable information before we take that next step and introduce it statewide.

### Health System, Complaints

**Mr SPRINGBORG:** My question without notice is to the Premier. Contained in these two lever arch folders are 129 cases involving Queenslanders who have been failed by the Premier's health system. These are matters which have also been referred to the Premier by Commissioner Davies, seeking to have them properly investigated, because of the limited terms of reference of his commission of inquiry. What confidence can the people of Queensland—and particularly those 129 people who have their matters contained in these folders, which I will be sending to the Premier later today—have that the Premier will properly investigate these matters, that these issues will be resolved and that they will not be just swept under the carpet as the Premier has done with previous matters?

**Mr BEATTIE:** I thank the honourable member for his question, and I extend this invitation to him: if he does provide me with copies of the material that he has referred to and they are genuine matters—I will take him on face value that they are—I will ensure that they are provided to the Health Complaints Commission—the new health commission we are establishing, which is the body that will take ongoing complaints—and they will be appropriately investigated. The member has misrepresented what Commissioner Davies has said. We debated this in Rockhampton. I do not intend to go over that old ground. What he said in relation to the terms of reference was untrue. I do not intend to waste time on that, but what I am concerned about is to make certain that anyone who has an issue or who has a complaint is appropriately assessed and dealt with.

Tony Fitzgerald, when he completed his inquiry, recommended the establishment of the CJC and EARC. It is impossible for an inquiry, unless it sits permanently forever, to deal with every matter that can or should be raised before an inquiry. So what Commissioner Fitzgerald did was recommend an ongoing mechanism to deal with complaints. What we are doing is exactly the same thing with the reforms recommended by Peter Forster: we are establishing the Health Complaints Commission. I will give the Leader of the Opposition this undertaking that each one of those matters that he has referred to, if he provides them to me—

**Mr Springborg:** You'll be getting these.

**Mr BEATTIE:** Please do not be rude. If the Leader of the Opposition wants to provide me with those documents, I will give him an undertaking today that I will ensure that they are provided to the new health commission. I will be requesting, even though the commission has an independent role, that they be treated seriously and that they be assessed appropriately. They will be dealt with by that independent Health Complaints Commission. That is why we should have an ongoing body, because it can look at not just those complaints but any other complaints that come out. That is the first thing. Each one of those people will be dealt with seriously, and I look forward to the provision of that material by the Leader of the Opposition.

Let me deal with the other matters. My government has actually had the courage to establish a royal commission into what happened in Bundaberg. We have not run away from this. We have taken it head-on. Out of that, we have begun the most significant funding of health in the history of Queensland

and we have begun the most significant reforms the health system has ever seen. You have seen that in the mini budget and you have seen that in the recruitment campaign that was launched on Sunday. We are about building a new health system.

I referred this morning to what the Prime Minister said. The Prime Minister indicated that we have in this country—and he acknowledged Queensland in terms of the reform process—one of the best health systems in the world. We are determined to make it even better. But one thing I know is this: we need some bipartisan support. We should not have continual attacks to downgrade and undermine the health system for party political reasons. We have had the Forster inquiry. We have had the recommendations. We have the money. The challenge now to the National and the Liberal parties is to get on board and become part of the solution, not the problem.

Time expired.

### Queensland Coalition

**Mr TERRY SULLIVAN:** My question is directed to the Premier. I refer to the Nationals and Liberals, who are trying to present themselves as the alternative government, as they try to assure the voters that their alleged coalition is rock solid, and I ask: are there any major fault lines or cracks appearing in the political edifice of the coalition?

**Mr BEATTIE:** Other than the obvious ones! I will give the member for Stafford an illustration of how difficult things are. I think this is a relevant point to the people of Queensland, because if you cannot govern yourself in opposition you cannot govern Queensland. You have seen us today talking about health and roads. We are getting the basics right. What we see on the other side is nothing more than a war.

Yesterday the National Party said to the Liberal Party, 'You had better come down to our headquarters and have a chat with us.' The Liberal Party said, 'Oh, no. There is no way in the world. You have to come down here.' So we had the National Party trooping up to the Liberal Party. We know which is the dog wagging what tail—

**Mr Nuttall:** In a four-wheel drive.

**Mr BEATTIE:** In a four-wheel drive. Down to the Liberal Party they go. 'Come on, boys; come down and have a chat.' You could not even tell them that you were going to see them at your headquarters.

Let me deal with some of the serious issues here. I refer to a report in today's *Australian* which I think gets to the nub of this. It says—

THE Coalition agreement forged between the Queensland's conservative parties just two months ago may be renegotiated to overcome the lingering bitterness caused by state Liberal leader Bob Quinn's secret talks with a former One Nation MP.

That is the key to this. Remember that the Nationals and Liberals both said they would have nothing to do with One Nation or former One Nation members? As it turns out, the so-called coalition agreement makes no reference to One Nation or dealing with One Nation candidates—no reference at all. So much for principles—out the back door. Let us not worry about that; they are all fair game. Let me deal with this article, because I think it is very informative. It continues—

The routine campaign meeting discussed the need to re-examine at least one core plank of the agreement that allowed for joint preselection in six seats ahead of the next election, due in early 2007.

...

Coalition sources yesterday told *The Australian* the meeting had resolved to avoid any further three-cornered contests, lest they be seen as another example of the Nationals and Liberals competing against each other.

In other words, not being able to get on, which is code for having a brawl. The article further states—  
However, some Liberals fear the Nationals are trying to capitalise on Mr Quinn's situation.

...

Yesterday's meeting also grappled with the controversial talks between Mr Quinn and Ms Roberts and how the Coalition agreement, unlike a previous version, did not ban deals with One Nation or former One Nation MPs, despite it being a sensitive issue for both parties.

In other words, the Nationals and the Liberals would deal with whomever they possibly could. They would backstab whomever they possibly could simply to get into office. Listen to this—

The meeting resolved that Mr Springborg and Mr Quinn would front the waiting media together as a show of unity to end their separate, and often sniping, press conferences.

Mr Springborg proclaimed "it's onwards and upwards" ...

Do members know who said that?

**A government member:** Mighty Mouse.

**Mr BEATTIE:** That is right; Mighty Mouse. Onwards and upwards—I do not know where to.

### Public Hospitals, Waiting Lists

**Mr QUINN:** My question is directed to the Premier. On page 153 of the Premier's latest autobiography, he wrote—

In late 2004, I was asked to list my top ten achievements ...

That is, since entering parliament. As his third top 10 achievement he nominated—

Providing the systems and budgets to enable doctors, nurses and health workers to cut waiting times for public hospital operations to the best on record, in a health system which has been judged the most effective in Australia.

Given the revelation of 100,000 people on secret waiting lists, I ask the Premier whether hospital waiting lists are still in his all-time greatest top 10 achievements.

**Mr BEATTIE:** I am happy to sign the book for you, too, Bob. I will do a personal signing. I was really pleased because the publishers sent me a memo yesterday—

**Honourable members** interjected.

**Mr SPEAKER:** Order! This is the last sitting week before Christmas. We are going to have Christmas drinks on Friday. I want all of you to come along, so I do not want to have to ask people to leave.

**Mr BEATTIE:** I do not want to miss that opportunity for a bit of Christmas cheer and goodwill. I was pleased that the publishers said yesterday I think 4,123 copies have been sold. I am pleased that the Leader of the Liberal Party is one of those who has bought it. I am delighted by that.

**Mr Springborg** interjected.

**Mr BEATTIE:** Please do not interrupt. It is a Liberal Party question. They cannot even agree on who asked the question.

Let me come to the issue of health. We do have—and Peter Forster found this—one of the best health systems in Australia. That was one of the conclusions of his report. Indeed, what we will end up with in Queensland is a leading-edge health system which will be the envy of the rest of Australia. We had the courage to take on these reforms and to have two inquiries, one by Peter Forster to examine the systemic issues and the way forward. The major reforms were funded in the mini budget, and members have seen the recruitment campaigns and the other changes. We have also looked at what has been a problem—that is, initially the Tony Morris inquiry and then the Davies inquiry looking at the past, and there will be some recommendations from the Davies inquiry tomorrow.

I stand by what I said in my book. I stand by it because my government has dramatically increased the funding to health and will continue to do so. If we look at the mini budget, this is the first time that doctors have been paid anywhere near a national level. We did it. This is the most significant injection of funds in the history of Queensland. What I really need is another edition to update it. That is what I will do, and I will do it very shortly. I was not going to write another book but the member has encouraged me to do it.

There are two reasons I will do it. Firstly, the member has encouraged me to talk about the latest achievements in health and, secondly, I have to put in a chapter on its own about all these debacles that we are seeing in the coalition. Perhaps the debacles in the coalition need a book of their own. We have shown that we have the courage and the guts to face up to these problems head-on. We set up an inquiry into what happened in Bundaberg when all of our predecessors ran away from it.

**Mr MESSENGER:** I rise to a point of order, Mr Speaker. The Premier is misleading the House. He was dragged kicking and screaming to an inquiry.

**Mr SPEAKER:** There is no point of order. I warn members about taking frivolous points of order.

**Mr BEATTIE:** As I was saying, my government is the only government in the history of Queensland that had the guts to set up this inquiry. These inquiries were set up by cabinet on a decision of my colleagues and myself, and I thank them for that. They are not set up by the man from Mars or by the man from anywhere else. These are set up by governments. Where governments had previously covered up, we opened up. That is the sort of government we are.

### Queensland Coalition

**Mr REEVES:** My question without notice is directed to the Premier. I refer to the alleged coalition of equal partners between the Nationals and the Liberals which promises a joint election platform and a credible alternative government. The agreement refers to the first hurdle that they have to overcome in ensuring that they select the best candidates for holding joint preselections in Broadwater, Gaven, Mudgeeraba, Redlands, Springwood and Hervey Bay. How successful has the alleged coalition of equal partners been in tackling this first hurdle in avoiding three-cornered contests?

**Mr BEATTIE:** In thanking the honourable member for the question, I have to say unsuccessful—spectacularly unsuccessful. It is apparent that yesterday's meeting was to try to sort out a way in which the four remaining joint seats could be determined. The likely outcome is an agreement to give the National Party Mudgeeraba and Gaven. This will displease many in the Liberal Party, given the growing

evidence about the Liberal nominee for Broadwater, who, by the way, I notice was an Australian Democrat candidate in Mallee back in 1990 and in fact helped the National Party get elected back then. I have to say that I do not know which side he is on. It is so hard to follow—the National Party and the Liberal Party; it is like a maze.

**Mr Mickel** interjected.

**Mr BEATTIE:** He is on his own? Given the growing evidence about the candidate for Broadwater, the Liberals are unlikely to give it up. It is extraordinary that the National Party will probably end up contesting more seats on the Gold Coast than the Liberals. Where is the Liberal Party? The Leader of the Liberal Party comes from the Gold Coast. He does not fight for the Liberal Party. He gives up these seats. They have all gone and run for the National Party. The Nationals can run whatever dirty tricks campaign they have been running against the member for Gympie, which is exactly what has been going on. It is typical National Party dirty tricks. The Leader of the Opposition does not like Independents, so he goes out and tries to destroy them.

The facts of life are that the major political parties may not like Independents, but they are elected by the will of the people and we have to respect the will of the people. I did not like losing the Maryborough by-election, but it was the will of the people that elected the member for Maryborough, and at least my government and the Labor Party respect Independents. We do not go out and run nasty, dirty tricks campaigns, which is what you have been doing to the member for Gympie to try to destroy her. All you have done to the member for Gympie is to guarantee her re-election. Then you tried to poach the member for Nanango and you will try to get to the member for Tablelands. You will try to intimidate every one of them. I say to the Independents: stick with it. Do not be intimidated by the National Party or the Liberal Party. Do not take their 30 pieces of silver because at any opportunity they will either abuse you or try to buy you. That is what they will do.

The Independents should stick by their principles. Do not sell out to these coalition people over here because, frankly, they do not care about your electorates; they are only interested in their own power. That is all they are interested in.

Apparently the joint preselections are dead. The coalition has given up trying to get an agreement. It cannot agree so it is going to decide who gets what seats. It is going to carve them up. The Liberal Party will get done over as usual, and the National Party will end up with the majority of candidates on the Gold Coast.

I simply say to the Leader of the Liberal Party on behalf of the Labor Party, and I say this very genuinely: thank you very much for your support. We greatly appreciate it, because down on the Gold Coast, let me tell members, people may vote for Liberal or they may vote for Labor but they will never vote for the National Party.

### Home and Community Care Services

**Mr SEENEY:** My question without notice is to the Minister for Health. I refer to the Beattie government's glossy publication titled *Action plan—building a better health service for Queensland* and the transfer of Home and Community Care services from Queensland Health to non-government organisations. What guarantees will the minister give frail aged persons and younger persons in Queensland with disabilities that they will not be disadvantaged by this move? Can the minister guarantee that they will not be asked to pay for future services that they are currently provided for free?

**Mr ROBERTSON:** I am more than happy to give the guarantees that the honourable member seeks. What we have sought to do at all times is to improve the level and quality of services provided to people not just through our public health system but through services such as Home and Community Care. We said that from day one.

In terms of the recommendations that he put forward to us, Mr Forster recognised that there may in fact be better ways to provide services to the community. I think one of the areas that has not received enough attention across-the-board when it comes to providing health care not just to elderly Queenslanders but to all Queenslanders is the role of the community sector. That is something that we need to look at seriously, whether it be in terms of HACC services, whether it be in terms of mental health care or whether it be in terms of a plethora of services. We are looking at how we can provide services better to the community. How can we actually respond to the increasing demand from an ageing population to provide those services to the community? How can we provide services that keep elderly Queenslanders in particular out of our hospitals and in their homes, where they can receive appropriate care, and how can we support them after they come out of hospital? That is what is in the melting pot.

We have made no apologies for putting these kinds of issues on the table because we want to have an honest debate with the people of Queensland about the increasing pressures that any government—whether it be Labor, whether it be coalition or whatever—will face in the years ahead. The question and the challenge is this: how can we establish a sustainable health system knowing that we are dealing with an ageing population and knowing that the pressures that come from such an ageing population require levels of health care never before seen in our history? How do we do that in a

sustainable way? How do we ensure that the funding is available to meet the aspirations of those people?

That is the honest conversation that we are trying to have with the people of Queensland at this point in time. We are not running away from these issues. We are putting them fairly and squarely on the table. We are saying to the community, 'Look, you tell us in relation to this data that we put before you. Yes, Queensland's population is ageing and, yes, Queensland does have an increasing population. How do we provide levels of health care to the most dispersed population in Australia?' All of those questions are being put on the table in quite an appropriate way—in a very honest and open way.

I know that the members opposite want to score very cheap political points in relation to these issues. They are doing themselves a great disservice. Should they ever occupy this side of the House, these are the fundamental problems that they will have to face up to—just as we are now.

### **Alleged Bribe, Member for Gympie**

**Mr HAYWARD:** My question is to the Deputy Premier. Yesterday the deputy leader of the National Party, Mr Seeney, was reported in the media as saying, 'For Bob Quinn to be made the scapegoat is a bit rough.' Is it a bit rough that Mr Quinn is being made the Liberals' scapegoat? Is the Deputy Premier aware of any other Liberals who might be involved in the alleged bribe of a fellow member of parliament?

**Mr LANGBROEK:** I rise to a point of order. I ask for a ruling on standing order 113, 'Questions without notice', which states—

Questions may be put to a Minister without notice relating to:

- (a) public affairs with which the Minister is officially connected ... or
- (b) proceedings pending in the Legislative Assembly ...

**Mr SPEAKER:** Member for Surfers Paradise, before the minister was going to answer the question I was going to remind her that this matter is before the privileges committee and she ought to be very, very careful about the way in which she answers the question. The reality is that the question is in order, providing the Deputy Premier answers in accordance with the guidelines I have just outlined.

**Ms BLIGH:** Thank you, Mr Speaker. I was deeply touched by the concern expressed by the Deputy Leader of the National Party about the welfare and treatment of the Liberal leader. I note the member for Surfers Paradise's concern about the relevance of this to my portfolio. I can assure the member for Surfers Paradise that I am yet to go to a business boardroom lunch where the activities, reputation and behaviour of the Liberal Party have not been raised with me by at least one or more businesspeople. Many of them are members of the Liberal Party or supporters of that party, and they blush with embarrassment. They shake their heads at boardroom lunches and blush when they have to mention the name of the Queensland branch of the party.

'The Liberal Party had made a scapegoat of its leader, Bob Quinn,' claimed Jeff Seeney yesterday. 'After Mr Quinn lashed his coalition partners for failing to support him through the affair, Mr Seeney yesterday said it was the Liberal Party leader's own party that had gone missing.' I can assure the Deputy Leader of the National Party that it is not the Liberal Party that has gone missing here. I was interested to note in the weekend papers that a number of other members of the Liberal Party, who are not members of this House and who are not the subject of any discussions by the parliamentary privileges committee, have also been attached to this sordid affair. According to the *Australian*, a journal of record, it seems that Mr Quinn asked the former Liberal leader, David Watson—he is also a member of the high-powered joint party committee meant to resolve disputes in joint preselections—to talk to the member for Gympie. However, it was not Dr Watson alone. It was also Liberal executive member Stephen Dixon. Mr Dixon is also the Liberal nominee for the seat of Hervey Bay, so we now have a Liberal candidate for Hervey Bay embroiled in the sordid Gympie scandal.

We also see that Mr Dixon, like the member for Surfers Paradise, has outed himself by claiming that he had not made any approach but that he planned to make such an approach. The Liberal Party state director, Geoff Greene, is also understood to have had talks with Miss Roberts. So we have the parliamentary leader, the Liberal Party state director, a member of the joint party preselection committee, the local organiser and candidate and, in all likelihood, the member for Moggill—

**Dr FLEGG:** I rise to a point of order. The matters that the Deputy Premier is going on about are before the privileges committee.

**Mr SPEAKER:** Deputy Premier, I have cautioned you about referring to matters that are currently before the privileges committee. Please, accept my advice.

**Ms BLIGH:** And there is of course the former Liberal Party president, the now member for Chatsworth, who seems to be continuing a long tradition in the Queensland branch of the Liberal Party of secret deals with One Nation candidates.

If this was Middle Earth, I would have to say to the Independents: stay in the shire. Do not be seduced by these efforts by the dark lords of Mordor. Something is deeply rotten in the Queensland Liberal Party.

### Industrial Development, Sunshine Coast

**Mr WELLINGTON:** My question is to the Deputy Premier and minister for state development. Will the minister arrange for a meeting to occur as soon as possible between the Coordinator-General and staff attached to the Sunshine Coast State Development Office and representatives from the Residents Against Industrial Development at Bridges, because there appears to be uncertainty in relation to the state government's timing of the investigation of the Bridges area to be identified for future industrial development. In support of this request I refer to the Maroochy shire resolution on this matter dated 23 November and a copy of correspondence from Rob Whiddon, chief of staff attached to the Premier's office, to me dated 1 November?

**Ms BLIGH:** I thank the member for Nicklin for his question and for his continued interest in development on the Sunshine Coast and in his area. As I am sure the member for Nicklin is aware, there is an acknowledged shortage of industrial land in the Sunshine Coast area, particularly for general light industry, and that is starting to limit the employment opportunities in the Sunshine Coast area. In recognition of that, during discussions on the development of the regional plan, the Bridges area has been identified as an area with potential to provide land to be set aside for light industrial use and employment purposes.

I assure the member that I am aware that local residents have a legitimate concern about what such an industrial zone might mean for their residences and for their general amenity. The identification of Bridges in the regional plan is only the first step and there are many other opportunities for us to consider whether this is the right place. The regional plan clearly notes that this is an investigation area and that a local planning scheme will have to be considered in relation to this. If any such activity was to occur then there would be many opportunities for local residents and the local member to be part of that broad consultation.

I note the member's request from a group of residents for more information at this early stage. I am very happy to organise a meeting with the appropriate people on the Sunshine Coast to talk those people through what the process from here will be before any final decision is made about whether this is the appropriate place for an industrial zone in the Sunshine Coast area.

### Q-Fleet

**Mrs DESLEY SCOTT:** My question without notice is to the Minister for Public Works, Housing and Racing. Can the minister please advise members if the government's policy on Q-Fleet is working?

**Mr SCHWARTEN:** The short answer is yes. The advice that I received from Q-Fleet yesterday was that by March 2006, going on current indications, we should be able to clear that problem up. That is very good news. Just last week a total number of 69 vehicles were sold at Q-Fleet auctions to the general public. Members might have noticed this morning that there was some criticism of our policy by a gentleman who set himself up as a broker who believes that we should deal entirely and only with him. I caution people in accepting his advice. If he is trying to run a business around Q-Fleet that is his decision, but we are not going to go down that path.

There certainly were some good results at auctions for dealers and that is nothing new. I stand by the fact that Q-Fleet has made \$80 million since 1996. Our policy is working. Unfortunately there is no policy on Q-Fleet from those opposite. Their policy jalopy has ground to a halt, run out of fuel; it is parked beside the road with the hazard lights still on. The fact is that there is only one policy that we do know they have that they both agree on and that is the capacity to take Independent members. The National Party has a bit of form here. Do members remember Trevor Perrett? He was a bloke who followed in Joh's footsteps—not really in his footsteps. He went in there as a CIR, won it as a CIR. He beat the National Party candidate off. In fact, Warren Truss was the member that he beat. It was not too long, of course, before he was sitting up in the National Party seat and, in fact, became a National Party minister.

**A government member:** What about Mr Hopper?

**Mr SCHWARTEN:** I take the interjection. What about Mr Hopper, the member for Darling Downs? I was going through some of my stuff the other day. On Tuesday, 20 March 2001 he said—  
I was elected as an Independent and that is how I will stay.

But we all know that within 12 months he was welcomed into the fold of the National Party. Mr Hopper used to be a member of the National Party. He stood as an Independent, and then became a member of the National Party.

The reality is that they have true and tried form and yet they have the hide to criticise the Liberal Party when, in fact, they do it themselves. It is something of a policy setting on which they have got form and on which they both agree. But now, of course, they are publicly disagreeing with one another because one is doing it behind the other's back.

The reality is that both of them are as bad as the other and I wonder whether or not there are any National Party members opposite who have approached any of the current Independent or former One Nation people.

### Medical Negligence Claims

**Dr FLEGG:** My question without notice is to the Minister for Health. I refer the minister to the large contingency within his department to pay for the spate of medical negligence claims, and I ask: will the minister tell the parliament how much is held in contingency to pay for medical negligence claims?

**Mr ROBERTSON:** Obviously I do not have that kind of information to hand, but having been asked the question I will look into it.

### Energy Consumer Protection Office

**Mr LEE:** My question is to the Minister for Energy. Can the minister advise the House of mechanisms to protect the rights of consumers who may have an issue with their electricity or gas supplier?

**Mr SPEAKER:** Before I call the Minister for Energy, I welcome into the gallery teachers and students of Park Ridge State School in the electorate of Logan, which is represented in this place by Mr Mickel, the Minister for Energy.

**Mr MICKEL:** I can inform the honourable member about mechanisms we have to protect consumers. I want to invite the House to learn about the Energy Consumer Protection Office, or ECPO as it is commonly known, established in October 2000 as the primary dispute resolution service for energy consumers.

Since its establishment it has helped solve more than 8,000 electricity and gas customer issues relating to matters including high accounts, interruptions to supply, disconnection of supply, claims for damages, loss caused by supply interruptions and those sorts of things. It is so successful as a protection for consumers that I want to extend it now to political parties. I would like to extend it, of course, to my friends in the Liberal Party. Let us go back to the preselection in Moggill which was won by our friend opposite, the member for Moggill. We know that it cost him several hundred thousand dollars to get in here after successful law cases, but what happened to the losing candidate? That is the thing that has intrigued us. As it so happens a document appeared inside the Liberal Party indemnifying the loser for \$140,000 in legal expenses. I understand that that document was signed by the member for Chatsworth and witnessed by the vice-president of the Liberal Party at that time, a Mrs Kathy Lynch. The fact that would be a surprise to most members of the Liberal Party is that it was kept secret. Members of the National Party will know all about secrecy from the Liberals; they know that in recent times there have been secrets kept. What members of the Liberal Party do not know is that there are secrets kept within their own party.

This indemnity contradicted a Liberal Party state council decision not to indemnify Mr Galt and a complaint was made to the Liberal Party in this fashion: they said it was 'deceptive, dishonest, corrupt, unethical behaviour that passes for fraud'.

There is that word again. This is the second time in 12 months that the Liberal Party is under a police investigation for a fraud related matter. The police have a well-worn track over to Woolloongabba. I invite the police minister to set up a police beat over there so that they will save time in having to investigate these fraudulent matters brought to them by members within the Liberal Party against other people within the Liberal Party.

This is the situation in the Liberal Party: if you win a court case you pay; if you lose somebody else pays. What has not been revealed is the payment. The payment did not come from the state Liberal Party; it was laundered within the federal secretariat of the Liberal Party. That is the mischief in this business.

### Jetstar

**Mrs STUCKEY:** My question without notice is to the Minister for Tourism, Fair Trading and Wine Industry Development. I refer to the minister's reply to my question without notice on 24 November regarding Jetstar when she said that the Standing Committee of Officials of Consumer Affairs, SCOCA, is currently consulting industry representatives on the issue. The minister also said that if I had legitimate concerns about this issue I should talk to the federal government. I took the minister's advice and I spoke to the federal minister, who informed me that the federal government member on SCOCA only has a role as an observer.

**Mr SPEAKER:** Will you come to the question, member for Currumbin, please.

**Mrs STUCKEY:** I am, Mr Speaker. Individual states have the final say. Could the minister advise me of the industry representative bodies that are being consulted by SCOCA? Will the Queensland government, as an active voting member of SCOCA, seek to deny Jetstar an exemption from the travel compensation fund?

**Ms KEECH:** I thank the honourable member for the question. I stand by the statements I made last week with respect to Jetstar. As the member indicated, Jetstar wants to sell domestic airline tickets through the internet through Australia Post. As I indicated last week, there are a number of concerns that I have with that. There are also advantages to be gained.

One of the major issues that the Queensland government has is that Jetstar is seeking an exemption from licensing, including exemption from contributing to the travel compensation fund. This is a matter for the officers of MCCA. I am awaiting a decision from MCCA on this and am awaiting advice from SCOCA on this before I make a decision. It is a decision that all ministers as members of the Ministerial Council on Consumer Affairs will make.

**Mr Johnson** interjected.

**Mr SPEAKER:** Order! Member for the Gregory, I warn you under standing order 253.

**Ms KEECH:** The federal government, like the state governments, has a role to play in this. If the member for Currumbin is so concerned I encourage her once again to speak to her federal counterparts.

### **Magnetic Resonance Imaging Scanner**

**Ms BARRY:** My question without notice is to the Minister for Health. I refer to the \$6 million MRI scanner that was recently purchased by the Royal Children's Hospital and ask: can the minister inform the House of any notable achievements in its use?

**Mr ROBERTSON:** I thank the honourable member for the question. I join with all members in wishing her well in the journey ahead. The MRI scanner has been a much-welcomed asset since the Royal Children's Hospital purchased it earlier this year. The hospital has not only been able to diagnose more young patients with the new equipment but has been instrumental in a groundbreaking operation on a 15-year-old girl just last month.

I am delighted to inform the House that hospital staff performed a unique type of neurosurgery to treat Natalie Wright of Airlie Beach for a severe case of intractable epilepsy. The surgery is the first of its kind performed on a child in Queensland. Natalie will return home tomorrow able to enjoy typical teenage activities previously denied to her as a result of the 20 to 30 epileptic seizures she would have experienced every day. She can look forward to a bright future thanks to the world-class neurosurgery carried out by the Director of Neurosurgery, Dr Marianne Vonau, and other specially trained staff at the Royal Children's Hospital.

Intractable epilepsy is the most severe form of epilepsy which does not respond to drug treatment. Major surgery is the only way the seizures can be controlled. The clinical team conducted exhaustive testing prior to surgery. The hospital's recently acquired paediatric MRI scanner was used to produce a functional analysis of the brain's activity. This was supplemented with positron emission tomography scanning technology from the Royal Brisbane and Women's Hospital which involves injecting tiny trace isotopes and watching which part of the brain they reach.

Natalie then underwent a craniotomy—a surgical procedure of the skull—through which electrodes were inserted deep into the brain to closely monitor the effects of her seizures. Over a period of nine days the electrical activity in the brain was monitored constantly until the exact location of the epileptic activity was determined. Neurosurgery was then used to remove the affected areas after which Natalie made a remarkable recovery. She returns home tomorrow to be with family and friends she has not seen for five months while she has been a patient at the Royal Children's Hospital.

This is a remarkable success story for Queensland Health. I congratulate Dr Vonau and her team on a wonderful achievement. It comes at an exciting time for Queensland Health when \$6.4 billion is committed over the next 5½ years to build on the great work carried out by our clinicians each and every day. Our staff is our greatest asset. Through clinicians like Dr Vonau we will build the best public hospital system in Australia.

### **Bush Children's Home**

**Mr CHRIS FOLEY:** My question without notice is to the Minister for Health. In light of the fact that the iconic Bush Children's Home was the only centre providing unique residential care services for children from regional and remote areas of Queensland, especially those with ADHD and other behavioural issues, and providing services to around 100 families per annum, I ask: why has the minister cut this valuable service? What plans does the minister have to reinstate it?

**Mr ROBERTSON:** Unfortunately, I do not have those details with me. If the honourable member wishes to write to me I will have that matter investigated and respond to him accordingly.

### Schoolies Week

**Mr BRISKEY:** My question is to the Minister for Communities, Disability Services and Seniors. I know that the minister will be very pleased that I picked up my daughter Kathleen from schoolies on Saturday morning. She was well, albeit a little tired. Can the minister inform the House about the success of this year's Gold Coast schoolies week celebrations and the role played by the state government in making the event safe and enjoyable for Queensland school leavers?

**Mr PITT:** I thank the member for the question. The 2006 Gold Coast schoolies week—our annual rite of passage for young people exiting school into adult life—has been billed as the most successful ever. Some 25,000 young people were able to enjoy a wonderful time on the coast. Most of them came through absolutely unscathed. I want to pass comment on the rational commentary that has emerged over the last couple of weeks from some people in the media who now understand that if government and community work together we can have a safe environment and people can enjoy themselves. By and large, young people respond to this and are very well behaved.

This year has been a transition period from past experiences. We now have a local coordination group, Surfers Paradise Management, that works with both the Gold Coast City Council and the state government to ensure that the event runs smoothly.

Why has it been such a success? I think we have to take our hats off to the Police Service, which has done a marvellous job this year. All credit to Inspector Pointing and his people on the coast. It is not just the Police Service that was involved. A whole range of government activities backed up the Police Service such as the Queensland Fire and Rescue Service, QAS, SES, Liquor Licensing, Fair Trading, Queensland Health and Education—and the list goes on.

It would be remiss of me not to mention the important role being played by those in my department, the Department of Communities. In many ways they are the unsung heroes of this particular event. They have made a magnificent contribution by coordinating the event, bringing the parties together and helping administer the various aspects of it.

The real heroes are the 1,400-plus volunteers from a whole range of community organisations who engaged young people and ensured that the diversionary programs and the support mechanisms necessary for people to have a good time were in place and resulted in the event being a success. I think anyone who suggests that schoolies is a passing phase is certainly not in touch with reality. It is here to stay. I have no doubt that the government's involvement in the future will be an important element, as will the transition to local ownership.

I will conclude with a quote from one of Brisbane's better known radio personalities who said on the eve of schoolies—

... the way it's evolved over the years, the controls that have been put in place, the lessons that have been learnt from past experiences, I think it's just terrific for them and they deserve it and it'll be great.

And it was.

### Department of Primary Industries and Fisheries, Veterinary Officers

**Mr HORAN:** My question without notice is to the honourable Minister for Primary Industries and Fisheries. In 1994 vets with the department of primary industries worked through Christmas Eve night to prevent a bird flu outbreak at Lowood near Brisbane. This year, nine months of protracted negotiations between the department and the union has failed to deliver any improvements to the poor pay of most of the field vets and a number of laboratory vets. DPIF vets are now placing bans on out-of-hours, weekend and holiday call-outs as of this Friday. I table a notification. Why has the minister failed Queensland's front-line defence against bird flu and exotic diseases?

**Mr NUTTALL:** It is a irony that the opposition would raise an issue about industrial relations in this place. Their track record is not real flash and they come in here and try to talk about our track record. In relation to the issue involving the veterinary officers in my department I have to say that those negotiations are ongoing. I have just spoken with the minister for industrial relations. His department will also be involved in that. It is like anything; there is a lot of argy-bargy going on but we will get the outcomes that are required to ensure that we have a productive work force in that area.

It is nothing abnormal in industrial relations to have this toing-and-froing. None of us likes the idea of it going on for nine months. None of us likes that, but at this stage we have yet to reach agreement. We will get there and we will reach that agreement. We will work with the union representatives and with the Department of Industrial Relations to ensure we get the right outcome.

### Houghton Highway

**Mr WELLS:** My question is to the Minister for Transport and Main Roads. Will he inform the House as to progress with the promised Houghton Highway duplication?

**Mr LUCAS:** I thank the honourable member for the question. The good news is that planning is going very well for the \$149 million, 2.7 kilometre Houghton Highway duplication. Not only will we be

providing a new three-lane bridge, which will make six lanes of road traffic across to the Redcliffe Peninsula from Sandgate in the electorate of the minister for primary industries but additionally we will be providing a high-quality running and cycling dedicated path, which is very good news for the people of the peninsula and Brisbane. Initial work is just part of the \$41.1 million funding for roads in Redcliffe and Pine Rivers in the next two years alone that we are announcing today under the Roads Implementation Program. The new bridge will be a 99-span concrete bridge with a smooth bitumen surface, a pedestrian and cycle facility and a fishing platform. It will have 800 prestressed concrete pylons. Construction work will commence in early 2007 and finish by Christmas 2009.

One of the things we wanted to do as part of the project was talk to members of the community about the issues they had. We also wanted to do things that were a proper stewardship of their money. That is why we spoke with fishing and other interests about the issue of fishing from the old Hornibrook Highway. People understand that we are able to produce funding from things like our bridge replacement program in rural and regional Queensland because we are not tied down to silly claims that the Liberal Party made—the Liberal Party that cannot agree on anything other than to waste money—in relation to keeping the Hornibrook Highway open and maintained with large timbers for ever and ever.

We are providing a solution for hundreds of years, not decades, when it comes to this important project. But the fishing and the quality of life issues were important. That is why as part of this project we will be retaining about 300 metres or so from the Redcliffe end and also the historic entry pylons at both ends. The section will be rebuilt from salvaged timber. At the present time we are undertaking seismic testing and drilling to identify the geology of the Bramble Bay seabed. It is very important that we do that as part of the project. Also, the new bridge will tend to avoid the problems that the old Houghton Highway had in terms of smoothness of ride which today's technology will allow us to do.

This is an environmentally and economically sustainable solution rather than a silly one to get logs from trees needed for the pylons, as the Liberal Party would have us do. Redcliffe is a wonderful place to live.

**Mr Nuttall:** So is Sandgate.

**Mr LUCAS:** As is Sandgate. When I was a kid my grandparents lived there in Georgina Street. I used to travel the Hornibrook Highway and pay the toll with Mum and Dad to see them all of the time. We then progressed with the Houghton Highway. This government will deliver the second part of the Houghton Highway—that is, another three lanes plus a bikeway and a running track that will last for hundreds and hundreds of years. We are very committed to the people of Redcliffe. Notwithstanding any election results, we keep commitments. We do not trash them like what happened in Caboolture under the Liberals.

### **Skills Shortage, Rural and Regional Queensland**

**Mr ROWELL:** My question is to the Premier. He will recall that prior to the June meeting of COAG he called for skills shortages to be addressed in regional areas. Despite this call, the government has been caught out cutting key trade courses in regional and rural areas, which are suffering from skills shortages, and suggesting the centralisation of the training system through the government's green paper. Will the Premier explain how he can actually improve the delivery of these key trade courses for regional and rural areas in light of these courses being cut?

**Mr BEATTIE:** I take on board what the honourable member has said, and I highlight to him that at the most recent COAG meetings we have been working very closely on initiatives from my government—and I have largely put these on the agenda—to get a number of reforms to enhance skilling in Australia. Part of that includes national recognition of skills. Part of that also includes a greater focus by the Commonwealth government on skilling. We are and have been spending a significant amount of money on TAFE and programs to skill Queenslanders. The member has made reference to a number of courses. I understand from the minister that about 300 courses were in fact cancelled because there were not enough people applying for them, and in their place I understand that we have actually instituted another 3,000. If we take that away, what that means is that we have ended up with 2,000 more courses than were there before.

We have to look at this on a statewide basis. The member who asked the question mentioned regions. Let me talk about some of the regions. Let me talk about what we have done in areas of high growth, and I will pick up the issue in relation to central Queensland where, as the minister and the local members know, we have spent a lot of money encouraging the development of a number of projects. We have actually partnered with TAFE and business to ensure that we have the skills. That has happened, and that will continue to happen.

Let me talk about a number of other things that we have done in recent times. For example, the Coordinator-General has reached an agreement with a number of universities in the private sector to run a program to encourage young Queenslanders to consider a career in engineering. We are doing that because we are spending \$55 billion over the next 20 years in the south-east corner and we are spending billions across the regions on road and rail infrastructure at ports.

Indeed today, as I have already indicated, the minister for transport and I will be spelling out the Roads Implementation Program, which shows a dramatic increase in the amount of money spent on roads throughout the state, including in the member for Chatsworth's area.

**Mr Caltabiano** interjected.

**Mr BEATTIE:** It would be really nice if the opposition spokesperson fired up a little bit of energy in the Commonwealth to get some funds for the roads. If members look at the Roads Implementation Program when it is tabled, they will see a graph—and I draw this to the attention of the House—which dramatically illustrates the significant increase in funding; that is, over 77 per cent, as I said this morning, in state government funding and the pathetic contribution made by the Commonwealth, the coalition mates of those opposite. If the honourable member who asked this question were serious, he would get Mark Vaile to put some money into road funding in Queensland instead of ignoring it, which is what happens all of the time.

**Mr ROWELL:** I rise to a point of order. I was talking about training and TAFE, not about roads. I think we have got on the wrong trolley, unfortunately.

**Mr BEATTIE:** In that case, you just got run over!

**Mr SPEAKER:** Before I call the member for Capalaba, I welcome to the public gallery teachers and students of the Park Ridge State School in the electorate of Logan, which is represented in this House by Mr John Mickel.

### Federal Industrial Relations Legislation

**Mr CHOI:** My question without notice is to the Minister for Employment, Training and Industrial Relations. Can the minister please inform the House how many of the Queensland Nationals' supposed prerequisites will actually make it as 'Joyce amendments' to the terrible Howard industrial relations changes?

**Mr BARTON:** I thank the member for the question. Yes, the so-called demands that the Queensland Nationals gave to Senator Barnaby Joyce last Friday do not appear to have found their way into the proposed changes, at least not as they were reported yesterday and today in all of the media in this state. Last week the Leader of the Opposition was certainly talking the talk about how the Queensland Nationals' concerns have to be addressed. He assured everybody—and he gave firm guarantees in here in August—that they would be addressed. The Leader of the Opposition certainly will not make it as a mailman. Do members know why? Because he simply cannot deliver!

Central tenets in the so-called Queensland Nationals' industrial relations manifesto were guarantees that all people who work on public holidays such as Anzac Day, Good Friday and Christmas Day will be paid penalty rates. One only has to read the reports in the *Australian* today to know that Senator Barnaby Joyce has done the big backflip. He has done the shuffle. He said that he was going to ensure that nobody misses out. Now he has traded that off—traded off penalty rates for public holidays, including Christmas Day and Anzac Day, on the basis of a guarantee that nobody will be sacked if they do not want to work on Christmas Day or Anzac Day.

Another central tenet in the manifesto was maintenance of the state's Industrial Relations Commission. It was seen to be a real act of faith back in August and it was an act of faith last week which saw the opposition National Party members cross the floor and vote with us. As I said, one of the key tenets was to support the continuation of the state Industrial Relations Commission. Where is that now? Everybody is very silent again now. But we have Mark Vaile, the Nationals' leader, and even John Howard from Malta and Kevin Andrews saying, 'There'll only be these few technical amendments to look after what the National Party in Queensland wants.'

What are some of the other key measures that the Leader of the Opposition talked about last week at their state council? Measures to protect young people seeking their first job from exploitation from unscrupulous employers. We have to ask: what has happened to that one? It seems to have disappeared as well. Another key measure was the closure of a loophole on unfair dismissal favouring big companies. They are still talking the talk on that. Senator Joyce is shuffling across saying, 'I want something done about that,' but his national leadership is saying very clearly, 'The bill is going to go through the way it is on these issues.'

Another key measure was more labour inspectors for rural and regional areas. That seems to have disappeared, despite the crocodile tears from the opposition member a few minutes ago about regional areas. He will not even ask me the question, because he already knows the answer. Members should forget what Senator Joyce said just a couple of days ago—'I don't think anyone would be voting for it as it stands.'

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

## ROADS IMPLEMENTATION PROGRAM

**Hon. PT LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (11.30 am): I lay upon the table of the House the 2005-06 to 2009-10 Roads Implementation Program.

## MATTERS OF PUBLIC INTEREST

### Health System

**Mr SPRINGBORG** (Southern Downs—NPA) (Leader of the Opposition) (11.30 am): The Premier of Queensland continues to gild the lily about his commitment to public health and fixing the system in Queensland. This morning the Premier again gilded the lily when he stood in this place and repeated the untruth that it was his government, through some sort of wonderful display of openness and integrity, that went forward unprompted and established the Bundaberg Hospital royal commission. They did not. They did everything they possibly could to stand in the way, to stymie that inquiry. That is a matter of public record.

When the member for Burnett came into this place and first raised the issue of Dr Jayant Patel, what did we get from the then minister for health? He repudiated the statements by the member for Burnett. He repudiated the concerns of those people in that area, including the hardworking and decent staff within the Queensland Health system, about Bundaberg Base Hospital. In fact, when Dr Jayant Patel resigned, what did the government say? What did the minister say? The minister of the day looked across the chamber, pointed a finger at the member for Burnett and said, 'You're responsible for the people of Bundaberg being without a good surgeon.' That was the defence of the member for Bundaberg as well. It has been a defence all the way along.

What happened after that—when the trail of bodies started to be uncovered? The minister for health of the day said, 'An inquiry is not necessary. We don't need an inquiry. It is not going to fix anything. He's not in the country anymore. He's somewhere overseas. He's gone. We don't have to worry about it anymore. It won't achieve anything.' Then the Premier came back fresh from somewhere overseas and said, 'I'm going to fix this. The CMC will investigate it.' We thought, 'Hello—a bit more of the prewash. Throw in the whitener. That is what it is all about.'

Fortunately, the CMC turned around and said, 'It's nothing to do with us. We don't want it.' So Peter Beattie was caught out—'Oh, my goodness. The normal cover-up, the normal prewash, is not going to work.' He was forced by the weight of public opinion, by what the media was saying, by what the opposition was saying, to conduct such a royal commission even against the wishes of some in his own party who at that stage were saying, 'I'm not so sure this is a good idea.' The Premier said, 'I didn't want to do it, but we really have nowhere to go now because we have been forced kicking and screaming into doing it.'

So let us not have any of this reconstruction of history in Queensland that we see from this man who mouths rhetoric about caring, concern, openness and accountability. It does not mean anything. What was his commitment to accountability? He was hoping to goodness that Tony Morris was going to have his inquiry struck down because it was starting to do this government an enormous amount of damage. The Premier did not want to keep that inquiry going. He did not want to re-establish that inquiry. That is also a matter of public record.

It is also a matter of public record that in early July the Premier said that if the Leck and Keating applications to the Supreme Court to strike down, to invalidate, the Morris inquiry were successful he would establish another inquiry. What happened when the Morris inquiry was struck down owing to allegations of bias? The Premier said, 'No, we don't need another inquiry. We don't need that at all. I'll forget about the commitments that I made. What we'll do is I'll get some of my hand-picked bureaucrats in the department and they'll decide what is right and what is wrong.' It was the same process: 'Vacuum it all up, put it under the carpet and nobody needs to know.' Again, the Premier needed to be pushed, kicking and screaming, into holding the inquiry.

**Mr Reeves** interjected.

**Mr SPRINGBORG:** The member for Mansfield was one of the main agitators against exposing these matters because he knew that the government's duplicity and involvement in the misery of Queenslanders would be exposed.

**Mr REEVES:** I rise to a point of order. I find the words of the Leader of the Opposition offensive and I ask him to withdraw. I note that his team are not here to support him.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! I ask you to withdraw.

**Mr SPRINGBORG:** I withdraw. Certainly, the member for Mansfield is talking a lot more now than he was at that time.

What did Commissioner Davies find out? As we said, the terms of reference were restricted. They were not good enough to do the job. But the Premier said that it was all okay.

**Mr Reeves** interjected.

**Mr SPRINGBORG:** There were 129 cases of human misery. The member for Mansfield is very happy to preside over this human misery. He does not want this cleaned up.

**Mr REEVES:** I rise to a point of order. I find those words offensive and I ask the Leader of the Opposition to withdraw. I note that the opposition members are leaving the leader.

**Mr SPRINGBORG:** I withdraw, but it is interesting to note that the member for Mansfield does not care about these people in here—

**Mr REEVES:** I rise to a point of order. I find those words offensive and I ask the Leader of the Opposition to withdraw. I also note that we are down to five members of the opposition there supporting him.

**Mr DEPUTY SPEAKER:** Order! That second comment was not necessary at all.

**Mr SPRINGBORG:** For a bloke who does a lot of yapping, he does not have too much to say.

**Government members:** Withdraw.

**Mr DEPUTY SPEAKER:** Withdraw.

**Mr SPRINGBORG:** I withdraw, but I would say that, for a bloke who does a lot of yapping, he does not really have much to add. We have 129 matters involving numerous major regional hospitals throughout Queensland and the entire mental health system—those matters which Commissioner Davies said would require further investigation. He put forward four options to this government—one being an extension of the terms of reference of his inquiry, which he said was not his preferred option; another one for the matter to be investigated internally, which he said was his least preferred option. Commissioner Davies went on to say that his most preferred option was the establishment of another inquiry because these were serious matters.

**Mr Reeves** interjected.

**Mr SPRINGBORG:** But we saw the member for Mansfield in Rockhampton voting with great glee against the establishment of any other inquiry because he did not want these matters to come out. We know that if these matters went before a proper commission of inquiry—they could not be put before Commissioner Davies—the incidents that occurred at Bundaberg Base Hospital would be found to be just the tip of the iceberg. It is not me saying that there are serious concerns; it is Commissioner Davies who said that in a letter to the Premier. He also said that these matters need to be properly and further investigated.

**Mr Reeves** interjected.

**Mr SPRINGBORG:** I have to ask: what is the member for Mansfield hiding? What is the Premier hiding? What is this government hiding? Why are they not prepared to accept what Commissioner Davies, an independent person, said in his letter to the Premier—that there needs to be a proper investigation by way of an inquiry into these matters?

The members opposite do not want to fix up the mental health system in Queensland. They do not want to fix up the issues at the hospitals in Cairns, Townsville, Charters Towers, Mount Isa and Redcliffe and at the Princess Alexandra Hospital. Quite serious matters relating to all of those hospitals have been referred to in these folders.

Today the Premier said that he will siphon all of these matters into his department to be looked at internally by somebody. How will we know the outcome? Given the failure of this government, given the failure of the system, given the failure of the Health Rights Commission—the failure of all of those arms of government and government agencies that were supposed to stand up for Queenslanders in need—people do not have any faith whatsoever. Today we heard the Premier—

**Mr Reeves** interjected.

**Mr SPRINGBORG:** Again we have the member for Mansfield standing up for cover-ups, standing up for a lack of accountability, standing up for—

**Mr REEVES:** I rise to a point of order. I find those words offensive and I ask the Leader of the Opposition to withdraw.

**Mr DEPUTY SPEAKER:** Withdraw.

**Mr SPRINGBORG:** I withdraw. I am yet to find out what the member for Mansfield stands up for. Today in this place we also heard the Premier wax lyrical about this wonderful health system that we have in Queensland.

Everything in Queensland is world leading. It is world class. When it is pointed out that there is a trail of dead bodies, we have world-class undertakers! We have world-class cover-ups! That is what we have got in Queensland. We have the Premier musing in his latest autobiography that his greatest achievement was a world-class health system. Subsequent to that, as the Leader of the Liberal Party pointed out, we had a trail of bodies. We had a trail of misery right across Queensland, which the member for Mansfield was happy to be a part of. That is what we have across Queensland.

The Premier is threatening to bring out another book to tell us what world-class stuff we have got. We can help him out today, considering that his other book basically consisted of ringbound press releases. If he wants to bring it over to my office we can get all the press releases and ringbind them together. There was nothing intelligent in it. He tells us that 4,000 copies were sold. I understand that the book is now in the fire-sale section of bookshops. They go for about \$1.95.

This government has failed the people of Queensland. The health system is the biggest issue. It is an issue which Queenslanders are telling us about over and over again. People are telling us that they have heard it all before from the member for Mansfield: 'World-class', 'Everything's fixed', 'Everything's right', 'You're the problem', 'It's not the problem—it's the system'. We are told to forget about the secret waiting lists, to forget about the death and misery in our hospitals, to forget about the performance audits which have never been let out into the public arena. We are told to forget about all of these things because, 'We don't want you to see that.'

Time expired.

**Government members:** Time!

**Mr DEPUTY SPEAKER:** Order! I am in the chair. I can see the zero in front of me. I normally allow members five or so seconds to finish the sentence. I do not appreciate people yelling out 'Time'. I think that is not warranted under the standing orders.

### AIDS Awareness Week

**Mrs SMITH** (Burleigh—ALP) (11.44 am): This week is AIDS Awareness Week and Thursday, 1 December is World AIDS Day. The national theme for the 2005 Australian World AIDS Day campaign is 'HIV-AIDS—Let's talk about it.'

In Australia there are 14,000 people infected with HIV, several hundred of those living on the Gold Coast. Recent statistics worryingly show an increase in HIV infections in Australia for the first time in 10 years. One hundred and thirty-six people were newly diagnosed with HIV in Queensland in 2004. This represents a nearly 20 per cent increase on the previous year and a 40 per cent increase since 2001. A United Nations report states that close to 40 million people world wide are infected with AIDS or the virus that causes the disease. Of those, one-third are between the ages of 15 and 24 and one-half are women. The most frightening statistic of all is that world wide most people living with HIV are unaware that they are infected with the virus.

Australian governments, both state and federal, have been widely congratulated for their early recognition of the disease and for implementing strategies to deal with it. It has meant that the spread of the virus has been contained to some degree in Australia. There is no cause for complacency, however. This recent increase is extremely worrying. Despite 20 years of warnings and education, people are still becoming infected. We have done well but we need to do more. One reason is that due to the many remarkable medical interventions now available for those living with HIV-AIDS, people have stopped seeing AIDS as a terminal illness. Sometimes combination antiretroviral therapies are written about as if they are a cure for AIDS. It is important to recognise that, so far, HIV has not been cured nor eradicated by any available drug. People who are on these drugs are still living with, and will continue to live with, HIV. These people continue to experience a range of health issues from minor to life-threatening. There are currently no vaccines available for HIV or AIDS; the treatments help with the symptoms but do not cure them. We now need to convince people all over again that AIDS poses a fatal threat.

Another problem I see is that there is still too little education in schools on the subject of safe sex. We need to be educating our young people about the virus by introducing information into the school curriculum. Sex education without AIDS education is telling only half the story. This is a disease that is preventable but only if people are given the facts. HIV-AIDS is not a moral nor religious issue—it is a health and social issue.

The World Health Organisation declared the first World AIDS Day in 1988. That day, 1 December, has become established as one of the world's most successful commemorative days and is now recognised and celebrated every year around the world. Over 190 countries around the globe participate in World AIDS Day each year.

The aim of World AIDS Day is to raise awareness in the community about HIV-AIDS issues, including the need for support and understanding for people living with HIV-AIDS and the development of education and prevention initiatives. The red ribbon is the international symbol of HIV-AIDS and was conceived over 13 years ago by a group of artists in New York called 'Visual AIDS'. The ribbon was chosen to represent support for those living with and affected by HIV-AIDS. All moneys raised through the sale of red ribbons during AIDS Awareness Week go towards support services for people living with HIV-AIDS, including medical services, counselling services, support and peer education groups.

I am very grateful to Mr Speaker for allowing a display to be set up in the foyer of the Parliamentary Annexe to recognise AIDS Awareness Week. I hope that all my parliamentary colleagues will stop and see it for themselves and perhaps invest in a ribbon. Particularly worthy of note is the quilt on display. All the panels of the quilt were done by youth groups in the Logan and Beaudesert areas,

including Boystown, Youth and Family Services, Inala Indigenous Sexual Health Service, Jabu-Jabung Homework Centre and students from Inala, Springwood, Rochedale, Flagstone, Kingston, Browns Plains, Upper Coomera, Mabel Park and Windaroo High Schools. They were not told what to do. They produced their individual pieces based entirely on their own feelings and creative ability. It is a true work of art and something of which they are justly proud. I thank them for allowing me to display the quilt in Parliament House, its first public outing.

I also want to thank Brett Stevens from the Queensland AIDS Council on the Gold Coast and Sally Boas from St Luke's Nursing Service for helping me to put this display together. Most importantly, I want to acknowledge my friend, Ronnie McInness, who has shared with me his hopes and dreams. His unfailing optimism and faith in others is a bright light in an increasingly cynical world. Look at me! Look at me! Let's talk about it.

Time expired.

### Roads Funding

**Ms JARRATT** (Whitsunday—ALP) (11.47 am): It has been a terrible year for motor vehicle deaths in my electorate. I stopped counting at 11 dead this year in just 200 kilometres of the National Highway. We cannot bring these people back but I do urge the federal government to commit money immediately to the provision of more overtaking lanes and sections of dual highway in this area of the highway, because I see on a daily basis the risks that motorists take when they get stuck behind a caravan, a farm ute or a cane truck. Impatience kills, but safe overtaking lanes would save lives.

On a happier note I take this opportunity to mention the great work that has now been completed on the Mackay-Bucasia Road, where a major section of dual carriageway has been extended. This work not only provides a much-improved level of security of access on what is the only route to the northern beaches; it also honours a commitment made at the last election to address the issues on the Mackay-Bucasia Road with a view to easing the traffic congestion in this area. I pay tribute to the motorists from the northern beaches who suffered from long delays during the construction phase. It was not easy but the results were worth the pain.

Speaking of pain, there is nothing enviable about being the local member in an area that is about to have its first set of traffic lights installed. This is, however, the position in which I find myself in the Whitsundays. I want to put on record some facts about the decision to introduce traffic signals at two intersections on Shute Harbour Road.

Money has been allocated for the installation of lights at the intersection of Shute Harbour Road and Island Drive in Cannonvale. Some have said that decision was taken without community consultation but this is just not true. I have been informed by the president of the Cannonvale State School P&C that they were first consulted on the matter of traffic lights at Island Drive in 1999. At that time the P&C were in favour of traffic lights as this option afforded maximum safety for children crossing Shute Harbour Road. This remains their stated position.

In February 2003 the then minister for main roads was interviewed on ABC Radio about the possibility of traffic lights on Shute Harbour Road. In that interview he encouraged Main Roads officers to be part of a consultation process to look at alternative treatments for intersections on this road. As a consequence of the Department of Main Roads' mission to consult with the community, they agreed to work with the Whitsunday Way Committee, which was set up as a subcommittee of the Airlie Beach Chamber of Commerce and an advisory committee to the Whitsunday Shire Council. Further consultation was available to every member of the community during the community cabinet held in Proserpine in October 2004.

Further to this, I have been instrumental in arranging meetings between members of the community and officers of Main Roads and/or the minister as requested. Importantly, I have also been lobbied by community members who have requested that the Department of Main Roads install traffic lights as a matter of urgency before a tragic accident occurs at Island Drive. I happen to agree with this position as I care about the rights of children, mothers with children, the disabled, the visually impaired, the aged and the able bodied who just want to be able to cross Shute Harbour Road between the shopping centre and the school without playing Russian roulette with the traffic.

With regard to the proposal to place traffic lights at the Paluma Road intersection, this was a proposal put forward by the developer of the adjacent site and approved by the council. The decision was backed up by an independent report commissioned by the council, which is why I find it odd that the council then tried to run the line that it was sticking to its no-traffic-lights policy.

The Minister for Transport and Main Roads has personally received deputations from local residents in relation to this intersection. He has reviewed the technical data relating to the intersection and has agreed that traffic signals are the correct option for this intersection, and they will be progressed by the developer. This is not to say that all future intersections will be signalised. The minister has given a commitment to working with the Whitsunday Shire Council to develop a plan for the upgrading of

Shute Harbour Road that reflects the aesthetic values of the area while also ensuring that the needs and safety of pedestrians, cyclists and motorists are addressed in accordance with the guidelines.

None of this, it seems, was enough to stop the Leader of the Opposition sending a few shadow ministers into my electorate and then reporting that the solution at Paluma Road is to install a super-roundabout like the one at Milton Road and Centenary Highway in Brisbane. It is a pity that he did not check his facts before making the statement, because the only way that such a roundabout could be constructed at the site would be to resume land where a new service station is being built at the intersection. I am not sure that will do anything for his popularity in the Whitsundays.

**Mr DEPUTY SPEAKER** (Mr Fouras): Before calling the member for Surfers Paradise, I acknowledge the presence in the public gallery of Jim Clark, who is celebrating his 82nd birthday and who is the parent of the member for Clayfield.

### Cannabis Usage

**Mr LANGBROEK** (Surfers Paradise—Lib) (11.50 am): I rise to address a matter of public interest—namely, the damage that cannabis is doing to young Australians. Over the last month the *Australian* and the *Courier-Mail* have run more than five articles from health experts and other professionals outlining the dangers that ongoing drug usage poses to our children. An article in last Monday's *Australian* revealed evidence that four out of five people with incurable schizophrenia smoked cannabis regularly between the ages of 12 and 21. It was Dr Andrew Campbell of the New South Wales Mental Health Review Tribunal who offered this advice—

It's much safer to take heroin—you can live to be 90 with heroin ...

Of course, he is not endorsing the use of heroin, but a medical expert making a comment like that exposes the seriousness of the issue of cannabis usage in Australia. When referring to the four out of five people with incurable schizophrenia who regularly smoked cannabis, he said—

That's 75 to 80 per cent of the people who are getting long-term psychotic disorders who are not getting better ... That's four out of five who were healthy, they could smoke, they were not sensitive to the stuff, then they hit the wall.

It can take up to five or six years. It's an epidemic, and in some ways we're blind to it.

He also made this point—

There seems to be a vulnerable period at critical adolescence.

Dr Campbell further said that we should try to keep kids off cannabis until they are 21 and they have the keys to the door. The solution, therefore, is for the state government to put more funding into education campaigns for young Queenslanders. Also, families in the home environment need to help them make a more informed choice when presented with the opportunity to use cannabis, and not make light of it. Barry Thomas of the Mental Health Review Tribunal said that, after 30 years of involvement in the criminal justice system, he was surprised how many patients before the tribunal had their first psychotic experience after using cannabis and yet failed to see any connection with their cannabis usage and ongoing psychosis. The evidence is clearly telling us that the message is not getting across to young Australians. If they choose to smoke cannabis, they face serious consequences in terms of their health and particularly their mental health.

The case I am making about the need to change attitudes amongst young Australians on cannabis and other illicit drugs is strengthened by the front page of today's *Courier-Mail*, which reports that almost half of all Australians aged under 25 have used illicit drugs and view their usage as acceptable. This is often exacerbated by comedians who joke about drug abuse. According to information in the *Courier-Mail*, one in three Australians have tried marijuana at least once. There only needs to be a portion of those 33 per cent of Australians who go on to use cannabis on a regular basis, and it will put more of a burden on a mental health system in Australia that is currently struggling to keep up. It may very well be struggling to keep up because of the consequences of what has been happening, with young Australians smoking cannabis, or marijuana, for the last 30 or 40 years.

Roadside drug testing, which has been trialled in Victoria and which has been considered in Queensland, I think will attach a certain stigma to cannabis and other illicit drug usage, and thus present the image to young Australians that cannabis does inhibit and affect their senses in much the same way as alcohol does. I do object, however, to any proposals that there be a fee paid to those who are randomly tested, as the spirit of the test is to make our roads safer.

When trying to prevent illicit drug usage amongst young Queenslanders, there has always been a focus on the negative implications of using drugs. But another aspect that needs to be brought into the light is the role that alcohol plays in leading to illicit drug usage. It is clear that not only should we focus on educating young Queenslanders on the negative impacts of cannabis usage but also the government should be vigilant in its campaign to discourage binge drinking. It has been one of my concerns with schoolies. In the *Bulletin* newspaper over the last few weeks they have been using vox pop interviews of young schoolies. Kids have been bragging about how much they are going, in their words, to 'get smashed', 'written off' and 'party'.

Father Dan Ryan, who is a parish priest in my parish in Surfers Paradise, commented in today's paper that he was speaking to a parliamentarian 25 years ago about the damage that cannabis was doing to people's brains. With the 'crisis we had to have' in Queensland's health system overseen by this government, and also with the heavy punishments and convictions that have been brought down on Australians in other countries, we can find some positives. The main positive—and I do not say this lightly—is that we can say to young Queenslanders that getting mixed up with cannabis and other drugs can be a lifetime habit. It can have serious consequences for their mental health, not to mention the risk of other diseases, and in some circumstances it can lead them to prison. Father Dan Ryan said that in his 30 years as a priest it has always been the first tablet or the first injection or the first drink that is the problem. It is our duty as representatives of Queensland's parents and guardians to do everything in our power to stop the first use and stop our kids from being vulnerable to highly damaging substances.

### Little Goat Island

**Mrs CARRYN SULLIVAN** (Pumicestone—ALP) (11.56 am): The sale of one-tenth of Little Goat Island by the National Trust of Queensland has been accompanied by false and misleading information from various Liberal sources, none of whom bothered to contact the trust before publicly crucifying it for selling its private property and, incidentally, blaming the government for the trust's financial predicament. The government financially supports the trust—\$50,000 annually—which the Liberals have never suggested was inadequate and did not raise when they were in government. Nor did they do anything when their Liberal mates in Canberra axed the annual heritage grant funding of \$600,000 previously able to be accessed by the trust, which has put it in its current predicament of having to sell off its non-viable assets.

One-tenth of Little Goat Island was not willed to the trust; it was a deed of gift from the late Mr Roy Dunlop prior to his death in 1986. It was not a property the trust would have acquired otherwise, as it does not meet its criteria. The Liberals would have us believe that the gift was conditional, that it was not to be sold. This is not true. It was a gift without conditions, which is why the trust was able to sell its private property.

Ninety per cent of Little Goat Island was never for sale and is protected. The mangroves that surround the island are protected under the Marine Parks Act, the western side is protected under the Fisheries Act, and there is also the coastal management plan and the Aboriginal Cultural Heritage Act automatically protecting anything genuinely culturally significant.

The Liberals have claimed the existence of an EPA report nominating the island for a nature refuge. A draft document does exist but it is a private document. It was neither commissioned nor prepared by the government. Two people who worked for the EPA did assist in a private capacity and in their own time. The trust did not consider it because, in its words, 'it is full of conjecture and not done in any official capacity'.

Little Goat Island has had one sympathetic private owner in Roy Dunlop; it now has another in Geoff Ramsey. Mr Ramsey, who has not been contacted by the Liberals or their sources, has said that if anything needs protection he will protect it. If it needs money to do it, he will spend it. One only needs to look at his property in Esk to acknowledge the sincerity of this man.

In stark contrast is the campaign against the sale by the Liberals. One of the two most outspoken protagonists—the first, Trevor Johns—has been lining up for Liberal preselection for months. His claim for environmental credentials and his attempts to occupy the moral high ground on this issue cannot be taken seriously. He makes a good living off the environment, chugging up and down the passage in his commercial boat. There is no credibility in being a part-time environmentalist, because in his latest venture Mr Johns is a partner in a huge unit development proposed for Sylvan Beach Esplanade on the Pumicestone Passage foreshore that, if approved by council, will see a four-storey block of flats built. This will have a far greater detrimental effect on the passage than will a single house dwelling on Little Goat Island.

Secondly, Tony Pearson stated loudly and publicly that he wanted the government to buy the island to protect it, but secretly he had put in a bid to buy the island for \$150,000 with the thought of putting a museum on it. One has to wonder, of course, how all the museum tourists would have been 'ferried' to the island.

The Liberals claim that the island is a developer's goldmine. Interestingly, no developer bid for it, and surely they would know a goldmine if they saw one. The Liberals claimed that if the island fell into private hands it would have a devastating effect on the surrounding habitats. That was not the case when Roy Dunlop lived on the island, and it will not be the case now. The Liberals' lack of faith in the capacity of ordinary Australians speaks volumes about them. They wanted the government to divert funds to buy a degraded bit of Little Goat Island. Perhaps they meant diverting funds earmarked for buying back areas of World Heritage rainforest former conservative governments sold off to their mates to subdivide.

The Liberals claim extra boating activity that would ensue from the sale represented an unacceptable risk. In their letter they say, 'The largest killer of our dugong population is not sharks but is

in fact boats.' That statement has sent shock waves through the recreational boating fraternity. They are frightened and could be excused for thinking that the Liberals' plan is to limit recreational boating activity in Pumicestone Passage—or why would they have used it as a reason to oppose the sale? So either they believe that recreational boating should be limited or they are guilty of using false argument to sway voters.

Even though it was a Labor government that banned professional fishermen from Pumicestone Passage, I can state emphatically that this Labor government has no intention of restricting recreational boating in Pumicestone Passage. Voters want an honest campaign from all sides of politics, but most will remember the treasure hunts of the past.

### **Burnett River Dam**

**Mr MESSENGER** (Burnett—NPA) (12.00 pm): Because of the Beattie Labor government's inaction, an environmental crisis is now being forced on the Burnett Coast. Prime agricultural land—rich, red volcanic soil—is being poisoned by underground irrigation water which is contaminated with sea water. Once again it is the primary producers, the farmers, who are raising the alarm while this completely avoidable environmental tragedy unfolds.

A group of farmers in the Gooburrum and Woongarra regions of the Burnett Coast, who have to rely entirely on salt contaminated underground water to irrigate their crops, have spoken with me and asked that this very important environmental, economic and social issue is raised in this place so that the ministers in this Queensland Labor government understand just how desperate their situation has become.

When the surface water infrastructure was built their farms were not connected to the surface irrigation—and this happened probably about three decades ago—so they have had to remain dependent on underground water as their only source of irrigation water. In the last decade this irrigation water has become increasingly saline due to sea water intrusion. It is a problem that has been known to governments for many years and, despite numerous studies and reports, nothing has been done to fix it.

Many people believe that the water from the new Burnett River Dam will solve these farmers' ground water salinity problems, but that is an incorrect assumption. If these farmers could access irrigation water from the newly constructed Burnett River Dam the problem could be managed and solved. Unless this Beattie state Labor government spends significant money—and we are talking approximately \$30 million—on surface water infrastructure, Burnett River Dam water will never reach these farms.

The surface water infrastructure, the pipes and canals et cetera, that would enable these farmers to disconnect from an ever-increasing salt contaminated underground water supply and reconnect to fresh Burnett River irrigation water is simply not there. Most disappointingly, there are no definitive plans by this Labor government to put this vital infrastructure in place; there are just more studies that keep rehashing the same issue.

Even more disappointingly, this state government is now asking approximately 200 farmers to indicate their intention to buy Burnett River Dam irrigation water without a guarantee that the government will build the necessary infrastructure. Quite reasonably, individual farmers of the Burnett Coast and cane grower representatives have asked that this government reserve 15,500 megalitres from the Burnett River Dam pending the results of the latest in a long line of studies. If this latest stage 2 study of the ground water indicates that this Labor government will not spend the money and build the Burnett Coast surface water infrastructure and that it is not feasible to extend the surface water scheme, then it will be completely useless and unnecessary for these farmers to indicate that they will buy Burnett River Dam water. That is why it is completely reasonable and just for these farmers to ask this government to reserve, at least until the end of the stage 2 study, 15,500 megalitres of Burnett River Dam water—because 15,500 megalitres equals the amount of surface water it will take to provide irrigation to the Gooburrum and Woongarra farmers.

In some cases the necessary surface water infrastructure is, tantalisingly, only 50 metres away. Year by year my farmers, many of whom have diversified into horticulture from the sugar industry—they have listened to the message from governments and industry and have diversified—have had to watch as their neighbours produce healthy crops irrigated by surface water while, according to farmer Linda Zunker, in reference to the saline underground water that her farm accesses, 'It's slowly degrading our land. That's where I'm getting really annoyed now because I'm trying to do everything. I'm putting in manures. I'm liming. I'm not getting ahead. It's not working.' Mrs Zunker said that they have been farming at their location for 17 years, and they have been waiting for the surface water scheme to come through since then. No firm decisions have been made.

After consulting with my deputy leader and leader, this morning I am happy to confirm that a National-Liberal government will fix this environmental crisis on the Burnett Coast. We will connect Woongarra and Gooburrum farmers to the Burnett River Dam irrigation water and, in doing so, we will save the environment, thousands of workers' jobs, and hundreds of farm families' and small businesses' livelihoods.

### Burnett River Dam

**Hon. NITA CUNNINGHAM** (Bundaberg—ALP) (12.05 pm): The farmers the previous speaker was referring to—and this is often referred to in Bundaberg and the Burnett—chose not to go on the irrigation scheme 30 years ago. They have been asking this government and previous governments to consider putting them onto the irrigation scheme. I cannot see how the National Party could have suddenly decided that it is going to do if it is elected.

**Mr HOBBS:** I rise to a point of order. The member is misleading the House. I was going to do that job.

**Mr DEPUTY SPEAKER** (Mr O'Brien): There is no point of order.

**Mrs NITA CUNNINGHAM:** I have some good news for the farmers who are connected to the irrigation scheme in Bundaberg. Bundaberg has received its best ever Christmas present—the major dam I promised to get when I was elected to state government in 1998 has been delivered. It is finished. It is filling up fast following recent welcome rain and the Premier, Peter Beattie, will have the very real pleasure of officially opening it.

This dam has already brought economic benefits to the entire region with new roads and bridges to the area and employment for hundreds of local people during construction. Over \$20 million has been spent on environmental work and planning. Fish are already using the new fishways. When Biggenden council completes the recreational parks and facilities, this major dam will be an asset for everyone.

Congratulations are due to the original directors of Burnett Water, Mike Montefiore and Rowena McNally, and general manager up until June of this year, Graeme Newton, who worked tirelessly on this project. They set the bar very high and can feel very proud of the results. I personally thank them for their support.

I recall in the early days of planning that they took me to a huge shed in Brisbane where models of the proposed plans of the dam had been developed to scale. By turning up the water pressure we could see just where the water would go in a normal storm, in a one in 100 years storm and even in a more severe storm. We could see on the scaled landscape exactly where particular farms would go under water if a major storm occurred and what could be changed to reduce the risks. It was an exciting time for us all, and this is a fine example of the extensive detail that has gone into the planning for this dam.

The alliance with Mike Montefiore as CEO, Ross Dunning as chairman and members Bernie Bourke, Mary Boytall and Rick Barton has kept up the high standard and, together with the project manager, Mark Hamilton, the contractors, the subcontractors and the entire work force, has completed this major dam within the time frame of November 2005 set almost three years ago.

There has been an extensive program of environmental work and planning, broad consultation with the five local councils and the wider community plus education programs for local schoolchildren. This has all helped the construction of such a massive project to be completed without any major disruptions, and quick action by this government and Burnett Water prevented such a disruption when one company went into liquidation.

The preparation of the site, the stockpiling of mountains of crushed aggregate and the huge on-site machinery and equipment made this a construction project of world standard. Many people in the three Beattie Labor governments have been closely involved with this water infrastructure program from the Premier, Peter Beattie, and former Treasurer Terry Mackenroth to successive ministers for state development—Jim Elder, Tom Barton, Tony McGrady and Anna Bligh—and a lot of good decisions have contributed to the success of this dam construction. The early legislation that put the company Burnett Water in place was brilliant, the broad consultation was appreciated by all and the entire region can now reap the benefits—economic and social.

On behalf of our community I say: thank you for a very big job well done. I would like to put on record in this House that I am proud to be part of this Beattie Labor government that has delivered this major water infrastructure for regional Queensland—

**Mr MESSENGER:** I rise to a point of order. The member is misleading the parliament.

**Mr DEPUTY SPEAKER:** There is no point of order.

**Mr Messenger** interjected.

**Mr DEPUTY SPEAKER:** The Speaker has previously ruled on frivolous points of order.

**Mrs NITA CUNNINGHAM:**—and has given us the best Christmas present our community has ever received—a present we had been lobbying for for some 30 years. It gives Bundaberg farmers, industries and our community a secure future.

## Cunnamulla Fella

**Mr HOBBS** (Warrego—NPA) (12.11 pm): It was a great privilege to witness and take part in the historical occasion of the unveiling in Cunnamulla of the double-life-sized bronze statue of the Cunnamulla Fella. To provide a bit of background for members, since Cunnamulla and the Paroo shire were settled in the 1860s with the taking up of Cunnamulla Station, primary industry has always been the mainstay of the community, in particular the wool and beef industries. Never was this more so than in the 1950s and 1960s when Australia was riding on the sheep's back. The vibrant era provided endless employment opportunities for young lads just out of school when most finished at year 8 to work on the sheep and cattle stations.

Those young fellas, many only 15 or 16 years old, worked long, hard hours from sun-up to sundown, often seven days a week, mustering sheep and cattle and chasing scrubbers and breaking in horses. At the end of a hard day's work they would squat around the campfires on their saddles or swags and talk about the day's events.

Cunnamulla was booming as the stations employed so many men. When they came to town the pubs would overflow and these young fellas could be seen squatting around the streets in the classical pose. It was around this time that Stan Coster wrote the song *Cunnamulla Fella*, later immortalised by the late Slim Dusty. Having been brought up in station life myself, I clearly recall from a very young age waking up in the mornings to the *Country and Western Hour* which would be blasting away from the kitchen where the cook was working and men were coming in for breakfast. Slim Dusty and *Cunnamulla Fella* regularly echoed through our kitchen, but never did I imagine in those days that the words of that song would be immortalised in bronze and I would be participating in such a significant event.

Many of us have been guilty of trying to emulate Slim Dusty in that famous song after many hours in the pub, generally without success but with great satisfaction. I, like many, feel a close affinity with this legendary fella from Cunnamulla whom we heard about and who could be many people. I clearly imagine what he did, how he lived and how he drifted from town to town. I understand how he felt when he was aboard that outlaw as he came out of the chute and many other situations that he got himself into.

Thanks to Stan Coster and Slim Dusty we can identify that Cunnamulla is his rightful home and this statue will remind future generations of the contributions these young fellas made to the building of this nation, the Paroo shire and Cunnamulla in particular. I say to all those young fellas who rolled their swags out on the veranda or who drank at the bar of the New Western Hotel that used to be on the site where the statue now stands: we hope you approve of the statue. In fact, to all people, locals, those who travel through or camp the night or boil their quart on the Warrego or the Paroo: I hope you get great satisfaction and enjoyment from this monument to the legendary Cunnamulla Fella.

A crowd of 2,000 people flocked to the shire hall on the Friday night to witness the unveiling of this statue by Anne Kirkpatrick, the daughter of the late Slim Dusty. Tracey and Russell Coster and Jayne Kelly, family of the late Stan Coster, writer of the *Cunnamulla Fella*, were there. It was a two-year project by the Paroo Shire Council and I congratulate the council on their initiative and seeing this right through to fruition. Mayor Ian Tonkin, in his welcoming speech, said that in time the *Cunnamulla Fella* will become as well known as the Dog on the Tucker Box or the Swagman at the Stockman's Hall of Fame and will draw not only visitors who are fans of the late Slim Dusty but also those who come to admire an incredible piece of art.

The pulling power of the *Cunnamulla Fella* was ably demonstrated at the opening ceremony with the largest crowd ever witnessed in Cunnamulla, surpassing even the centenary celebrations of 1979. It is very significant. Mayor Ian Tonkin said that the idea to turn a folk legend into a reality was first accepted by the council in late 2003 when it was decided to run a nationwide competition asking those interested to sketch up in any medium their vision of the Cunnamulla Fella. The winning entry, however, chosen by council in early 2004, was of a young squatting stockman after a hard day's work sketched by Mike Nicholas who, it turns out, has strong family connections with Cunnamulla. Mike has many portraits of previous premiers in this parliament. Mike worked in Cunnamulla as a policeman in 1960 and witnessed for himself the way of life in western Queensland. He is extremely well known throughout the art world. At about this time the search was on to find a sculptor for this project and Archie St. Clair was contacted. Archie is territory born and bred and from his early teens had been involved with the cattle industry as, amongst other things, a rigger, stockman, rodeo rider and helicopter pilot.

## Child Health Services

**Mrs MILLER** (Bundamba—ALP) (12.16 pm): This week marks a milestone for Queensland with the four millionth person being counted in our great state. There has been a lot of speculation about who this exceptional person choosing to live in Queensland might be. In fact, I am confident that it will be a beautiful baby born into the Queensland lifestyle.

**Ms Nelson-Carr:** Hopefully in Townsville.

**Mrs MILLER:** In fact, it might be the grandchild of the member for Mundingburra and hopefully it will be in Townsville. In this week of recognition of our four millionth resident, I would like to highlight the wonderful care and excellent service Queensland Health provides for the prenatal, maternity and postnatal care of our mothers and babies. Our children's hospitals and services see thousands of sick or injured children each day. Queensland Health's priorities for children include improving Aboriginal and Torres Strait Islander child and youth health, a neonatal screening program for hearing, improved intersectoral integration of support and care for children aged zero to six with a disability and/or complex conditions.

The Community Child Health Service is part of the Royal Children's Hospital and Health Service District, which has a direct catchment area of approximately 500,000 residents. The services provided within the Community Child Health Service include a primary care service, which is for children zero to 12 years of age, and a range of clinics for assessment, education and support for parents and caregivers. Other services include early feeding support clinics for the first 14 days after discharge from hospital after a birth—they are located at Kallangur and Alderley and no appointment is needed for this service; home visiting for families with complex needs and for first-time parents; short consultations in child health clinics—this includes assistance with sleep and settling; behaviour management; postnatal support; breastfeeding management and support; development; injury prevention, immunisation and nutrition; and the Triple P positive parenting programs with seminars, groups and individual sessions. The member for Mundingburra was saying that the Triple P program is a great program and certainly in my electorate it is very highly regarded. Services also include hearing assessment and hearing referral clinics for children aged four to 18 years. There are many other services available.

The school based youth health service provides health consultations, assessments, health information, care and support, referral options and health promotion and education for parents, caregivers and young persons aged 13 to 18 years who attend state secondary colleges. This is an excellent service and it is spoken very highly of at Redbank Plains State High School in my electorate.

The Child Health Resource Centre located at Paddington provides information and resources. This information can be accessed for children and young people aged zero to 18 years. Every day child health staff provide free vaccinations at our statewide immunisation clinics. It is very important that parents have their children vaccinated.

Child health clinics across the length and breadth of Queensland provide essential services to families and young people daily. A child health line is provided by Queensland Health. A 24-hour telephone service is staffed by child health nurses who can provide families anywhere in Queensland with information about a range of child and youth health issues, describe strategies for intervention and support positive parenting practices. Nurses also provide information about local community services for families.

A child development service, providing support for school-aged children four to 13 years, is located at the North West Community Health Centre at Keperra. This service assists with complex development problems that affect several areas of those children's lives.

The Child Advocacy Service is a child protection service that focuses on the prevention, assessment and early intervention of child abuse and neglect. This service is provided to a network of health professions, including paediatricians, social workers, nurses and therapists. These services are provided within the hospital and community health settings. The target group is those aged zero to 18 years and their families where there are child protection concerns.

This example of the excellent services provided by Queensland Health staff demonstrates Queensland Health's commitment to children and families and their caregivers to provide the optimum level of care and service for young people. Our local hospitals across the state also see many children daily, particularly in remote and rural areas. They continuously focus on providing optimum care.

Some 98 babies are born every day in Queensland Health facilities. I understand the number of babies is increasing—and it is being led by Ipswich Hospital. I congratulate all mothers and babies throughout the state.

### **Life on the Land**

**Mrs PRATT (Nanango—Ind) (12.21 pm):** I bring to the attention of the parliament—primarily those in this House who are unfamiliar with the reality of trying to exist on the land today—a few facts. Too many uninformed people say things like, 'If you can't make a living, get off the land.' This kind of statement makes no allowance for seasonal pricing, gluts of produce or stock and gives no consideration to the greatest impact on production—that is, drought.

As soon as it has rained most people ignorant of the impact of the drought think everything automatically returns to full production. It does not. It can take in excess of five years. The fact is that when people sell livestock during a drought they sell at the lowest possible price because everyone else is unloading stock at the same time. At times they are lucky if they can even sell the stock. At other times they have to shoot the stock. When it rains and after the paddocks have recovered and are

capable of carrying livestock again everybody around is keen to restock so the demand on available stock is high and people find that they are paying premium prices for anything.

I have a copy of an assets and liabilities statement of a real working family farm—an average working family farm—which I will table at the end of my speech. Remember that this is not a Pitt Street farmer. This is a long-term farming family which, like many others on the land, has experienced really hard times.

The return on crops has hardly altered over the past 20 to 30 years and has definitely not kept up with the cost of production, which has increased to the point of making it almost unviable to produce anything. The situation I am about to outline details an average spreadsheet of an average farm this year. This property comprises 260 hectares which is under cultivation with peanuts and maize and also carries some beef cattle. To supplement their income they share-farm another 64 hectares which is under peanuts and maize. All crops are dry land cultivation crops, which means that they do not have to add a cost of irrigation infrastructure or water charges.

This family has 66.2 per cent equity in their property, plant, household vehicle and other assets. Their assets total \$1,221,000 and their debt is \$412,500. They have a bank loan, a bank overdraft, a personal credit card and equipment financed. The annual payback commitment is \$55,480.

Let us look at the annual income this farm receives. They have a 260-hectare property plus the 64 hectares they share-farm—that is, a total of 324 hectares of available land. The land under peanuts and maize brought in a total of \$183,744, the area under steers \$12,000, the diesel fuel rebate \$8,000, off-farm net income of \$15,000—this will be of greater significance when I outline it later—and other income of \$5,000. In total the farm income was \$223,744. That sounds a solid income.

Let us now look at the expenses this family incurred to receive what appears to be a good income. The direct crop-growing expenses, which includes seed cultivation, fertiliser sprays et cetera, equalled \$80,000, turnover from the steer purchases was \$6,750, sundry operating expenses were \$45,000, drawings for living purposes were \$24,000 and the financial commitments referred to previously were \$55,480. The expenses totalled \$211,230. That gives an annual surplus of \$12,514.

If we remove the \$15,000 off-farm income, which could be the wife's earnings, from the equation this property actually went backwards. As I stated earlier, the members of this family are not bad farmers. They have plenty of experience, but their situation is one that reflects many others on the land who battle poor commodity prices, rising bank charges and unpredictable seasonal conditions. Add to that production costs, which have skyrocketed, and members can see why farmers tell their sons and daughters not to take the gamble and remain on the land but instead to opt for a career that has a steady, reliable and predictable income.

Living expenses of \$24,000 are not, by any stretch of the imagination, an indication of living high on the hog. This family has no school expenses or children. Their cash flow is extremely poor. I hope that after hearing this and looking at the balance sheet of this average farming family members here and the public in the city will see that the landed gentry of the past is no more. It may have been true in the past but today, while returns for effort have stayed level with the past, the production costs have not. I would urge everyone to have a look at the balance sheet and understand the reality of life on the land. Unless people see and experience this they cannot realise just how hard it can be and how unpredictable the lifestyle is. It is in fact a true gamble.

### Bird Flu

**Ms NELSON-CARR** (Mundingburra—ALP) (12.26 pm): Hardly a day goes by without dire warnings about the possibility of an avian influenza or bird flu pandemic that could take the lives of millions of people around the world. The prospect is daunting. Last week we were given the cheery news that the worst case scenario is that 35,000 Queenslanders could die in a bird flu pandemic and that more than 180,000 Queenslanders could be hospitalised over eight weeks. Premier Peter Beattie rightly emphasised that Queensland was planning realistically for the worst but, of course, it may never happen.

In March this year *Time* magazine reported the western Pacific regional director of the World Health Organisation as saying, 'The world is now in the gravest possible danger of a pandemic.' He was speaking at an international bird flu conference in Vietnam. He said, 'The longer the virus is circulating in animals, the greater the risk of more human cases and, consequently, the higher the risk of a pandemic emerging through genetic changes to the virus.'

Last August the deadly H5N1 strain of the disease was said to be spreading through villages in central Asia. It is the same type that has killed at least 65 people in Asia since August 2003. Concerns were also expressed then that migrating birds could carry the disease to Europe.

In the late 1960s and 1970s, in widespread studies from Australia's Great Barrier Reef to the lakes of northern Canada, Dr Webster and his colleagues tracked flu to its source. That source was wild birds. Dr Webster from St Jude's Children's Hospital in Tennessee studied flu viruses for 40 years. He is

quoted as saying that flu viruses came from wild birds, such as wild aquatic birds, waterfowl, ducks and shorebirds.

For me as a north Queenslander the association drawn with the Great Barrier Reef strikes a resonant chord. According to the Great Barrier Reef Marine Park Authority, an estimated two million wader birds alone, not to mention other species, migrate annually to Australia from their breeding grounds in arctic Asia, Alaska and the north Pacific. For a large proportion of these the Great Barrier Reef is their destination.

Earlier this month the *Australian* reported that the virus authorities fear a deadly pandemic of avian influenza. It has been found for the first time in the kinds of wild birds that migrate to Australia. Russian scientists have discovered the H5N1 virus in a green sandpiper, a wading bird closely related to species that migrate to Australia. The common sandpiper is one of the annual long-distance migrants to the Great Barrier Reef.

There are six other wading birds of various species that have tested positive for avian flu, although not the H5N1 type. The *Townsville Bulletin* recently reported that migrating birds may be flying flu bombs. Migratory birds from the flu zones in Indonesia and Russia were regular visitors to the Hinchinbrook Shire.

Whether I quote from the *National Geographic*, *Time*, newspapers, radio or television, bird flu is one of the red hot topics of 2005—possibly second only to terrorism in the national attention it receives. What can we do? Obviously we cannot put up border crossing posts and tell the wild birds that they cannot come into Queensland. While not making light of the subject, one could hardly say to a sandpiper or some other migratory bird, 'Sorry. Queensland's off limits because you might be carrying the H5N1 virus!' However, I am very pleased to say that Queensland is well placed to deal with any sickness in birds and I have every confidence that should the need arise this state is ready to swing into preventive action.

Without doubt, Queensland is vigilant to the bird flu threat. The first transmission to humans was in Hong Kong in 1997 when 18 people were affected, six of them dying. As a precautionary measure, 1.5 million chickens were destroyed. It is not hard to imagine the panic and potentially devastating effect on the poultry industry in Queensland and elsewhere if there is even a hint of chickens coming into contact with infected wild birds. On the question of eating chicken, eggs and other poultry, a bird flu web site operated by the Singapore government states that there is no evidence people can get bird flu by eating those products, providing they are cooked thoroughly. Convincing consumers of that, if and when the time comes, may be no easy task. If and when the time does come that the HN51 virus learns to transmit from human to human, we cannot afford not to take every possible precaution to protect public health.

Australia is a leader in preparedness for an exotic flu strain outbreak, and I welcome the fact that here in Queensland the Public Health Bill 2005 has strengthened the state's powers to manage any possible influenza pandemic. In the dreaded event that avian influenza does take on pandemic proportions—and it may never come to that—it is critical that we are in the best possible degree of readiness to protect the health of all Queenslanders.

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

## RECREATION AREAS MANAGEMENT BILL

### First Reading

**Hon. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (12.32 pm): I present a bill for an act for the establishment, management and use of recreation areas, 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. D BOYLE** (Cairns—ALP) (Minister for Environment, Local Government, Planning and Women) (12.32 pm): I move—

That the bill be now read a second time.

The Recreation Areas Management Bill caters for recreation on a variety of land tenures. It is a simple and straightforward piece of legislation which replaces and updates the current Recreation Areas Management Act 1988. Queensland is Australia's fastest-growing state. Our population will reach four million by the end of this year. South-east Queensland is the fastest-growing region in Australia. In part, this is because of the desirable lifestyle that Queensland offers—the bush and beaches, open

space and opportunities for families to recreate. These things also attract tourists from other states and from overseas in ever-increasing numbers. This bill will help ensure that the opportunities and experiences that Queenslanders enjoy in some of their favourite holiday destinations are maintained and properly managed. It will also maintain tourism opportunities and help ensure that our important tourism industry has the security and flexibility it needs to operate effectively in a competitive environment.

Five recreation areas have been declared to date. These are Fraser Island, Moreton Island, the Inskip Peninsula north of Rainbow Beach, most recently the Bribie Island recreation area declared in June 2005 and the one closest to my own electorate, Green Island. Almost 200,000 people camped in these areas last year. There were over 800,000 day visitors, including almost 390,000 at Green Island near Cairns and over 330,000 at Fraser Island, making a valuable contribution to the local economies. The previous recreation areas legislation was administered by an authority made up of the ministers responsible for the Nature Conservation Act 1992 and the Forestry Act 1959 and by a board made up of the chief executives responsible for these two acts. This administrative structure comprising the authority and board was derived from the situation on Fraser Island in the 1980s where most of the island was state forest and most of the staff handling recreation management were forestry department employees. This has changed and now probably about 90 per cent of the land in recreation areas is national park. There is no longer any need for an authority and board as the normal government administrative arrangements will apply. The bill provides simply for administration by a single minister and by the Environmental Protection Agency.

I should perhaps address one obvious question. If most of the land in recreation areas is national park, why cannot these areas simply be managed under the Nature Conservation Act? Why do we need to double up with a recreation area declaration and separate legislation? This is because some of the critical areas for management of recreation are beaches and esplanades, pine plantations on Bribie, coral reefs surrounding Green Island and so on—in other words, areas that are not national parks but have high visitation and recreational use. These areas are outside the protected area estate and are not appropriate for inclusion and management under the Nature Conservation Act 1992 because their primary use is recreation, not for conservation purposes. Rather than water down the Nature Conservation Act 1992 that is primarily concerned with protecting the environment, it is better to maintain separate recreation areas management legislation.

The legislation is designed to ensure that there is no duplication in permits or charges. In a recreation area, the single regime for camping and vehicle permits replaces any similar permits under other legislation. The bill operates to create a recreation area as an overlay to coordinate and manage recreational activities across varying tenures. By drawing multiple land tenures together under the umbrella of a recreation area, the whole area is managed with a common aim and with minimal public inconvenience. The bill does not replace other land management legislation and requires that any underlying land tenure and management arrangements must be taken into account. Any type of land may be included in a recreation area provided that all land-holders agree to the arrangement. For land other than state land, the land-holder enters into a written agreement with the state for its inclusion.

Management conditions will need to be negotiated between both parties. The bill does not affect the rights and obligations of a land-holder whose land is included in a recreation area unless the agreement for the land states otherwise. Because of the large area of national parks within recreation areas, it is important for the provisions of the bill to be closely aligned with similar provisions in the Nature Conservation Act 1992. For example, it is desirable to have consistency between the rules on camping, commercial activities and other management issues in a national park and in a recreation area declared over the top of that park. The new bill delivers this. Recreational users and the tourism industry have a continued guarantee in this bill that the current recreation areas management fund will be continued. All funds collected under this legislation will be returned to recreation areas to provide improved facilities and management.

The existing Recreation Areas Management Act 1988 does not meet current legislative drafting standards. It predates the establishment of fundamental legislative principles under the Legislative Standards Act 1992. In addition, it is not in line with management principles in more recent legislation, particularly the Nature Conservation Act 1992. Put simply, the current laws are out of date. Much of this bill carries forward the existing provisions on the declaration of recreation areas, development of management plans and general conduct, redrafted and updated to meet current standards. In developing the bill, account was taken of public comments on a discussion paper about review of the recreation areas legislation. Submissions received on the discussion paper from a range of groups and individuals indicate broad community support for updating the legislation and for the particular proposals now incorporated in the bill.

The interests of the tourism industry have also been considered, and the bill contains significant new provisions reflecting the outcome of several years of negotiation with the tourism industry through an initiative referred to as Tourism in Protected Areas, or TIPA. The bill will enable the benefits of this initiative to be implemented in recreation areas.

Tourism operations in recreation areas will increasingly be managed on the basis of commercial partnerships between the operators and the Environmental Protection Agency. In the past, tourism permits have been non-transferable documents with fixed fees prescribed in regulations, a fixed capacity, a maximum three-year term and no transferability and have been issued on a first-come, first-served basis.

The TIPA initiatives ensure that high-use sites will be better managed through careful consideration of the desired setting and carrying capacity. Where appropriate, they will allow agreements to be offered through an expressions of interest process, which is fairer than the current first-come, first-served approach and in keeping with national competition policy. Agreements will be able to be entered into for up to 10 years. They will be transferable, and there will be an ability to trade capacity between operators to allow greater flexibility.

The concept of recreation areas has worked well in some complex management situations for the past 17 years. This bill builds on that success, and will help ensure that Queenslanders continue to enjoy the recreational opportunities that are provided by the magnificent natural areas of our great state. I commend this bill to the House.

Debate, on motion of Mr Messenger, adjourned.

## CHILD EMPLOYMENT BILL

### First Reading

**Hon. TA BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (12.41 pm): I present a bill for an act to safeguard children working in Queensland, 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. TA BARTON** (Waterford—ALP) (Minister for Employment, Training and Industrial Relations) (12.41 pm): I move—

That the bill be now read a second time.

This bill gives effect to a government commitment to develop stand-alone legislation to fill gaps where existing legislation is considered inadequate to protect Queensland children at work. The proposed regulatory regime for child employment is made up of both the bill and an accompanying regulation. The purpose of the bill is to safeguard children working in Queensland. In achieving this, the bill and the Child Employment Regulation 2005 will provide safeguards to ensure that work does not interfere with children's schooling.

The bill and regulation will also prevent children from performing work that may be harmful to their health or safety or their physical, mental, moral or social development. The bill applies to 'work' rather than 'employment'. This broader definition is used to ensure that dependent contractors, unpaid workers and volunteer workers are also protected. However, the definition of 'work' does not include the following arrangements because adequate protections are already available to them under other legislation—

- collections work—that is, collections of donations for any appeal—under the Collections Act 1966;
- apprenticeships or traineeships under the Vocational Education, Training and Employment Act 2000;
- work experience under the Education (Work Experience) Act 1996.

The Child Employment Bill 2005 and proposed regulation applies to all children under the age of 18. However, the bulk of the provisions relate to children who are of school age, that is, those younger than 16 or who have yet to complete year 10.

As I said earlier, the bill provides for the making of a regulation that—

- prescribes the minimum ages and types of work in which school-aged and young children can work;
- prescribes the number of hours and times at which work may be performed by school-aged and young children and other matters such as supervisory requirements at work;
- regulates work conditions for children in particular types of businesses, including in the entertainment industry. These provisions have been included to allow for the relaxation or further restriction of child employment conditions in the future on an industry wide basis.

For school-aged children the bill also requires parental consent to be given for school-aged and young children to work, and prohibits the employment of children when required to be at school. However, the requirement for parental consent does not apply in respect of a child living independently from their parents and who is granted a special circumstances certificate.

The restrictions on work performed by school-aged and young children do not apply to any work performed in the entertainment industry or in a family business—that is businesses or corporations owned solely by a close adult relative of the child. These restrictions recognise that often such work is done as a chore or family obligation rather than as true work. Such restrictions would place unnecessary and unreasonable limitations on the operations of family businesses.

The proposed regulation also contains provisions relating to the duty of an employer of any child under 18 to make it possible for the child at work to contact their parents, safeguard the child while at work and keep records about child employment. The legislation will be supported by two new codes of practice which will be developed in the 12 months following the introduction of the act. These codes relate to the employment of young people in the entertainment industry—including a prohibition on minors working in adult entertainment—and a specific workplace health and safety code for young workers.

The bill also makes amendments to the Industrial Relations Act 1999 as a consequence of an August 2005 decision of the Full Bench of the Australian Industrial Relations Commission in the family provisions test case. The amendments improve standards and entitlements for parental leave, carer's leave and bereavement leave. The bill also includes two minor amendments to the Industrial Relations Act 1999 of a technical nature.

The bill follows the review during 2002-04 by the Commission for Children and Young People and Child Guardian—children's commission—into child labour in Queensland. In November 2004, the government was advised of initial findings and emerging themes in a progress report prepared by the children's commission. A final report was subsequently prepared by the children's commission, which made a number of recommendations for government consideration.

The Department of Industrial Relations, in consultation with relevant industrial organisations and government departments, developed the bill's provisions based on the recommendations. It takes a holistic approach in addressing child specific employment issues involving a combination of legislative and non-legislative measures.

A draft bill has already been released for consultation with relevant stakeholders. And in relation to the family provision amendments to the Industrial Relations Act 1999 included in the bill, these follow on from the AIRC family provisions test case decisions I mentioned earlier that extend leave arrangements.

As stated in the bill, its primary purpose is to safeguard children working in Queensland. The bill prescribes limitations and protections applying to work performed by all children, with specific provisions relating to school-aged and young children. While the bill provides for limitations and protections to apply to work performed by children, the proposed regulation prescribes what those limitations and protections are to be. This approach allows for amendments of such fundamental provisions, if needed, for the whole of industry, particular industries or industry sectors, by regulation, or even in respect of individual employers or specific children, by special needs certificate or work limitation notice, in a way that accords with fundamental legislative principles.

The proposed regulation is to commence on the same date as the bill. A code of practice for the entertainment industry will be drafted for inclusion in the proposed regulation within 12 months of its commencement.

The bill has been drafted to apply to a broad definition of 'work' rather than 'employment'. The definition has been modelled on provisions in the Workers Compensation and Rehabilitation Act 2003 and the Contract Cleaning Industry (Portable Long Service Leave) Act 2005, ensuring protection for employees and dependent contractors. The definition will also cover unpaid or voluntary work because it is common for children to perform work under such arrangements and the lack of paid wages should not override the need to safeguard Queensland children.

The definition of 'work' does not include domestic chores. The bill does not intrude on arrangements based on family obligations as opposed to those entered into with the intention of creating enforceable obligations. One of the main purposes of the bill is to ensure that work performed by children does not interfere with their compulsory schooling. It places specific restrictions on the types and amount of work that may be performed by school-aged and young children. To this end, the bill defines a school-aged child as being under 16 and required to be enrolled for compulsory schooling under the Education (General Provisions) Act 1989.

A young child is defined as a child who has not reached the compulsory schooling age—that is, under six. The restrictions included in the regulation to help students manage their work and school commitments spell out the types of work that may be done at certain ages, total hours of work, days on and times at which work may be performed, shifts per day that may be worked, rest periods between

engagements and supervisory requirements. It will be an offence for an employer to require or permit a school-aged or young child to perform work contrary to such restrictions.

The specific restrictions in the regulation for school-aged and young children in respect of minimum ages of workers and the types of work that may be done are:

- a general minimum age of 13 years is prescribed for commencing work unless otherwise specifically permitted by the proposed regulation;
- children at least 11 years of age may perform delivery work (that is, defined as delivering newspapers, advertising materials, et cetera between the hours of 6 am to 6 pm);
- children of any age may perform voluntary work.

The specific restrictions in the regulation for school-aged and young children in respect of hours of work that may be performed are:

- School-aged children may work no longer than:
  - 12 hours during a school week;
  - 38 hours during a week that is not a school week;
  - four hours on a school day;
  - eight hours on a day that is not a school day.
- School-aged children may not perform work between the hours of 10 pm and 6 am;
- School-aged children may work no more than one shift per day (this provision may be overridden if the relevant award or agreement provides otherwise);
- School-aged children must not commence work within 12 hours of last finishing work with the same employer;
- School-aged children must be appropriately supervised by an adult. For example, a school-aged child involved in the exchange of money should have an adult supervisor nearby and in regular contact with the child.

The bill before us creates an obligation for employers to obtain consent from a parent of a school-aged child before that child commences work, a provision that does not apply if the child is employed by their parent.

I seek leave to have the remainder of my second-reading speech incorporated in *Hansard*.

Leave granted.

Parental consent must be provided in the form approved by the Department of Industrial Relations. Information in the consent form will include the date of birth of the child and details of the hours when a child is required to be at school.

The Bill creates an offence against an employer who employs a child at a time when that child is required to be at school as advised by the parent in the approved consent form.

The proposed Regulation prescribes that employers must take all reasonable steps to ensure that a child at work is able to contact a parent and allow such contact to be made in reasonable circumstances.

An employer must also take all reasonable steps to contact a child's parent if the child at work becomes ill or is injured to the extent that they can no longer work. These provisions do not apply where the child is employed by their parent.

The Regulation also prescribes certain safeguards for children at work to be provided by an employer. These are:

- An employer must take all reasonable steps to ensure a child at work is not subjected to deliberate and unnecessary social isolation, bullying or other frightening or humiliating behaviour;
- An employer must give a child induction training including workplace health and safety training appropriate to the child's age; and
- An employer must ensure that the Child Employment Guide (to be published by the Department of Industrial Relations) is displayed in the workplace or is immediately available to a child.

The Regulation prescribes that records are to be kept by an employer for all children in their employ. These records closely reflect information already required to be kept for all employees under the Industrial Relations Act 1999 with additional pieces of information such as:

- The name, address and home and business phone number of a parent of the child;
- The name, address and home and business phone number of another contact person nominated by the child's parent;
- For school-aged children—a parental consent form as prescribed by the bill;
- For non-school-aged children—a copy of a form of identification stating the child's date of birth, for example, a passport, birth certificate, or school I.D. card);
- The records must be kept for two years at a workplace in Queensland.

These provisions do not apply where the child is employed by their parent.

Mr Speaker, to accompany the changes before us, Workplace Health and Safety Queensland will develop a Code of Practice for Children and Young Workers under the Workplace Health and Safety Act.

Workplace Health and Safety Queensland will also review and update the Risk Management Advisory Standard to ensure that age, immaturity and awareness of risks for children is taken into account when conducting workplace health and safety risk assessments. This will also ensure that significant guidance is available to employers of children and young workers for health and safety purposes.

Other provisions create a mechanism whereby the chief executive of the Department of Industrial Relations may issue a special circumstances certificate relaxing existing restrictions to allow a specific child to do work that they would normally not be permitted to do.

The chief executive will only grant a special circumstances certificate if it is reasonably believed that the work will not interfere with the schooling of the affected child or children and the work will not be harmful to the health or safety or physical, mental, moral or social development of the child or children.

Conversely, the chief executive may issue a work limitation notice imposing greater restrictions or even prohibitions upon work that a specific child would otherwise be able to perform.

Such a notice will only be issued if in their opinion the work the child would have performed would interfere with the schooling of the child or children or the work would be harmful to the health or safety or physical, mental, moral or social development of the child or children.

Where a child, a child's parent or a child's employer is dissatisfied with the chief executive's decision on a special circumstances certificate or work limitation notice, they may appeal the decision to the Queensland Industrial Relations Commission.

Offences for contraventions of the Bill's provisions are to be dealt with by the Industrial Magistrates Court. Appeals against Industrial Magistrates Court decisions may be taken to the Industrial Court.

Mr Speaker, the legislation, importantly, makes special provision for enforcement measures by the state's industrial inspectors. By a minor consequential amendment of the Industrial Relations Act 1999, inspectors appointed under that Act are inspectors under this Bill.

In addition to specific powers to seize evidence in the bill, the powers of inspectors are those of an inspector under the Industrial Relations Act 1999, with the powers of an inspector so that they apply to a wider definition of "employer" and "employee" relevant to working children.

Mr Speaker, I turn now to the family leave provisions of the Bill.

On 8 August 2005 the Full Bench of the Australian Industrial Relations Commission released its decision in the Family Provisions test case.

The major elements of the AIRC decision included arbitrated matters that provided improved parental leave standards and conciliated matters that provided improved carer's leave entitlements.

Specifically, with regard to the arbitrated parental leave, employees get the right to request an extension of simultaneous unpaid parental leave of up to eight weeks, an extension of unpaid parental leave by a further continuous period not exceeding 52 weeks and to return to work on a part-time basis until the employee's child reaches school age.

I point out that the following parts of the AIRC decision which we are including have not been included in the Federal Government's WorkChoices Bill.

With parental leave, we are providing employees with a right to request:

- an extension of the period of simultaneous unpaid parental leave, to a maximum of 8 weeks;
- an extension of the period of unpaid parental leave by a further continuous period not exceeding 52 weeks;
- return to work on a part-time basis until the employee's child reaches school age.

As I said, the federal legislation does not pick this up.

And with regard to the issue of communication during parental leave, the Bill before us provides that if an employee is on parental leave and the employer makes a definite decision to introduce significant change at the employee's workplace, the employer must take reasonable steps to:

- provide information to the employee about the effect the change will have on the employee's position
- provide an opportunity for the employee to discuss the effects the change will have on the employee's position.

Again, this is not in the federal legislation.

In considering the request for extended parental leave—provided it is genuinely based on the employee's family responsibilities—the employer must consider:

- the employee's circumstances, in particular the nature of his/her caring needs;
- the impact on the employee and his/her dependents of the request not being granted; and
- the effect of granting the request on the workplace and the employer's business (including cost, capacity to reorganise work arrangements, lack of adequate replacement staff, loss of efficiency and the impact on customer service).

Within three years of the enactment of the provision, a Full Bench of the QIRC is to review the operation of the new parental leave provision, of its own initiative or at the request of the Minister and provide a report on the review to the Minister.

Mr Speaker, if we look now at the conciliated carer's leave entitlements we see that the Bill will increase the cap on sick leave that can be used for the purposes of caring for family or household members who are sick from 5 to 10 days, while broadening the circumstances under which carer's leave can be taken to include "unexpected emergencies".

It will also apply where an employee has exhausted all paid personal leave entitlements. If all other requirements have been met, the employee will be entitled to take up to two days unpaid leave per occasion in each year.

A right for short term casual employees to take up to two days unpaid leave each year to care for immediate family or household member is also provided for. And an employer must not fail to re-engage a casual employee because they accessed the carer's leave entitlements.

Other leave provisions in the Bill include extending bereavement leave to casual employees who will be entitled to take up to 2 days unpaid leave in the event of the death of a family or household member. An employer in this instance also must not fail to re-engage a casual employee because they accessed the entitlements provided for in this section.

The Bill also includes two minor technical amendments to the IR Act, unrelated to the family provisions test case decision. Section 13 of the IR Act contains a formula for working out the amount to be paid for annual leave for employees who are paid wholly or partly by commission.

The formula currently is used as a default calculation for parties who have not specified how the amount should be calculated and is intended to reflect the usual approach of the QIRC. An ambiguity has been created, however, because it is unclear whether the "number of days leave" referred to in the formula refers to calendar days or working days. The amendment clarifies this by specifying calendar days.

Another technical change relates back to Section 71A of the IR Act which is about the minimum period of notice an employee should give to an employer.

The provision was intended to be consistent with section 84 in relation to the persons exempted from giving or receiving the notice. However, the positioning of the section in Chapter 2 of the IR Act instead of Chapter 3, as originally intended, created an unintentional inconsistency so that section 71A does not exempt casuals, probationers etc from giving notice.

The proposed amendment will ensure that the application of the exemption is consistent regardless of whether it is the employer or the employee who is giving the notice.

Mr Speaker, the changes outlined in this legislation will further enhance the safety and fairness of the state's workplaces—this time very specifically for young people.

It is only appropriate that employees, no matter what their age or circumstances, be entitled to work in an environment that is safe, rewarding and which does not impact adversely on an employee's home or school life.

I commend the Bill to the House.

Debate, on motion of Mr Hopper, adjourned.

**Mr DEPUTY SPEAKER** (Mr Lee): Order! Before calling the Minister for Tourism, Fair Trading and Wine Industry Development I welcome to the public gallery the minister's mother, Mrs Val Rogers, and also Father Dan Grundy, the soon-to-retire parish priest of St Patrick's in Beenleigh.

## PROPERTY AGENTS AND MOTOR DEALERS AND OTHER ACTS AMENDMENT BILL

### First Reading

**Hon. MM KEECH** (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (12.53 pm): I present a bill for an act to amend the Property Agents and Motor Dealers 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. MM KEECH** (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (12.53 pm): I move—

That the bill be now read a second time.

The proposed amendments to the Property Agents and Motor Dealers Act 2000 implement a number of recommendations arising from the report on the outcomes of the review of the act tabled in the Legislative Assembly on 24 November 2004. These amendments will further enhance consumer protection objectives, without imposing significant additional imposts on licensees. Indeed, some of the amendments will clarify licensees' responsibilities and allow easier compliance. The bill proposes changes which influence the business conduct of all industries regulated by the Property Agents and Motor Dealers Act 2000. Additionally, there are specific amendments for each licensed industry category, principally to improve the effectiveness of the legislation or to clarify consumer and licensees' rights and obligations.

The bill contains a number of proposals intended to facilitate better business practices by motor dealers. In particular,

- it provides that if the buyer of a vehicle believes it has a defect which the dealer/warrantor must repair under the statutory warranty, the buyer must give the dealer/warrantor a notice of the defect and deliver the vehicle either to the warrantor, or to someone else nominated by the dealer/warrantor to repair the defect;
- the new provisions relating to delivery of a warranted vehicle for repair require that, if the vehicle is more than 200 kilometres from the warrantor at the time the defect notice is given, the vehicle is to be taken to the nearest qualified repairer. However, the warrantor may nominate another qualified repairer, in which case the warrantor is responsible for the delivery costs of the vehicle to that repairer;
- the bill also proposes to broaden the definition of 'warranted vehicle' for the statutory warranty provisions;
- in relation to warranties on older vehicles, the bill proposes to allow buyers to waive statutory warranty rights providing the vehicle is at least 20 years old and is being bought for repair or restoration. This will apply to both the auction and private treaty sale of used motor vehicles by motor dealers and motor auctioneers;
- also with respect to statutory warranties, the bill proposes to clarify that a demonstration model is a used motor vehicle by amending the definition of 'used motor vehicle' in the dictionary of the act. This ensures that buyers of demonstration models are given cooling-off and statutory warranty rights;

- motor dealers will be required to disclose their licensing status to all intending purchasers of motor vehicles. A motor dealer will be taken to act as a licensee in the sale of any motor vehicle undertaken by the motor dealer whether as part of the motor dealer's business or 'privately'. This will ensure that motor dealers cannot avoid their statutory obligations. A penalty of 400 penalty units attaches to a breach of this new provision;
- the bill proposes to increase penalties for unlicensed motor dealing. The current penalty for unlicensed motor dealing is 200 penalty units or two years imprisonment. This is an insufficient deterrent from unlicensed activity and any profits that might be derived from that activity. The bill proposes to increase the financial penalty to 400 penalty units but the term of imprisonment is to remain unchanged;
- the act currently requires a motor dealer to have a registered office, but does not require that the relevant local authority has approved the use of the premises for a motor dealing business;
- the bill proposes that applicants for motor dealing licences and motor dealers changing premises must provide proof that the premises have local authority approval.

The bill also includes a number of provisions which will provide improvements for consumers and better practice in the property agency industry.

- In regard to the sale of community title scheme management agency rights, when such rights are sold, the manager's unit usually forms part of the transaction. A licence condition imposed on all restricted letting managers is to reside within the building complex.
- The act currently imposes a 60-day limitation period on an exclusive or sole agency agreement for the sale of the unit as it is a residential property transaction.
- The bill proposes to remove the 60-day restriction on the term of an agent's sole or exclusive agency appointment in the circumstances where the manager's unit is being sold as a component of the sale of management rights.
- Key provisions of the bill deal with under- and over-quoting of prices and reserves by real estate agents and auctioneers. The bill proposes that the act be amended to require real estate agents and auctioneers to substantiate any price or reserve quotation with a comparative market analysis, CMA. A CMA compares like sales in an area, which will be defined as three properties of similar style and standard sold within a five-kilometre radius of the property within the preceding six months. Therefore, any quoting of a range of selling/purchase prices must fall within the range indicated in the CMA. If a CMA cannot be produced because of a lack of sales activity of similar properties in the area, then the agent must provide the seller with a written explanation of how the agent arrived at a market or selling price for the property.
- The penalty for breaches associated with these new provisions will be the same as for breaches of the general provision for false representation about property, that is, 540 penalty units.
- The bill contains a number of provisions regulating the conduct of auctioneers. Specifically,
  - Auctioneers will be required to obtain a reserve price from the vendor, prior to the commencement of the auction, unless the vendor instructs otherwise and has been given a notice of the possible consequences of selling without a reserve—that is, the property is on the market from the first bid. If the auctioneer advised or assisted the vendor in arriving at a reserve price, the auctioneer must be able to substantiate the price through a CMA.
  - Failure by an auctioneer to either obtain a reserve price, or to provide a notice of the consequences of not having a reserve price, will attract a penalty of 200 penalty units, in line with the general penalty applicable to failure to disclose information under the act.

I seek leave to have the remainder of my second-reading speech incorporated in *Hansard*.

Leave granted.

**Charity and "special event" auctions will be provided some relief from licensing requirements, reflecting their unique situation.**

- The Act presently requires that all auctions must be conducted by a licensed auctioneer. Charities occasionally have fund-raising ventures that may involve the auction of property—usually chattels. Charities may wish to use a celebrity or other non-licensed person to conduct the auction to attract bidders who would not otherwise attend the auction.
- The Bill proposes to enable charities to have non-licensed persons conduct auctions provided the "celebrity auctioneer" is not to be remunerated in any way for his or her part in the auction and that all proceeds must be paid directly to an officer or employee of the charity authorised to receive and deal with those funds.

**The beneficial interest provisions of the PAMD Act are some of the most important from a consumer protection perspective.**

- The Bill proposes to amend the beneficial interest provisions of the Act to include executive officers or non-licensed directors interested in purchasing property listed with the corporation for sale.
- In relation to accounting procedures, the Bill will provide that it is an offence for a licensee or an unlicensed person to dishonestly use money belonging to someone else irrespective of whether it is held in a trust account or otherwise.

**In order to provide further disincentive to those who would operate outside of licensing requirements,**

- The Act provides that a person is not entitled to sue for, or recover or retain a reward or expense for, the performance of an activity unless the person holds the relevant licence; is authorised under the person's licence to perform the activity;

and the licensee has been properly appointed by the person paying the reward or expense. They are also prohibited from claiming a reward or expense in excess of that set out in the relevant appointment or an amount which is greater than that actually paid to meet an expense. The Bill seeks to establish a penalty for breaches of any of these provisions. The Bill proposes that such provisions have penalties for breach of 200 penalty units in each case.

- The Bill provides for liquidators and other controllers appointed under the Corporations Law to be exempt from the licensing provisions of the Act. This will ensure that a licensed corporation can continue to operate as necessary and retain any commissions earned. The exemption will be the same for receivers appointed under the Act.

**The Bill provides a mechanism for producing greater certainty for all persons involved in off-the-plan property transactions which were potentially affected by confusion about how to transmit contract documents lawfully by electronic means.**

- Amendment in The Liquor and other Acts Amendment Bill 2005 (the Liquor Bill) addressed the issue of how the statutory warning statement can be 'attached' as the top or first sheet to a contract of sale when these documents are transmitted electronically (by facsimile or email). However industry has expressed concern that due to the lack of clarity that has existed, faxing has occurred prior to the amendment which may be in breach of the Act. This could trigger a statutory right to terminate a contract for non-compliance and could create uncertainty in some contractual circumstances.
- The Bill proposes to make an amendment to provide that for contracts to which the Land Sales Act 1994 applies (generally 'off the plan' property purchases which have long settlement periods) on foot at the time the amendment commenced (1 December 2005), the purchaser will only have the right to terminate on the basis of breach of the warning statement provisions due to the electronic transmission of documents for a period of 30 days from the time the Bill receives assent. This is appropriate as there was no legislative guide for electronic transmission of contractual documents prior to 1 December 2005.
- The amendments to the Property Agents and Motor Dealers Act will further enhance the operational efficiency of the legislation, clarify consumers' and licensees' rights and obligations without significantly increasing the regulatory burden.

I commend the Bill to the House.

Debate, on motion of Mrs Stuckey, adjourned.

Sitting suspended from 1.01 pm to 2.30 pm.

## APPROPRIATION BILL (NO. 2)

### Second Reading

Resumed from 25 October (see p. 3440).

**Mr QUINN** (Robina—Lib) (2.30 pm): In introducing the Appropriation Bill (No. 2) 2005, I note that the Premier and Treasurer used a total of five sentences in his second-reading speech. My contribution today will be equally as short.

This is, of course, a bill to cover unforeseen expenditure from the 2004-05 financial year and covers principally the Department of Child Safety, the Department of Local Government, Planning, Sport and Recreation, and the Department of Public Works. All in all, there is \$77 million and most of that, as I said, is to be spent within those three departments. My colleagues on this side of the House will give some details in relation to those three departments. I support the bill. Indeed, I think that will be my five sentences.

**Mrs MENKENS** (Burdekin—NPA) (2.31 pm): I rise to speak to the Appropriation Bill (No. 2) 2005. My contribution will be confined to the supplementary appropriation for the Department of Child Safety. It is a significant amount, most of which I believe is for the implementation of the CMC recommendations. I note the minister's press statement issued this morning about the case loads of child safety officers. The opposition does genuinely welcome the report. We certainly welcome the overall reduction in case loads per child safety officer. However, I welcome it with some caution. I note that the minister has calculated the workload on the basis of a 37 per cent full-time equivalent allocation to children on protective orders. I have some fears that the calculation used by the minister is at variance with the calculation used by the CMC, which assesses case loads at an average of 32. Nonetheless, if there is a genuine reduction, this is good and I really commend it.

I must make the point that the staffing levels were to be based on 15 cases per child safety officer. I have no doubt that the minister is working towards that, but the reality is that we still have quite a long way to go before staff are able to cope with the case loads that they are confronted with daily. Even so, the data released by the minister yesterday in response to my question on notice revealed that there are some critical areas—for example, child safety officers in Toowoomba North, Inala, Browns Plains, South Burnett and various other areas had 34 cases. As the minister is no doubt aware, there are still quite a few areas that need significant improvement.

It also means that at those offices the average levels are worse than they were almost two years ago. These case loads are unacceptable, and the minister knows that current investigations will reveal that they have contributed to the failure within the department to respond adequately to 24-hour priority notifications. I put the CMC on notice that these are matters that the opposition expects will be addressed in its review of the implementation of the recommendations of the protecting children report.

I notice that these unacceptable case loads were not detailed in the minister's media release issued to pre-empt the answer that he was required to provide to my question on notice. These child safety officers are the first line of defence for abused children and children at risk, and the importance of

their working conditions, workload and support networks cannot be overestimated. I would like to place on record, and ask the minister to convey, my congratulations to and admiration for these officers and the other staff of his department. They are doing a very distressing job in a very difficult time.

Further, I note that the minister has pointed out that the department has been confronted with a significant increase in case referrals. I point out that the CMC report anticipated this increase in notification following the investigations, and recommendation 5.4 of the CMC review was for child safety officers to be increased in line with workload numbers. The reality is that if staff levels do not match case loads then that also reflects a failure by the department and the minister.

Unfortunately, once again, things are not always what they appear. In the media release issued yesterday, the minister announced the introduction of the carer directory. What the minister failed to mention is that the target date for the implementation of the carer directory element of the integrated client management system was February this year. Unfortunately, this delay of over nine months has meant that the integrated client management system will also be behind schedule, and delays of this type, I predict, will have a multiplier effect. The minister has informed parliament that the ICMS is to be introduced throughout the state during the next year. While I sincerely hope the minister is right, I fear this time frame will also blow out significantly. Again, I look forward to an evaluation of progress by the CMC in its review of the implementation.

I do still have some concerns that I would like to see addressed, and I would like to raise these concerns in relation to this bill. I would welcome an assurance from the minister that efforts are continuing within the department towards guaranteeing that all urgent cases requiring a response within 24 hours are being met within the mandated time frame, as I mentioned earlier. It is critical, where a 24-hour response time is warranted, that this take place and it is preferable that this be carried out by qualified staff of the department trained in this area rather than perhaps by an outside agency. We will certainly continue to monitor these response times and hope that these extra funds that have been allocated to the department will go towards this requirement.

A further concern is that I am still hearing that the culture of the department is not maybe what it should be. We have seen the disastrous effects of an overly bureaucratic and top-heavy culture in our state's health system. I would not like to see such a culture permeate through or be sustained in the Department of Child Safety. Staff cannot operate efficiently if they do not feel that they have the full support and understanding of their leaders and the department. Every effort must be made to reassure staff and the Queensland public that the extra allocated funds are not going towards installing or propping up another inflexible bureaucracy more concerned with maintaining itself than doing its primary job.

Every measure must be taken to stop such a culture from taking root and spreading. The effects of such a culture are such that staff morale quickly drops. There is a subsequent high staff turnover. Extra funds must then be expended on training new staff, and overall we will witness a department lacking motivation and stifled by its own lethargy. Funds allocated to the department, and allocated in today's bill, I would hope are therefore spent on the continual training of new staff and filling existing jobs rather than on upskilling and supporting exiting staff that already have the experience and the knowledge to better carry on their defined roles. I support the supplementary appropriation within this bill for the child safety department.

**Mr HOBBS** (Warrego—NPA) (2.38 pm): I am pleased today to speak to the Appropriation Bill (No. 2) 2005. There are a couple of areas that I want to cover today, one of which is that of local government. According to the explanatory notes, the additional departmental outputs reflect changes in the timing of grants under various local government and sport and recreation grants programs from 2003-04 to 2004-05 and additional supplementation provided for the natural disaster relief arrangements grants. These grants to local government are essential, and I am pleased to see that the government has continued with them. They are an essential part of managing our communities. I have to say, though, that there was a delay of about 12 months where a lot of grants had run out in time. So there was a lag time in relation to when the new schemes were announced. There was a bit of uncertainty in relation to whether or not these grants were going to come on line again. There was a bit of a delay in some of those programs.

One of the programs that I am disappointed is not here is a mosquito management program. We have water and sewerage programs, roads and grants, drainage grants, environmental infrastructure programs, landfill, Smaller Communities Assistance Program, security improvement programs and quite a few others. I have been pursuing a mosquito management program for a long time. This should be a 100 per cent government sponsored grant for local governments to manage mosquitos on crown land.

It does take quite a long time for councils to get the plans done and the project completed for some of these programs. It is then that the councils get their funding. The cost of some of those projects is going up dramatically. We are looking at a nearly 18 per cent increase per year in construction costs. It is really blowing out. Some sewerage scheme plans that might have cost \$7 million or \$8 million are now costing \$13 million and \$14 million. That is really putting a spanner in the works in relation to the funding arrangements. At least for programs such as the SCAP scheme—the Smaller Communities Assistance Program—for water and sewerage there is \$15 million a year, which is great. But the

problem now is that if four, five or six local governments per year put applications in they are going to get less and less money because the costs of those projects are increasing by so much. We need to keep an eye on that. There may be a need to give some assistance in that area.

There is \$5 million a year for the regional collaboration and capacity building program. That basically will be in relation to the sustainability debate that is going on at the present moment with local government. They can perhaps pay for facilitators and suchlike to try to improve that process.

The other issue that I wanted to discuss today is the departmental outputs reflecting savings offset by increased funding for an inquiry into Queensland thoroughbred racing. This has been a very interesting scenario. I was the shadow minister for racing when all this business started. We were not surprised that an inquiry of this nature, whether it costs \$4 million or \$5 million—I am not sure what the final figure was but I think it might have been closer to \$5 million—came about. The way that the whole selection process operated and the way that the Thoroughbred Racing Board was operating it was inevitable, just like the sun rises in the east, that there was going to be trouble.

The board appointed Mr Bob Bentley to that position. If it wanted to throw a cat among the pigeons, that is exactly what it did. The problem we had then was, once he was in—there was a bit of history within the industry and there was the mistrust throughout the whole racing industry—it was inevitable that we were going to get this particular outcome. There was also the fact that Mr Bentley was on the board of the TAB, now TABCorp, as well as holding the position of chairman of the Thoroughbred Racing Board through the various names that it has had in the meantime. The Country Racing Council even resigned en masse. That is how serious the situation was simply because of the direction that it was going in. The funding for the inquiry that the government is asking for now certainly was not necessary.

**Mr DEPUTY SPEAKER** (Mr O'Brien): I am failing to see the relevance of your contribution here, member for Warrego. I was wondering if you could perhaps assist me by pointing to the particular matter that you are talking to, to one of the clauses or the schedule, please.

**Mr HOBBS:** Thank you. I will most definitely, Mr Deputy Speaker. It says in the explanatory notes—

Department of Public Works—departmental outputs reflect savings from a discontinuation of equity returns effective from 1 July 2004 offset by increased funding for an inquiry into Queensland thoroughbred racing.

That is what it is. That is what the money is about; this is what we are appropriating right now. That is why I want to talk about this inquiry and the importance of it because we do not believe that it was necessary, at the end of the day, to do this but it happened.

As I mentioned before, the whole Country Racing Council resigned en masse. We had a situation where there was a need to increase the prize money for racing, and to a certain degree that has happened particularly in relation to the metropolitan racing. Obviously, we need that. There can be between \$20,000 and \$40,000 for winning a race and for provincial racing there is \$5,000 and above to win a metropolitan race. However, if someone is in the country, just down the road, \$2,600 is first prize, but they will take home only \$1,800 at the very most. So by the time the payouts and so forth are paid it really is not worth it. There has to be both. Whether people are from the Bulls or the Broncos or whatever, there have to be people coming in from every part of the state to make sure that there is a good cross-section of representation and that younger people are coming on board. Racing is the same. We need country racing, we need metropolitan racing and we need provincial racing. There is certainly a need for that to improve. That has not happened. In fact, I am hearing a rumour that the board wants to try to increase provincial racing to the detriment of country racing. We certainly have a situation there.

At the same time that this inquiry was going on we found that because we had fewer race meetings we ended up with quite a few horses at race meetings and people could not get a race for their horse. I know one case where there was something like 70 nominations for two or three races. There can only be about 14 horses in each race.

**Mr Caltabiano:** We're not running the Melbourne Cup out there, are we?

**Mr HOBBS:** No, that is right. We had too many horses because the number of race meetings had been cut back. We found that because people could not get a race for their horse they got rid of the horses. I had four horses, then I had none and now I have one.

**Ms Nelson-Carr:** How many do you need?

**Mr HOBBS:** It depends. That is what is happening out there. We found that there was a dramatic change. We also found that our trainers left Queensland; they went down south. Do members know that at the Queensland Cup a couple of years ago there were 116 starters and 98 of those were trained outside Brisbane? We have a situation that we need to improve dramatically.

In recent times we have had more horses than Sydney and Melbourne in metropolitan racing, so I am not sure what is happening down there. Up here is what we are dealing with it, and we need to make sure that we can deal with the issue properly.

It was important that we held the Daubney-Rafter inquiry, which this money is being appropriated for. They are two very honourable gentleman who did the best that they could. The terms of reference were fairly small. The minister said that they could have expanded it, but the reality is that we know that the minister did not want to expand it. In *Hansard* the minister said—

A number of people were prepared to speak with our investigators only on an 'off-the-record' basis,...

The reason for that was the structure of the Bentley set-up. People were fearful of retribution. Some references were sent to the inquiry and they were not heard because, perhaps in the end, many of the people were coming in and they were being a bit like Schultz saying, 'I know nothing.' At the end of the day the cone of silence made it very difficult for these gentlemen to get to the bottom of a lot of issues.

Some incidents did occur. One was when the commissioners looked at a horse race in Rockhampton in which a horse called All About Class raced. It was clear to anybody and everybody that that horse was not allowed to run on its merits. The people in the inquiry could not carry out the investigation because that was not their role and so it was sent back to the Queensland Thoroughbred Racing Board. And guess what? The board found nothing. The reality was that it was Bob Bentley who stopped Railton and Reardon from investigating that particular incident. There are other incidents even worse than that. The minister says that at the end of the day the inquiry was a total waste of time. In a way it was and it was not insofar as the board was not able to get to the bottom of it or follow through with a lot of those inquiries that needed to be done. It was clear to anybody and everybody who saw the running of that race in Rockhampton that the horse was held back. It was quite strange.

There are a couple of other points I wish to raise. The inquiry was critical of the chairman of the Queensland Thoroughbred Racing Board in relation to a few matters, in particular those concerning human relations. There were 15 people, if I recall, that were removed, sacked, pushed on, or whatever it was, from Queensland Racing. That left a vacuum. I do not doubt that a person who runs any business has to be able to do what they want to a certain degree, but when it gets a bit over the top you have to wonder what is going on, especially when he would not allow people to investigate the illegal activities that were quite clearly going on. I do not think that matter was covered properly at all.

I certainly think that a lot of this money could have been spent better had the minister been more interested. Obviously the government did not want to get a bad answer out of this inquiry and it did the best it could to try to keep it under wraps. The whole thing was a disaster right from the beginning, when Merri Rose was the minister for racing.

**Mr HOPPER** (Darling Downs—NPA) (2.52 pm): In speaking to the Appropriation Bill (No.2) I would also like to speak on the section that my colleague the member for Warrego has just covered. We all saw the fruits of the pressure that I, as shadow minister, and our leader, Lawrence Springborg, the member for Southern Downs, put on the minister for racing. We saw the minister absolutely lose his mind and point at the member for Warrego and accuse him of owing money. Getting back to the bill, the minister made a statement in *Hansard* on 28 September 2005 in relation to this money that we are talking about in the appropriation bill. He said—

It is \$2 million that, as far as I am concerned, the former shadow minister for racing ought to pick up.

Who called this inquiry? I did not. This inquiry is a result of the minister's lack of knowledge and lack of ability to run his portfolio. It is as simple as that. We have had Bentley walk all over him right from whoa to go. He has had him out eating out of his hand. That is exactly what Bentley wanted. We have heard constant claims from Minister Schwarten as to how the Daubney-Rafter inquiry into the Queensland racing industry did not find anything of substance. How could they? The terms of reference were limited. As shadow minister, I had many people come to see me. I met with Daubney and Rafter themselves and their hands were tied. But it looked good to the public. It looked like the minister had this under control and that he was going to clean up the industry. Now he tells me that I am supposed to pay for the inquiry. What a joke!

On pages 89 and 90 of the report the commissioners relate the story—and this is just one small example—of bets being place by so-called commission agents Louis Gibson and Russ David Acton. Gibson is reported to have turned over \$1.13 million with Sportingbet. Acton turned over \$765,500 with the same organisation over a 12-month period. Details of their betting activities with other betting organisations are not specified. Where did this money, flushed through the betting industry, come from?

We set up an inquiry, these things were exposed and in the next minute nothing more was done. These people are still out there. We have affidavits here on both people. I can table them if someone wants me to. It is a matter of public record that Acton and Gibson are now regarded by the CMC as major suspects of action under Operation Mexico, which has targeted major aspects of the amphetamine trade in Queensland. This raises real suspicion that the betting matters supposedly investigated by the Daubney-Rafter inquiry, which is costing us \$2.1 million now—the member for Warrego quoted a bit more before; I am not sure of the exact figure but I know it is in the millions—represent major money laundering activity for the illicit drug trade in Queensland and Australia. Is this potentially mentioned in the Daubney-Rafter report? No.

**A government member:** Table it!

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! Is the honourable member prepared to table those documents? There has been a call to table those documents.

**Mr HOPPER:** I would love to table them. I now table those two affidavits. Members should read them; they are very interesting stuff. Does the report contain recommendations designed to prevent betting with bookmakers being used to facilitate money laundering? No. Does it investigate where the immense sums of money on wagering or betting come from? No. Why did we have this inquiry? The Daubney-Rafter inquiry seems to have taken pains to avoid confronting these issues of potential major criminality. I believe in these two men; they were good men, but their hands were tied. They were decent fellows doing a good job. They were good QCs who were appointed by the minister. How many suppression orders to prevent the publication of evidence given before the Daubney-Rafter inquiry were issued? How many remain in existence?

As circumstances unfold the real truth about what is happening in racing will continue to unfold. The Daubney-Rafter inquiry will be regarded as the first National Hotel inquiry of the 21st century. Last year as shadow minister I said in this House that Bill Ludwig would be appointed to the racing board. The minister roared laughing and shook his head. What has happened? We have 'Big' Bill Ludwig on the board of Queensland Racing.

**Mr DEPUTY SPEAKER:** Order! I fail to see the relevance of these matters to the bill before the House. You will refer back to the bill.

**Mr HOPPER:** The relevance of it is that this has cost the Queensland taxpayer millions of dollars.

**Mr BEATTIE:** I rise on a point of order. I have been pretty generous to both the member for Warrego and the current member. What both of them have raised has absolutely nothing to do with the bill at all, full stop.

**Mr HOBBS:** I rise to a point of order. It definitely has.

**Mr BEATTIE:** No, it does not.

**Mr DEPUTY SPEAKER:** Order! The Premier has the call.

**Mr BEATTIE:** I simply make the point that I believe I have been very generous and have given a lot of latitude. I think I am getting to the end of my generosity. I think this is beyond the pale. I draw the attention of members to what is in the bill.

**Mr DEPUTY SPEAKER:** Order! The member for Darling Downs will refer to the matters before the House.

**Mr HOPPER:** I will continue on the bill. As I have said, a couple of million dollars has to be paid. We have just seen the perfect example: the Premier has come in and squashed me from putting out there some more real truths.

**Mr FRASER** (Mount Coot-tha—ALP) (2.58 pm): I rise to speak in support of Appropriation Bill (No. 2) before the parliament this afternoon which, in the normal run of things, provides for appropriations that this parliament has to make. I wish to make some brief comments about the nature of how the government is in a position to make these appropriations. I think it is important in the context of appropriating money that we talk about the budgetary circumstances that bring us to this point because it often seems to me that the debates about how the money is spent are sometimes uncoupled from the debates about how that money is drawn into government in the first place.

I think it is worth noting in that context that this is the 10th year that the Queensland economy will outgrow the national economy. It is a plain fact which is not remarked upon often enough, in my view. Recent economic reviews point to the level of investment in the state galloping forward. I think that is an entirely relevant point which is not unrelated to the economic settings and fiscal settings that this government puts forward. I think it is wise in the context of the appropriation that we are putting forward to reflect once again on how this government is going above and beyond the agreement that was reached at the time of the introduction of the GST.

Through this budget cycle legislative measures have been put in place to repeal a range of state taxes—up to \$1.6 billion over the next six years. We have seen changes to the duties tax made through a recent bill before the House which collapsed for want of debate from those on the other side of parliament. I think it is relevant to note that the ability of this government to manage the books well means that we can deliver tax reform like the land tax changes which, in my view, were entirely sensible and entirely prudent, which brought Australia into line with other states around the nation, and which sought to make a tax regime which provided a much clearer picture and provided settings which reflected the nature of work more relevantly.

The Queensland government has met the terms of the IGA in full. That is something that I have spoken about at length before. We have a federal government obsessed with reducing state taxation while calling for higher infrastructure spending. That necessarily diverges at one point and that is not recognised enough, in my view. In a column in the *Business Review Weekly* earlier this year one columnist made the remark—

Treasurer Peter Costello has to make up his mind what he wants the state governments to do. He cannot insist that they greatly increase spending on infrastructure as he has done in recent weeks and reduce state taxes.

That is the 'magic pudding' argument that is often put by members on the other side of this House. I think there needs to be a bit of clarity in that debate as we face rising calls, in an ageing population context, on the expenditures of government as the imperative to reduce the state tax base comes forward. I think the achievements of the state government over the time it has been in power—that is, since 1998—to put the budget on the footing that it has have not been recognised enough and are taken out of context every time a one-sentence or a one-principle argument is put by members on the opposite side. I commend the bill to the House.

**Hon. PD BEATTIE** (Brisbane Central—ALP) (Premier and Treasurer) (3.02 pm), in reply: Can I start by thanking members for their contributions to this debate. Members may be aware that during the course of the year the government provides in-principle approval for the provision of additional appropriations to cover unforeseen expenditure to meet postbudget emergent cost pressures for departments. Section 25A of the Financial Administration and Audit Act requires that amounts charged as unforeseen expenditure be incorporated into a statement of unforeseen expenditure to be appropriated—that is, the statement.

The statement was signed by the Auditor-General and tabled in parliament out of session on 14 October 2005. Amounts included in the statement have now been incorporated into Appropriation Bill (No. 2), which is before the House today. Supplementary appropriations sought for departments for the 2004-05 financial year total \$77.54 million. Members seeking explanation of the unforeseen expenditure may refer to the Treasurer's appropriation statement 2004-05, which was tabled in parliament out of session on 14 October 2005. Members are advised that, due to a change in the equity return policy, no supplementary appropriation was required for parliament. Therefore, no separate Appropriation (Parliament) Bill (No. 2) has been presented to the House.

I thank the member for Burdekin for her comments regarding the Department of Child Safety. From the release of the CMC report in January 2004 to the release of 2005-06 budget the government increased funding for child protection by \$212.5 million, which equates to 116.6 per cent between 2003-04 and 2005-06. In 2005-06 alone the funding increase announced in the 2005-06 budget is \$123.1 million, which includes \$61.7 million in new funding to increase front-line staff numbers and provide alternative care placements.

In the Special Fiscal and Economic Statement associated with the mini budget of 25 October 2005, which I delivered, an additional \$71.8 million was provided for the period 2005-06 to 2009-10 for joint information and communications technology initiatives. Information technology in the department has been a particular problem, as the minister discussed with me, hence the allocation of some of this funding. I am hoping that this IT program and the new systems will update and increase the efficiency and delivery of services by the department. It has been a headache, but I think we have given it a decent panadol. Hopefully, the headache will clear quickly enough, as the minister knows. I thank him for drawing this to my attention.

This money also includes funding for the integrated client management system to assist to provide improved and more accessible information on children in care. In the youth justice system, upgrades of computer software, email systems et cetera are designed to enhance the efficiency and effectiveness of service delivery and establish practices and systems to improve the quality and consistency of departmental records to support decision making. This funding allocation has been needed partly because of the growing pains that a state like Queensland is going through. We are like senior adolescents in that we do have these major growing pains. Hence we have allocated additional money.

I thank the Treasury opposition spokesman, the Leader of the Liberal Party, for his succinctness. I have been succinct in terms of this bill in a way that has never been the case before and will never be again. I will not respond to the nonsense from the member for Warrego and the member for Darling Downs about racing, which has absolutely nothing to do with the bill. It was an opportunity for them to beat up on the minister. I think we will treat that with the contempt it deserves. I simply highlight how generous we are on this side. I listened to what both of them said. We gave them fair latitude. I thank the Leader of the Liberal Party, the Treasury opposition spokesman, for supporting the bill. It is straightforward. I commend the bill to the House.

Motion agreed to.

### Consideration in Detail

Clauses 1 and 2, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

Bill read a third time.

## TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 8 November (see p. 3740).

**Mr CALTABIANO** (Chatsworth—Lib) (3.07 pm): The Transport and Other Legislation Amendment Bill aims to set out a framework to enable the planning, ownership, construction and operation of toll roads by the state government, local government and/or a private operator in any combination with those government entities. In doing so this bill provides all members with an opportunity to explore the delivery of infrastructure by public entities, private entities or a combination of both for the taxpayers of Queensland.

It is important to explore as part of a general discussion on tollways how these tollways might be delivered in a Queensland environment. Seven principles were outlined by the minister in his second-reading speech. Firstly, proposals must meet an identified community need and fit with an integrated regional transport plan. The objectives are to be considered as a priority project. We concede that that is a good first step.

Secondly, proposals must follow normal planning, impact assessment and consultation processes—agreed. Thirdly, there must be an alternative free facility that offers an acceptable level of service. That is an important principle that must be followed in all tollway proposals. Fourthly, projects should, preferably, be commercial at no cost to the state. That is not always realistic, but if it can be achieved so be it.

Fifthly, where proponents propose some level of government support the state would consider the project's wider public benefit and any funding impacts on other priorities. That is important but it should not be overplayed. Sixthly, the method of settling tolls is to be acceptable to the state government. There are some amendments that will deal with that in a better way, we hope. Seventhly, toll roads should revert to state ownership after a defined period—normally 30 years. We should not be constrained necessarily by the 30 years, but the principle is absolutely correct. These principles are broadly accepted but clearly on a project-by-project basis. They need to be brought back into this place for approval.

There are clear trends around the world when it comes to road infrastructure delivery with four clear components. Firstly, the government's role is moving progressively away from direct delivery of infrastructure. Secondly, most OECD countries are exploring and using private sector investment in road infrastructure delivery. Thirdly, there are vast differences in funding mechanisms between jurisdictions and also between countries. Fourthly, there is an increasing trend in the use of innovative funding to meet capital shortfalls and managed risks. Public agencies everywhere spend public funds on transport infrastructure in the hope of providing opportunities for faster, more efficient transport movement.

The amount of resources worth spending to make a saving in travel time has always been an explicit part of determining if tollways are an acceptable solution. To put our state into perspective, as at March 2004 there were 175,000 kilometres of road and some 284 million tonnes of freight moved annually on our roads and our state has a growth rate of about three per cent. All of this means that we will be the second most populous state by 2021. With that background of growth and opportunity, what are some of the road infrastructure delivery challenges for Queensland? Traditional funding sources cannot meet all of the infrastructure needs of Queensland. There are many competing priorities for infrastructure, and the member for Mount Coot-tha in the debate on the previous bill mentioned the social needs of our state and the service delivery needs of our state.

Value-for-money delivery is essential to have the maximum infrastructure effort. Innovative and new funding sources are also needed to deal with the demand. There is also a need for timely delivery of infrastructure to keep pace with a growing and changing population. In the past half century there have been a large number of studies using ingenious methods of discovering how much time savings are actually worth to the travellers themselves in a dollar sense and this was judged by their willingness to spend extra money to achieve these time savings, hence the concept of tollways. Over the same period there has been an increasingly complex structure of models using these values to assess how many people will change their route of travel or their mode, destination and trip making when faced with various different alternatives which have different relative advantages, especially between fast and expensive routes or slow and cheap routes.

One option for the delivery of infrastructure is that of public-private partnerships, or PPPs. PPPs are a risk-sharing relationship between public and private sectors based on mutually agreed infrastructure outcomes. PPPs look at innovative ways of financing infrastructure in an attempt to reduce the traditional reliance on publicly funded debt. These include the engagement of the private sector in the provision of infrastructure. Commentary on the adequacy of Australian infrastructure appears overshadowed, particularly in recent times, by the debate on the merits of new infrastructure delivery via PPPs compared with direct purchase by governments funded by tax revenue or funded by debt.

Surely the key question is whether we have enough water, energy, roads, rail, ports, airports and telecommunications in the right place at the right time and operating to 21st century standards at a price to users which is internationally competitive. Add social infrastructure to this mix—hospitals, schools, prisons, courts—and the challenge is indeed daunting in an era of ageing population and reduced birthrates. Yet we seem more obsessed by procurement processes than by outcomes. Some commentators suggest that many of us would struggle to ever justify under what circumstances, if any, PPP delivery makes sense. Others continue to label PPPs as controversial.

Glitches in individual projects, recent and distant, are taken as evidence that repricing of risks by developers will blow out the costs to taxpayers of all future PPPs. I reference from last week's *Australian* three articles that are most relevant to this debate. These were published in the one paper, in fact, and I table those articles. In the first article titled 'Back to the future on PPPs', Ean Higgins said—

The New South Wales Government—stung by months of criticism about private-sector involvement in toll roads—yesterday signalled a shift back towards more traditional infrastructure funding with plans to finance a \$2B desalination plant out of the public purse.

The second article in the same paper was headed 'Private profits, public losses formula must go' by Alan Wood, who said—

NSW seems to have been concerned too often with who would give it the biggest upfront payment rather than the quality of its PPP or their benefits for taxpayers and infrastructure users. The upfront payment on the Cross City Tunnel, for example, was almost \$100M and there was no transparency on the details of the deal done or the exposure of tax payers to risk.

However, PPPs are potentially too valuable to scrap, despite all too obvious past failures.

The third article, which was the editorial in the same paper headed 'lemma's water folly', said—

Spooked by the public relations disasters that have befallen several high-profile Sydney infrastructure projects—including the Cross City Tunnel, with its high tolls and highly annoying road closures—NSW Premier Morris lemma has abandoned public-private partnerships, at least for now.

This is certainly a victory for the unions and the ALP Left, who have never trusted private involvement in public infrastructure. They worry that productivity demands on labour are one way private operators can protect their investment. But recent PPP disasters in NSW do not strike at the heart of the model of using private-sector expertise and innovation to fund and build infrastructure. Rather, they show the cost of the way some deals have been structured, with investors greedy for quick returns and debt-shy governments mesmerized by the promise of upfront payments.

These three articles should be important lessons for the government here in Queensland.

Let us get the procedural facts very clear. No government is forced to undertake infrastructure procurement via PPPs. They choose to when they determine that PPPs offer better value over traditional procurement methods. Auditors-general and accounting standards ensure that the PPPs are no longer about off-balance sheet financing. If PPP developers reprice risks, governments can say, 'No, we'll do it traditionally.' They can use tax revenues or borrow to provide capital. That they sometimes choose otherwise suggests that PPPs do offer benefits. When they do it themselves, they face the risk of their own cost blow-outs, invariably unpriced. In this state government's life, we have seen many projects that have faced those price blow-outs. The Goodwill Bridge fiasco comes to mind immediately. It went from \$13 million to \$30 million. This is a demonstration of how projects go off the rails. Another one is the Brisbane City Council's inner-city bypass, which started at \$67 million and went to \$230 million.

The Australian Council for Infrastructure Development considers that private ownership of infrastructure assets is far more in the public interest because it provides an incentive for the owner to optimise the condition and earnings potential of the asset through timely investment. Complex PPP bids are won not by single companies but by a consortia of companies which assemble skills and experience to address different aspects of the project from concept, through construction, on to operation and maintenance. The challenge in Australia is primarily to meet the community's infrastructure needs. This will happen by finding that sensible balance of risk sharing so that smaller, less complex projects can also enjoy the benefit of PPP delivery and the taxpayers can see more prudent and efficient use of their money.

The Australian Contractors Association has had a long involvement in the arguments for and against PPPs. It states that the principles behind private sector involvement in infrastructure are to deliver better infrastructure and services and maximise value for money, to develop an integrated and whole-of-life approach to managing assets and services over a long period, and to share the risk by allocating it to the organisation best able to manage and mitigate that risk. That is not a bad way to define the process and principles. Of course the real issue is how to go about implementing these principles and putting them into practice. The following areas must be better managed if PPPs are to play an integral role in improving Queensland's social infrastructure, and I would put to this chamber that in fact we need to head down that path to give PPPs a higher role and a better functionality for our state.

The risk allocation needs to be more appropriate. Governments and contractors generally agree that risk should be allocated to the party best able to manage it and acknowledge that some risk should be shared. Some public agencies believe that they should transfer as much risk as possible. That is not necessarily the best outcome in the interests of the taxpayers. Contractors take the same approach, of

course. Investment banks have often facilitated this risk transfer when as project leaders they have accepted risks in the belief that they can find other parties to carry them and make a return on their role in the process. Both sides of the PPP argument have faults.

Contracts must be managed in a partnership way. A long-term partnership between government and the owners and/or service providers requires interaction, cooperation and joint resolution of the problems that inevitably arise. There should be clear principles on who is responsible and how matters of contention should be resolved constructively. Procurement processes need to become much more efficient. The very process chosen for tendering and negotiating sets of frameworks for the relationships that follow are essential.

In practice, too many PPPs are put to the market before the public sector has a firm basis for the project. The TAFE at Kangaroo Point is a classic example. The management of that process can often hinder rather than help the development of the competitive responses that the government is looking for. A well-conceived and well-managed PPP process will attract quality, competitive responses. However, the converse is also true. Private contractors seek flexibility in relation to control and ownership.

Currently across Australia the guidance of PPPs is very vague and varied between the states and also with the Commonwealth. The private sector is very concerned that it needs to ensure that the states minimise delays in resolving their own positions and provided quality feedback to the industry before, during and after the process.

The fundamental rationale for private sector involvement in the provision of transport infrastructure is all about three things: reduced costs, being more efficient in the delivery of infrastructure; increased benefits from the provision of infrastructure; and the social costs and social benefits that are derived from any transportation network or project. What are the performance measures for a successful PPP? Fast implementation; better risk allocation; better performance incentives; a focus on results and outcomes, not projects and inputs; enhanced public management and improved quality of service; social benefits from the delivery of quality infrastructure; and construction as planned on time and on budget. The primary focus for this delivery mechanism is procurement of infrastructure rather than its financing.

Of course, there are many different procurement options for the development of infrastructure. We have the conventional procurement option where the assets are provided by the public sector using conventional funding; the PPP model; the build, own, operate and transfer model; and full privatisation. All options should be on the table at all times for governments to consider.

PPPs are not a panacea and should not be looked at as just another form of project delivery. Even in the UK, for example, only between 10 per cent and 13 per cent of infrastructure is expended using this methodology. This concept has been around for a long time. Back in 1991 Thiess was involved in the construction of the Junee Correctional Centre. That was the first prison in Australia to be designed, constructed and managed by a private sector organisation. If governments can borrow money more cheaply and meet demands from a community for improved infrastructure with a satisfactory risk profile, then they should do so; they should provide all the infrastructure. The fact that governments have balance sheets and financial constraints and that all governments are now being faced with a huge infrastructure backlog means that other funding mechanisms are absolutely necessary as part of the infrastructure provision for the future.

The history of public infrastructure investment from 1987 to 2001 is quite interesting. In 2002 QUT released a paper in its *Physical Infrastructure Research Report* which stated that, as a percentage of GDP in 1987-88, the private sector had 17.5 per cent investment and the public sector had six per cent investment. In 1991-92, private sector investment was 15 per cent and public sector investment was 5.5 per cent. In 1995-96, private sector investment was 17 per cent and public sector investment was 4.5 per cent. In 1999-2000, the private sector's percentage of GDP infrastructure investment went up to 21 per cent and the public sector's infrastructure percentage went down to three per cent. In 200-01, private sector investment, as a percentage of GDP, was 25 per cent and public sector investment was two per cent.

So the trend is very clear: over the past 25 years private sector involvement in the delivery of infrastructure has dramatically increased while the provision of infrastructure by the public sector has dramatically decreased. The provision of Australia's infrastructure will become increasingly reliant on the private sector in the future. Private companies are now involved in the provision of some of Australia's key infrastructure projects that traditionally were provided by the government. Without raising taxes, there are few alternatives to private sector involvement in the development of infrastructure.

The private sector offers governments several alternative delivery systems and will be successful if governments mitigate their tender costs, do not seek to transfer unmanageable risks, publish the public sector comparator, develop tender-ready documents, and seek to standardise contract conditions where applicable and pursue a true partnership, not one in name only. There needs to be an equilibrium reached in relation to optimal risk sharing, reasonable bid costs and contract conditions, and the creation of a better alliance between the public and private sectors.

Where are funds going to come from to support private sector expansion in the infrastructure market? One such source is Australian superannuation funds. The growth in superannuation funds management gives Australia a great future and a great investment opportunity. Funds are growing exponentially. In 1983 there was \$50 billion under management. In 1995 there was \$250 billion under management. In 2005 there is \$850 billion under management. But by 2010 there will be \$1.5 trillion under management. Infrastructure gives long-term investment for those superannuation funds that is financially sound for their members.

Tolling is not a new concept and in Queensland it dates back to the 1930s. Tolling is defined as where a fee is charged for the use of a structure that is most commonly used for passage across a bridge or road. Implementing toll payments on a roadway is a way of revenue raising that offsets the costs of the roadway and is particularly useful in recouping funds when the government or the private sector has to fund the roadway totally or partially.

Recently the technology for tolling has changed dramatically—from cash-only payment methods to now having numberplate recognition and electronic tagging. As part of the federally funded recent study into the Brisbane urban corridor, the state has been given funding to promote the use of electronic tagging for tollways. This technology is flexible and has broad public acceptance as well as, of course, the added benefits of decreasing congestion on our toll roads. The e-tag system in Queensland has to be accelerated in its implementation. We are fully supportive of all the government's efforts to accelerate that program of e-tag acceptance. Keeping the public informed about its advantages through reduced congestion and enhanced smooth-flowing traffic are part of the way forward on the e-tag acceptance.

The pricing and revenue receipts provisions in the bill allow for a range of options for the government and private operators. There is some scope for the engagement of the community in the debate on distance, congestion and section based tolling. Taking up these options may provide some flexibility to meet the future needs of the tollway operators. Creating a link between the funding of tollways and the economic priorities for the region is an important consideration. Consideration must also be given to the delivery methodology for projects, including funding sources and tolling on a project-by-project basis. In my view, the duplication of the Gateway Bridge should have been a PPP. The Toowoomba range crossing will certainly be considered as a tollway proposal.

In the city of Brisbane, Lord Mayor Campbell Newman was elected on a positive infrastructure platform. The cornerstone of his policy was the TransApex project of three new river crossings and tunnel access linking together all the major freeways. This visionary proposal starts with the north-south bypass tunnel linking the South East Freeway and Ipswich Road at Woollongabba to the Inner City Bypass at Bowen Hills. This project is out to tender with a decision to be made in the not-too-distant future. This stage 1 of the project will be a major step forward in dealing with the traffic congestion problems of the city of Brisbane.

The second tunnel—the airport link—goes from the Inner City Bypass through to a connecting road onto the Gateway Arterial to service the airport. This is a project that has the support of the state government in picking up the funding difference, if there is one, from the private operators. The third tunnel link—the northern link—links up the Toowong roundabout. It goes under Milton Road and joins at the Inner City Bypass to give the western corridor much-needed access to a freeway style network to go north, in particular, and to the airport. The fourth tunnel—the east-west link—goes from the Toowong roundabout back to the starting point of the north-south bypass to complete the triangulation and inner-city ring-road for the city of Brisbane.

Together with those four tunnels, the following are essential components of the city of Brisbane's plan, all to be delivered by the private sector. There is the Hale Street bridge. The council has just acquired the necessary land at Cordelia and Merivale streets to land the bridge. This bridge project has been estimated to deliver a return to the council of \$110 million. There is also the Victoria Bridge, where it is the state's responsibility to take the buses off the bridge and put the buses in a tunnel under the river off the South East Busway to go straight into the Queen Street tunnel and then into the northern link that the buses will use when the state brings that tunnel through the city. That work on the Victoria Bridge is an essential component of the road network. When it is freed up to carry four-lane road traffic, we can also enhance the pedestrian accessibility across that bridge.

So why is all that infrastructure Brisbane City Council infrastructure? Mobility around our state's capital city is, without a doubt, a state responsibility. Sydney City Council did not build the Cross City Tunnel or fund the Lane Cove Tunnel. The Melbourne City Council did not pay for or build the CityLink project. Why, in Brisbane, are the city's ratepayers carrying the burden of a major state infrastructure project? The reason is that this government will not fund the infrastructure necessary for the growing city of Brisbane and the growing state of Queensland.

A future coalition government commits to the funding of the remaining TransApex links to fulfil the need to ensure that our city—the state capital—has an inner-city ring-road that is capable of serving residents, business and freight from now into the future. These critical pieces of infrastructure are long overdue. We commit to a rolling capital program that will see all links completed in the shortest practicable time. This level of support for what is fundamentally state government infrastructure is a

clear indication to the people of Queensland that we are serious about getting on with the job of building a better state. In our state's regions, there have to be innovative ways of developing the infrastructure to support regional growth and development.

**Mr Wallace:** It would be good if Aboriginal Queensland could get it.

**Mr CALTABIANO:** I will repeat that for those who were not listening, such as the member for Thuringowa. This level of support for what is fundamentally state government infrastructure is a clear indication to the people of Queensland that we are serious about getting on with the job of building a better state. In our state's regions, there have to be innovative ways of developing the infrastructure to support regional growth and development.

**Ms Nelson-Carr** interjected.

**Mr CALTABIANO:** All will be revealed, I say to the member for Mundingburra. All will be revealed.

This investment will alleviate the congestion in our capital and facilitate more jobs and create opportunities for regional Queensland. Roads support community and support economic development. PPPs must play a strong role in developing new infrastructure. Tolls are a funding option—either direct payment or shadow tolling—that must be part of the mix to deliver a better outcome for Queensland. Without this statewide commitment to state infrastructure, our capacity as a preferred destination for investment and lifestyle will suffer. The costs of congestion have been estimated by the Bureau of Transport Economics for 1995 and projected forward to 2015 for all of the main capital cities.

**Mrs Reilly:** Where's the federal government's contribution? How much are they contributing?

**Mr CALTABIANO:** I will come to that. I will come to the federal government. I will answer the question from the member for Mudgeeraba. In just a moment we will have a look at what the federal government's magnificent contribution to the state of Queensland has been. These results of congestion show a very, very significant increase for Brisbane.

The use of tolls to finance capital expenditure on new road facilities offers an opportunity to include a component of the toll which can be used to reflect the congestion costs. Road user charges or tolls for the use of congested road space has long been seen by economists as the preferred option to allocate scarce resources efficiently. It is interesting to actually understand some of the changes that have occurred in the split between public and private sector involvement in the provision of infrastructure across the nation. These are the congestion costs that I spoke of. In 1995 the congestion cost in billions of dollars for Brisbane was \$2.5 billion. It is estimated that by 2015 it will be \$9.5 billion—an increase of 380 per cent. In Sydney, by comparison, in 1995 the congestion cost was \$6 billion, increasing in 2015 to \$8.5 billion. In Melbourne in 1995 it was \$3.5 billion, increasing in 2015 to \$8 billion. In Perth and Adelaide in 1995 they had a billion dollars of congestion costs, increasing in 2015 in Perth to \$2 billion and in Adelaide to \$1.75 billion.

What is the significance of those changes? The significance is that if you take the figures relative to Sydney—the people of Australia and particularly the people of Queensland understand Sydney to be a very congested city—our congestion costs relative to Sydney go up 300 per cent between now and 2015. We have been lagging the infrastructure race in this state for just on a decade. We have not built the infrastructure to service a growing community and it is all catching up with us very, very quickly. The Gateway Motorway is probably our best known toll road. Some 12,000 vehicles a day were expected to use the Gateway Bridge when it was declared open and the volume was expected to increase to 60,000 vehicles a day. In early 1986, the traffic on the motorway was 15,000 vehicles per day, or 5.47 million per year. By 1987, just a year later, the figures had grown to 23,000 vehicles per day, or 8.395 million per year.

The bridge was considered a success as there was only one competing route through the city via the Story Bridge, which took over an hour as an alternative route. The travel time would be reduced by half, people found, by using the Gateway Arterial Road and there was also a distance saving of almost 14 kilometres compared with the old route. The Gateway Bridge today has in excess of 29 million trips per year. This roadway is now over capacity at peak usage and, given that the roadway is over capacity today in 2005, it leads to the obvious question of what this government has been doing for the past eight years. It is simply not good enough for the members of this government to have allowed traffic to build up to, and over, capacity and now scratch their heads and say they should now go about fixing it. The time to plan in order to have the new bridge open this year was eight years ago. The traffic chaos for the people of south-east Queensland in 2011 or 2012 when that opening is supposed to happen is quite unimaginable.

**Mr Lucas:** It would actually be good if for once you would finger the federal government for their responsibilities.

**Mr CALTABIANO:** It is interesting that the Minister for Transport and Main Roads would mention the federal government in relation to the Gateway Arterial. The cost of construction of the Gateway Bridge and associated roads was \$240 million. The revenue from this tollway is \$70 million a year. Since its opening, the revenue accrued to the state government has been in excess of \$720 million.

**Mr Lucas:** You fraud.

**Mr SPEAKER:** Order! Minister for Transport!

**Mr CALTABIANO:** That is enough to build the bridge and roads three times over. The minister asks: where is the federal government's money? The question the minister should be asking is: where is the \$720 million in revenue from the tolls? Whose responsibility is it? It is the state government's responsibility.

The performance of this government in the delivery of basic road infrastructure for the people of Queensland has been so deficient in the past eight years, it is worth reflecting upon. In 1998-99, the Transport and Main Roads budget for capital works was \$2.2 billion. As a percentage of total capital works that represents 45.8 per cent. In 1999-2000, the total capital expenditure in Transport and Main Roads reduced to \$2.03 billion out of a total capital budget of \$5.16 billion, representing 39 per cent of capital works. In 2000-01, the Transport and Main Roads budget fell again to \$1.83 billion out of a total capital works budget of \$5.28 billion, representing 34.6 per cent of the capital works budget. Surprise, surprise, in 2001-02 the budget for Transport and Main Roads capital expenditure fell again to \$1.59 billion out of a total capital works budget of \$5.1 billion, representing 31 per cent of the budget. Members of this House will not be surprised to know that again in 2002-03, Transport and Main Roads capital works expenditure was \$1.56 billion out of a total capital works budget of \$4.8 billion, representing only 32 per cent of the total capital works budget.

That is a level of expenditure for which we have to go right back to 1992-93—a decade earlier. The expenditure of Transport and Main Roads budgets was \$1.54 billion, but out of a total capital works budget at that time that was only \$3.4 billion, or 45 per cent, of the total capital works budget.

The announcement made today by the minister was interesting. He talked about the Roads Implementation Program for 2005-06 to 2009-10, and he announced some magnificent spending figure. But what did the minister at the time announce in 1998-99 for the Main Roads budget? He said at that time that the five-year outlook was for a total expenditure of \$5.3 billion. In 1998-99—the budget that he inherited from the coalition—the state government spent \$1.039 billion on Main Roads. What happened the year after in the Main Roads budget? It was \$780 million, down from \$1.039 billion. The year after that, 2000-01, it was \$762 million—down again. What happened in 2001-02? It was \$738 million—down again. What happened in 2002-03, to complete the five-year cycle? It was \$726 million—down again. The total accumulated spend for the five years for which they projected they would spend \$5.3 billion was in fact only \$4.05 billion.

So imagine my surprise when I had a look at the 1999-2000 capital works budget forward forecast for five years. The then minister said, 'We are going to spend \$5.3 billion,' and promised the people of Queensland that they would fund a whole raft of infrastructure projects for that \$5.3 billion over the subsequent five years. It started at a record low level of \$780 million and it got worse—\$762 million, \$738 million, \$726 million, \$777 million. Only \$3.78 billion was spent out of the \$5.3 billion promised to the people of Queensland—a \$1.517 billion shortfall in its five-year program. The last eight years have delivered \$2.2 billion less than what this government has promised year in, year out in its forward estimates.

What sort of credibility does this government have when it comes to projecting forward infrastructure projects for the state of Queensland when in not one of the previous eight years has it met its commitments? For not a single year in the last eight years has this government met its infrastructure spend in Main Roads—an appalling record. It is the worst in this state's history. So, when we see this bill before us today facilitating the provision of major infrastructure projects in the state of Queensland by local authorities, the real question that the people of Queensland want answered is why has the infrastructure spend been pushed to local government, instead of this state government accepting its responsibilities and building our infrastructure for the future?

We hear on a daily basis from the Premier that, as we approach the four millionth Queenslanders in the coming weeks, there are 200 people a day moving to Queensland and more than 50,000 people per year settling in this great state. Yet the provision of road and transport infrastructure is being funded at levels not much more than they were 10 years ago. With 500,000 new residents over the past decade or so, we have had no increased spending in road and transport infrastructure by the Labor government.

During this debate I suppose I have spent a considerable amount of time talking about new ways of delivering infrastructure for Queensland. I strongly hold the view that it is the responsibility of this government, and all state governments, to enhance transport and road infrastructure to support the growing population. With the other service demands on the state budget, alternative methods of funding are necessary for transport and road infrastructure. The use of these alternative methods must become part of the everyday practice for this and future governments.

We can no longer bury our heads and pretend that it is all going to resolve itself some time in the future. The people will keep coming, the roads will get more congested, the trains will not be able to cope, our buses will be completely full, and our ferries are already unable to cope and are overloaded—the ultimate problem being that people's quality of life will diminish. This is an unacceptable outcome for

a state like Queensland and one that I will do everything in my power to ensure never happens. The roadblocks for private investment and infrastructure in Queensland must be removed. This bill helps in that process by smoothing the pathway for projects to be delivered in the forms that I have outlined earlier in my speech.

There are in this bill some concerns that I do raise with regard to transparency, openness and accountability for the future. The types of projects suitable for tolling and/or private investment are by their very nature large, expensive and state building. It is necessary in that climate that there be maximum transparency in the process to ensure that the people of Queensland know what their money is ultimately being spent on, and also for the private sector to know that the government is serious and fair dinkum about getting on with these projects once due process has been satisfied.

I have foreshadowed amendments particularly to clauses 23, 24, 26 and 32 to enhance the transparency of the bill. I am aware that the minister has in fact taken what I have suggested one step further and wishes to table the entire franchise agreement. We will have that debate during the consideration in detail stage, I am sure, about what is the appropriate way to move forward. We will be supporting this bill as it is a beneficial step forward. I trust that the minister and members can support the amendments, however they are proposed and in whatever final form, to ensure better transparency for the people of Queensland.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (3.45 pm): Put simply, the Transport and Other Legislation Amendment Bill sets out a framework to enable the planning, construction and operation of toll roads or tollways by local government, the state, a private operator or a combination of these entities. In my electorate of Mount Ommaney, the Centenary Highway poses a significant long-term issue in relation to planning for improvements, and the expected increasing traffic usage from new and developing suburbs such as Springfield. People are using the Centenary Highway as an alternative to the Ipswich Motorway, otherwise known as the parking lot of the western corridor. Consequently, the traffic on this highway has increased enormously over the last 10 years and, unfortunately, like a lot of road infrastructure in Brisbane, was not built for the future.

On the day that the minister launched the four-lane link extension of the Centenary Highway with the Lord Mayor of Brisbane, Campbell Newman, traffic on the highway had halted from the Ipswich Motorway interchange to the Jindalee turn-off. A semitrailer had overturned that morning on one of the ramps onto the Centenary Highway and caused havoc. People were sitting in their cars for hours waiting for the problem to be cleared. The only alternative route to the city that morning was the Ipswich Motorway.

Comprehensive studies have already occurred to upgrade and to fix the Ipswich Motorway, yet the Howard government has committed to fixing only a small part of the problem of the Ipswich Motorway. This puts more and more pressure on the Centenary Highway, which was not meant to be used as an alternative to a National Highway. The state government, in contrast to the federal government, endeavours to plan ahead through its Roads Implementation Program and is not short sighted in its vision for improved roads in south-east Queensland. The infrastructure plan is a comprehensive document which focuses on planning and funding roads according to set time frames over the next few years. We believe that planning for the future is important, regardless of which government is in power at the time.

This bill provides legislative amendments to establish a framework for the toll roads and associated infrastructure that may incorporate state, local government or private sector involvement. The Queensland government acknowledges the importance of harnessing the private sector's capabilities in delivering infrastructure solutions and managing certain associated risks where it benefits the community.

This bill provides a clear regime for private sector investment in local government toll roads. The first project likely to utilise the legislation is the Brisbane City Council's proposed north-south bypass tunnel, also known as the NSBT. For this project, the state entered into a memorandum of understanding with council and agreed to undertake steps towards legislative amendments needed for the project to proceed. This proposed tunnel, I believe, should work in conjunction with upgrades to the Ipswich Motorway and the proposed planning for transit lanes on the Centenary Highway in the future. Currently the state government is spending over \$3 million to complete the bikeway between the Centenary Bridge and the Fig Tree Pocket turn-off. I have spoken to many people who use this bikeway as a way of commuting to work in the city. I often see groups of cyclists commuting into the city in the early hours of the morning. The completion of the bikeway means that they will not have to travel part of the way along the side of the Centenary Highway and will improve safety for all concerned.

This bill provides a mechanism for the future, for the state to approve and place conditions on projects to ensure these projects support the overall transport network and to ensure such projects proceed as planned. The key areas of legislative change are to enable local governments to acquire land for toll projects that may ultimately be operated by private sector entities, to provide local governments with the power to set and enforce tolls, to protect tunnel infrastructure by ensuring physical support for such structures from adjacent land and to provide state and local governments with powers

to allow for full free flow through electronic tolling. It is about establishing a partnership for roads between the state and local governments for the benefit and future of all Queenslanders.

Provision is made for casual or infrequent users through single or short-term use products in relation to road tolls. An allowance is made for electronic tolling, which provides a more cost-effective means of tolling and increased efficiencies in traffic flow resulting in no delays as motorists pass through the toll collection points.

The Transport Planning and Coordination Act 1994 will be amended to empower local governments to acquire and deal with land for tolled transport infrastructure including tunnels which may be constructed and operated by the local council or a private operator. Best practice will be required for tunnelling in Queensland.

The bill also provides a two-step approval process for a local government seeking to establish a toll road. Firstly, the minister can give in-principle approval to a tollway project at the request of a local government that will allow the local government to acquire land for the project. Before seeking approval the local government will undertake the necessary planning and analysis. It will need to satisfy the minister that the project is likely to meet economic, financial, technical, planning, environmental and community criteria.

For the NSBT, preliminary project approval has effectively been provided by the state through the 28 February 2005 memorandum with the BCC and the Premier's letter of the same date to the Lord Mayor, which was tabled in parliament on 8 March this year. The state government has actively supported the Brisbane City Council so that the BCC can advance its first tolled tunnel, the NSBT. The state consulted with the BCC during the development of this legislation, and the BCC consulted with its two NSBT proponents.

This bill will create a clear and accountable process whereby local governments can develop tolled transport infrastructure where these projects meet economic, financial, technical, planning, environmental and community criteria. I congratulate the minister for working cooperatively with local governments to ensure all Queenslanders benefit from improved roads and infrastructure well into the future. I commend the bill to the House.

**Miss SIMPSON** (Maroochydore—NPA) (3.52 pm): I rise to speak to the Transport and Other Legislation Amendment Bill. It is timely to remark on the fact that there has been an infrastructure drought in Queensland for the last eight years under this government. While a lot of promises have been made about infrastructure, it is interesting that with the retirement of Terry Mackenroth the consideration of public-private partnerships is again being revisited by this government. In the past the government has talked a lot about them, but in reality it has done very little. We know that the previous Treasurer was opposed to public-private partnerships as another means of bringing infrastructure ahead and on stream in Queensland. It was that opposition which meant that anyone who had a proposal found that it was a very long, hard, expensive road to go down with this government. It had the policy documents but it did not have the will.

The legislation before the House has a number of interesting dimensions. It is really opening up the way not so much for the state government's plans for public-private partnerships as an option for funding infrastructure but for local governments. It is wrapping the state's acquisition intentions and those of local government into the one act.

Local government is being flagged as an entity that will be moving more in this area of infrastructure delivery. It may well want to go in that direction but, once again, I reflect on the fact that the state, which has the primary responsibility for the majority of the infrastructure delivery in the state, has actually done very little with regard to practically implementing alternative financial models for the delivery of infrastructure.

The legislation before the parliament is very important. We are very concerned to see timely delivery of infrastructure in Queensland, given that there has been a fall-off in real terms in spending on infrastructure in this state in the last few years. Some figures have been outlined by my colleague the shadow minister for transport and main roads, but I will recap on the amount of money allocated for capital works as a percentage of the budget in the last few years.

Under the coalition government in 1996-97, 29 per cent of the budget was allocated for capital works. In 2000-01 and 2001-02 the allocation had fallen to about 23 per cent and represented only 20 per cent of the budget in 2002-03 to 2004-05. It is only in this current budget that we have seen that rise to 24 per cent.

**Mr Caltabiano:** I bet they don't spend it all.

**Miss SIMPSON:** Yes, I bet it does not spend it all. That has been the problem. The government talks about it, but it very practically cannot deliver infrastructure. Our concern today is the need not only to talk about infrastructure but also to have new modes of delivery that are not just about glossy policy documents but literally put the rubber on the road and put the concrete underneath the structures so that we have the sustainability for this state's economy and for the lifestyle that we hold dear.

Let us look at roads as a percentage of the capital budget. Whenever I talked about what this government was spending on roads and the fall-off in actual real spend, the government would blame it on accrual accounting. I asked the government for a document to explain what accrual accounting meant with regard to the real figures that have been spent on roads, but it has never delivered that. I asked for that at a briefing I had with the department some time ago and it was never delivered.

Let us look at the spending on roads in the capital budget. Back in 1996-97 the percentage of the capital budget spent on roads—the capital budget was already being squeezed as part of the overall budget—was 22.95 per cent.

**Mr O'Brien:** They were just the glory days, weren't they?

**Miss SIMPSON:** Yes, they were glory days under the coalition government. This government took spending on roads off the agenda and spending fell to under 15 per cent. In real terms we have seen spending on roads go from something like 22 per cent or 23 per cent of the capital budget down to about 15 per cent. In 1996-97 and early 1998 just under \$1 billion was being spent on roads.

**Mr Caltabiano:** What happened in the late 1990s? It was \$700 million.

**Miss SIMPSON:** That is right. In the late 1990s we saw spending fall to \$780 million. Over that period of time a lot of money was not budgeted for or spent in real terms. Now the pressure is on. There is gridlock. People are sniffing the petrol fumes caused by this government's inaction. They are angry, and they have a right to be angry. The pressure is on to deliver infrastructure in new ways.

I sound one note of caution with regard to looking for alternative options for funding. The projects have to be planned correctly and the right project management has to be put in place. Our concern has also been about the brain drain from the Public Service and out of the halls of government with regard to understanding what it takes to deliver infrastructure. There is a real concern that people simply lack the ability to know how to put these projects together.

I acknowledge that in the time my colleague the member for Gregory was the transport and main roads minister he was able to put a project in place and get it under way—the M1—in the very brief time that we were in government.

**Mr Lucas:** You want to talk about cost blowouts?

**Miss SIMPSON:** That road is operational today because of decisions that were made and implemented. We got on with the job. What we see, though, as an alternative is a state government that does not count the cost of delays in delivering infrastructure to the state. There would literally be billions of dollars spent because of delays mucking around and procrastinating over delivering infrastructure to this state. Let us look at the Westgate proposal. I would like to ask the government what it is doing to consider the impact upon the roads that would feed off some of those proposals and to look at some of the current land use issues where there is a lot of development going on in those areas. I would like a response from the minister as to where those proposals are at and what is being done in that regard because the public needs to know and we have a right to know in this parliament. Once again there is nothing in regard to the state government's action to deal with its responsibility on this road network.

In relation to social policy issues, I acknowledge that not all projects are appropriate for public-private partnerships. We certainly saw an example of that on the Sunshine Coast in regard to a tollway. That was not a public-private partnership, but not all projects are appropriate for public-private partnerships or necessarily for tolls.

We saw what happened on the Sunshine Coast where initially that toll facility was built by a conservative government and the Labor government promised to get rid of the tolls. The Labor government promised to get rid of the tolls in the 1989 election and it lied. It broke its promise. It shifted the tolls and gave us an additional toll plaza. In other words, it punished the Sunshine Coast and it lied to the people. We found that the way the state government configured those tolls and the additional toll plazas divided communities and caused a lot of social dislocation.

I would like the minister to give an assurance to this House that, as he is extending the potential for tolls and for roadways to go through communities and disrupt local road networks, he will give a commitment that he will not dislocate communities and take away the same level of local access by any of these new corridors or new arrangements that are being put in place potentially through this legislation. Actions of governments over the private citizen are always very powerful. We need assurances from the minister. I know that we are very wary about Labor governments and their promises about toll roads because they promised one thing and they broke their promise; whereas when the coalition came into government in 1996 we kept our promise and removed those tolls. We acknowledge that there should not be dislocation of local communities. It is something that is very important. That was an existing road corridor and it not only had tolls put on it but also it had additional tolls put on it after the Labor government promised to remove the toll. We have not forgotten that the minister promised something and failed to deliver it.

I am proud that my coalition colleagues, when we came to government in 1996, kept our promise and those tolls went. There is an important principle that I do not want to see slip under the radar in regard to how this government allows their toll provisions or local government's toll provisions to

proceed in the future. Local communities must not be dislocated. Local access must be maintained so that people do not have to pay a toll to get from one side of their suburb to another or find that the so-called alternative route requires them to take a greatly circuitous trip.

I agree with the member for Chatsworth in regard to the duplication of the Gateway. This should have been a PPP; this should have been an opportunity to free up government capital into other areas of necessary infrastructure delivery. The government flirted with it; it involved people in the process for a long time and cost people a lot of money. Unfortunately that is typical of the way that the government does business in this state. It costs business a lot of money while it flirts with ideas and turns them around. I believe that there are ways that PPP delivery can be addressed that maintain appropriate accountability and probity.

**Mr Caltabiano:** They have an international reputation.

**Miss SIMPSON:** I take that interjection. They do have an international reputation for mucking this one up. The way this mob runs things is a bad signal to the wider community that may have a legitimate role in helping deliver infrastructure with partnerships to the private sector. They could not run a chook raffle.

It is interesting when you look at other government experiences, for example the Victorian experience. Even with a Labor government, it has been able to look at the issue of where it is appropriate to have PPPs and to implement them. I would like to also look at some of the overseas experiences. We are not saying this should apply carte blanche everywhere, but there does need to be appropriate consideration of social policy issues to ensure that there are the right planning options in place for the community. When we look at the fact that other places have been doing it quite successfully for some time it is strange that it has been such a contorted, expensive and ridiculous process under this Labor government. It has no credibility in regard to infrastructure delivery.

**Mr Caltabiano** interjected.

**Miss SIMPSON:** Absolutely. It has no credibility. I talked to the head of British Columbia's transport department earlier in the year. It is interesting to see the Australian companies that are going overseas and successfully involving themselves in infrastructure projects and public-private partnerships. The project that is under way to upgrade the link between Whistler and Vancouver is significant because, as I understand it, that is coming in ahead of time and below the projected cost. That is a consortium that includes Macquarie Bank as one of the stakeholders. I think we will be looking at that project with a great deal of interest, as we will projects in other places, because it can be done. We need to learn from the areas where things work, why they do not work in some areas and why there is such a phobia in this state to understand what it takes to deliver timely infrastructure and to look at the road blocks to doing it better. There are road blocks and there is such a concern that, despite the spiel about the 20-year infrastructure bucket of money, this government still has a hole in its system as far as understanding how it can deliver that.

I want to talk about acquisition of land. This is an issue that is very dear to my heart because I believe that the power of government over the individual is huge. There must be appropriate protections for people to ensure that their rights are protected. When it comes to acquisition of land I have concerns about this process where the Acquisition of Lands Act will be implemented. Local governments will be involved in that process. At least with the Main Roads department there is provision, where there are hardship cases, for people who are potentially affected by future works to be bought out voluntarily. Many local governments do not have the funds or policies for acquiring property ahead of the construction phase under hardship provisions. Potentially there could be a lot more lines on maps and people who are potentially faced with a road through their house but they will not be able to get out of that. Every time they try to sell that property it will come up with a search that shows they have this project going slap-bang through the middle of their place but they will not be able to be bought out ahead of time under hardship provisions by many local governments because that is a policy area where local governments are lacking. Many local governments, to be fair, say that they do not have the funding base to acquire a lot of property ahead of a project. That has a real impact on people's lives. The road may not be built for 10 years, but it is something that affects their lives. I have had constituents who have literally had heart attacks over acquisition issues because of the stress it puts in their lives. It is one of the most stressful things they can face, even if the process is fair. When the process is not fair it is such an inhumane burden on people's shoulders.

I would also raise that there is a real need for a review of the Acquisition of Lands Act to address policy where there is inadequacy in compensation. Why should a few pay the burden for the public good? The indirect impact upon landowners is perhaps one of the greatest burdens of infrastructure that needs to be addressed. The indirect impact on someone's property can be missed. They do not get bought out but they may be left with a six-lane highway beside their property. If members have dealt with people who have gone through that stress they would know that the stress is incredible. I am particularly talking about residential property. I am not talking about someone who has a commercial benefit—that being that they get access to their property and their values go up. There are a lot of people who are left in deficit. It can literally kill people. It is not fair and it is not right. It needs to be addressed.

There are a lot of corridors that need to be identified and set aside to address future needs. They will never be set aside because governments are too scared to plan those corridors because they know that there will be a number of people affected and left out of pocket at the end of process. The acquisition of land is not only a social justice issue but also a matter for good planning. It is needed to ensure that works that are required in the future are undertaken.

There are a number of potential projects that could benefit from alternative funding streams. PPP is a way of delivering these projects. The Toowoomba range crossing is one of those particular projects. It needs the will of government to bring them forward. There are a number of other infrastructure issues that time will not permit me to address. The axle loading and rail issues in that area are of great concern. My challenge to the government is this: it has talked a lot about infrastructure, but it has delivered very little, so we need to see the roadblocks to the delivery of infrastructure removed and we need to see processes put in place so that the necessary infrastructure to deal with the current gridlock can be fast-tracked.

There is also a very real issue concerning the requirements for infrastructure within the 20-year framework that have not been brought into the planning scheme. It is time that proper planning was also brought forward on some of those future projects so that as money becomes available we are able to roll with them rather than delay and string out processes because the planning has not been done. If this is not done it becomes more complex in the long run.

**Mr WALLACE** (Thuringowa—ALP) (4.12 pm): I support the Transport and Other Legislation Amendment Bill. This legislation will assist with the development of toll transport infrastructure in Queensland. A key element of future tolling projects will be the role played by the private sector in delivering this infrastructure. This involvement can be to the benefit of the community and transport system by bringing forward the construction of significant projects.

I get a bit cranky about sitting in this place and being lectured by the tory opposite on road funding. I heard the member for Chatsworth say that the opposition will put all the money into the tunnels in Brisbane. How many billions of dollars will that involve? It will be billions and billions of dollars. These gooses want to put all this money into Brisbane. We will not get a cent in the regions. It is bad enough up there as it is.

A couple of weeks ago the AAA said that the Bruce Highway was the most dangerous highway in Australia—the most dangerous piece of road. These gooses are going to spend all the money in Brisbane. The problems are in the regions. Those opposite should get out of their comfort zone and get out of Brisbane. Those opposite support daylight saving in Brisbane but they do not support the regions.

I am glad the member for Gregory is here. Surely he is concerned that all the state dollars are going to go into the TransApex tunnels. That will involve billions of dollars. Where is the money for our roads? We may as well throw the roads alliance document in the bin if those opposite are going to spend all the dollars down here. It makes me really cranky when I hear that. They do not care about the regions. They have given up on the regions.

**Ms Nelson-Carr:** It takes a lot to get you cranky.

**Mr WALLACE:** I take the member for Mundingburra's interjection. It takes a lot to get me cranky. Spending all the dollars down here does make me cranky. I am glad Mr Johnson is in the chamber because he cares about the regions. The member for Gregory should not stand by and let them spend all the dollars down here. He should stand up for the regions like I am doing. He should not let them spend billions of dollars down here. I do get cranky about this.

Those opposite support daylight saving. We do not want it in the regions. They do not support the regions. They should be ashamed of themselves. We will probably have to build a toll road in Townsville because the federal government will not spend the money to pay for the eastern port access corridor. Again that is another federal priority. I point out to the member for Chatsworth that they spend money in Cairns and Brisbane to pay for their access but they will not pay for the port access in Townsville. What is wrong with Townsville? The member for Chatsworth forgets about Townsville. He does not really like it up there. I know he does not like it up there. There is a lot of Queensland outside the south-east corner.

**Mr Mickel:** He can get the money from the federal secretariat.

**Mr WALLACE:** I take the honourable minister's interjection. He can get the dollars from the federal secretariat to pay for court cases but he cannot get money for the roads up north. Now they are going to spend billions of dollars on the tunnels down here. What about us? It is an absolute disgrace. They forget about the regions once again. He wants to bring in daylight saving and he wants to forget about spending dollars on regional roads. Those opposite should be ashamed of themselves.

I go back to the bill. I believe that the tenure arrangements as described in this legislation will assist to encourage the involvement of private sector companies. The bill provides for tenure arrangements that will encourage the private sector to invest. Private sector proponents desire certainty and the capacity to minimise risks.

The bill establishes tenure arrangements similar to those utilised in rail and bus lanes. Firstly, it provides the capacity for land to be acquired for approved tollway projects. Secondly, the bill provides a declaration process to enable both state land and the land for approved tollway projects to be utilised as part of a tollway project. Thirdly, the bill provides for this land to be returned to the Crown as unallocated state land and then be leased to the state and subleased to a local government and the ultimate tollway company as required.

The legislation does not enable us to sell the farm. We will not be selling off land in fee simple forever and a day. Rather the legislation provides for this leasehold tenure. The state's interests are protected and a toll company will still have a secure and substantive form of tenure that the private sector is familiar with. The tenure arrangements, in conjunction with other approvals in the bill, enable the state and local government to retain sufficient levels of involvement. In terms of this aspect of the bill, I particularly support the state retaining involvement at the strategic level while allowing the private sector the confidence to be involved and to deliver beneficial projects. Indeed, the tenure arrangement provided by this legislation will be beneficial to all parties involved.

Before I sit down I again urge the member for Gregory to do what he is noted for and stick up for regional Queensland, stand up to the Liberals and say, 'I am not going to stand by while you put billions and billions of dollars of state government funds into Brisbane tunnel projects.' We need the money in regional Queensland. We have some real problems up there. I call on the member for Chatsworth, while he is here, to get on to his federal counterparts to get some money into the Bruce Highway.

Last year the federal government collected about \$14 billion in revenue from petrol taxes and a measly \$2.5 billion came back to our roads. That is not good enough. At least the state is getting off its behind and doing the work. I call on the coalition to do the same. I commend the bill to the House.

**Ms LEE LONG** (Tablelands—ONP) (4.17 pm): I rise to contribute to the debate on the Transport and Other Legislation Amendment Bill 2005. This bill will introduce amendments to the Acquisition of Lands Act, the Land Act, the Property Law Act, the Transport Infrastructure Act and the Transport Planning and Coordination Act. These are all to allow for the planning, ownership, construction and operation of toll roads or tollways by local government, the state government, a private operator or a combination of those entities.

This all falls under the broad umbrella of economic rationalism. The blind belief that by introducing the profit motive through private enterprise involvement in government, or what used to be government, infrastructure these vital projects will magically become more efficient, will work better, be managed better and will serve the community better I think is just rubbish. We only need to look at the fiasco in Sydney where toll tunnels are so expensive that motorists do not want to use them. What does the government do down there? It builds barricades on public roads to force people into the tollways. Is that what we can expect in Queensland?

**Mr Lucas:** No.

**Ms LEE LONG:** I take that interjection from the minister. He has assured us that that is not going to happen in Queensland. We have to make up our minds whether we believe these ALP promises or the hard evidence already before us.

The reality is that government at each level exists to provide the necessary infrastructure for society to function and for our communities, states and the nation to grow. Laws are brought down, regulations are put in place, taxes, fees, levies and charges are imposed and bureaucracy is established all for that purpose and that purpose alone. Just last week there was a passionate debate in this place about the vital necessity of keeping Telstra in public control because telecommunications is such a vital part of the future of this country, far too important to be surrendered to the profit motive. ALP members opposite were staunch in their opposition to that sale.

But today we see them and their colleagues standing up and saying that everything they said about telecommunications, about vital infrastructure and about the responsibility of government is bunkum when it comes to transport. Toll roads and tollways, the subject of this bill, are clearly only ever going to work on the most heavily travelled routes—the more vehicles, the more tolls, the more profit. It is simple. But where will this leave our long-term planning? Will the transport needs of Queenslanders be put on hold while the government searches for a venture partner or a company willing to fund the next tollway?

I also want to mention the consultation process as outlined in the explanatory notes. Local government, apart from the Brisbane City Council, was not involved. If true, that is farcical. This legislation specifically affects local authorities, yet the LGAQ is not listed among the groups consulted. This bill is about government failing the people. It is about government spending too much on luxuries and not enough on the vital necessities. It is about abysmal planning and decades of failure on roads, water, health and so on. I cannot support the bill.

**Mr RICKUSS** (Lockyer—NPA) (4.20 pm): I rise today to speak to the Transport and Other Legislation Amendment Bill 2005. As the member for Chatsworth advised, the range crossing would be an ideal toll road under this bill. It is one of the most heavily transported corridors in Australia. As the

member for Toowoomba North acknowledges, the Toowoomba range is definitely a disaster and must be put on a quick-fix priority list. Surely the government must lift the priority of this road crossing. The Cunningham Highway also extends into my electorate on the southern border. Unfortunately, it was closed again last week due to a rock fall at Aratula, which is in the opposition leader's electorate. However, it affects the people in my electorate simply by the fact that traffic is diverted through Toowoomba through to the Warrego Highway, which is already overstressed, particularly on the range.

Roadworks are being completed at Plainlands and will be of great benefit when they are finished. Unfortunately, there were three tragic deaths there last week. I spoke to the minister about reviewing the signage and some of the markings on the road, and I would ask the minister to look at that issue. The markings and some of the signage have definitely been improved. I do not know if there was a flaw there previously. Main Roads assured me that it met all of the standards before. However, I must admit that it is greatly improved, as I am sure the member for Toowoomba North will acknowledge. The markings there now have greatly improved. There are also some very important issues with hooking up the Centenary Highway on that south-western corridor through Ripley, which is hopefully going to be one of the major development areas within the south-east Queensland urban plan.

**Mr Lawlor:** Believe it or not!

**Mr RICKUSS:** That is about right. Big tracts of land will be developed in the expectation that upwards of 100,000 people will move there. That will only make the traffic on the Centenary Highway worse simply by the fact that the Cunningham Highway will feed directly straight on to it. I do not know whether that will make it any better or any worse. I think it will make it worse, actually.

**Mr McNamara** interjected.

**Mr RICKUSS:** The Ipswich Motorway definitely needs some work on it. I do not know whose problem it is. I am actually a lot more interested in the Toowoomba range, which is in my electorate. We have to spend more money on infrastructure on roadworks, and the tollway seems to be a logical way to go. A toll on the Toowoomba range would undoubtedly be a godsend for most of the trucking industry because the range at present takes them a long time to cross and the wear and tear on their vehicles is enormous. With that, I commend the bill to the House.

**Mr NEIL ROBERTS** (Nudgee—ALP) (4.24 pm): I am pleased to say a few words in support of the Transport and Other Legislation Amendment Bill, which is basically about providing a transparent framework for proposed toll roads and associated infrastructure by the state, local governments or the private sector. I want to make a few brief comments initially about the Gateway Arterial, which has been mentioned by a couple of speakers. This project is a \$1.6 billion project which has been committed to by the state government. If we look at this particular project, there are two key components: the upgrade of the bridge, which is clearly a state responsibility, and also the upgrade of the Gateway Arterial itself, which, being a National Highway, is clearly the responsibility of the federal government. The issue that has not been acknowledged here, particularly by members such as the member for Chatsworth and others, is that the federal government has failed to come good with the funding to support the state government in this project. So there is \$1 billion there of state money which should be coming from the federal government. It is interesting to listen to our Liberal colleagues on this matter. In fact, the silence has been deafening in terms of their calls for federal government assistance on that project.

I also want to take the opportunity to say a few brief words about public-private partnerships, which this bill has some direct impact on. This has been the subject of some interest recently, particularly given the public relations difficulties being experienced by the New South Wales government as a result of Sydney's Cross City Tunnel. As members are aware, public-private partnerships are a means of delivering hard infrastructure and, in some cases, services and have been adopted by a growing number of governments in the Western world, throughout Australia and overseas, in particular the UK. There are many examples, on my reading, of successful private-public partnerships in the UK and indeed here in Australia. There are also a number of notable failures where governments and taxpayers have not received value for money out of the transaction.

For some there appears to be a perception that PPPs are simply a means of transferring sizeable profits to the private sector. In my view, that is not a valid argument because, as with most commercial transactions, the level of profit taken by a private party is usually commensurate with the level of risk that is associated with that particular project. There are plenty of examples where governments have worn risks which, in hindsight, could have been better managed and held by the private sector. I am not saying this is a specific example of that particular case, but there are a number of examples where governments have undertaken projects with, in terms of financial impacts, quite disastrous results.

I use as an example the Pacific Motorway to the Gold Coast. The initial costings for that project were in the vicinity of \$600 million. In the end, that road cost the taxpayers of Queensland—Queenslanders—almost \$1 billion. If that was a PPP, we would have loud calls for the process to be scrapped but because it was a more traditional procurement method we do not hear those calls. In that particular case, a government carried the construction risk of the project. As it turned out, the construction risks on that project were quite high and it cost the taxpayers a lot of money to fix them up and indeed to complete the road. In my view the issue is not about who gets the most profit out of an

infrastructure deal. In the end, it is about whether the taxpayers get the best value for money and whether the risks are allocated to that party, whether it be the government or the public sector, which is best able to manage them. There are of course, and always will be, projects which will be best delivered and managed wholly by government. But there will also be occasions where construction and management of an asset under consideration will be better managed or be better placed with the private sector. I used the example of the Pacific Motorway simply to make the point that we should not judge public-private partnerships or indeed traditional procurement simply on the basis of their failures.

We should use those failures as lessons and examine each of them on their merits. In my view, public-private partnerships offer governments an opportunity to acquire infrastructure in ways that can deliver value for money for taxpayers. The issue is how we ensure that we do not experience the problems that have been identified by a number of speakers in this debate and in past debates and also some of the problems that have been experienced particularly with some of the PPP projects that have been undertaken in southern states.

In Queensland, we have not pursued PPPs to the same extent as our southern counterparts. Because of that, in some respects we can enjoy the benefits of hindsight and ensure that the processes that we adopt are sufficiently rigorous to identify which projects are best delivered by government by more traditional procurement means and which projects might be better delivered by public-private partnerships. The guiding principle in all of that should be: how do we get the best value for money and who is best able to manage the risks associated with the project?

The Queensland government has spent a considerable amount of time and resources on developing its public-private partnership process. We have in place a very rigorous value-for-money framework that requires a very rigorous assessment of projects before they reach the point at which they are considered to be available for public-private partnership consideration. I invite all members on both sides of the House to have a look at that value-for-money framework, because I believe it provides protections and processes that ensure that, in the end, infrastructure delivery in Queensland can proceed on the basis of us getting the best value for the taxpayer dollar. In the end, that should always be our goal.

I want to conclude by making a very brief comment about an award that I presented on behalf of the Deputy Premier and the Premier last week. Members would be aware through this debate that one project that is currently under consideration for a PPP is the north-south tunnel, which has been proposed by the Brisbane City Council. I do not want to talk specifically about that project; I just want to make mention of the fact that last week I presented an export award to a company called Ground Probe, which has developed technology that ultimately may be beneficial in the construction of tunnels. Recently we all saw the quite distressing sight of that tunnel collapse in Sydney, which occurred during the construction of the Lane Cove Tunnel. Ground Probe, to which I presented an export award, has developed radar based technology that can detect movements in a rock wall or an earth wall well before it actually reaches the point of collapse. Ground Probe's radar technology, which is currently being used in the mining industry, is also potentially able to be used in tunnelling exercises, because it can detect very small movements—down to millimetres—in rock walls and tunnel walls and so can detect the potential for collapse prior to it occurring.

I mention this company because it is a fantastic example of a Smart State company. The company's technology was, in fact, developed by a PhD student at the University of Queensland and is now being exported throughout the world. I want to take the opportunity in this debate to, firstly, advise members of the company and its success and its application to some of the projects that we have been talking about and, secondly, congratulate the company and its employees on the innovative and exciting way in which it has taken Smart State technology not just throughout Australia but also throughout the world. With those few words, I commend the bill to the House.

**Mr JOHNSON** (Gregory—NPA) (4.33 pm): It gives me great pleasure to speak to the Transport and Other Legislation Amendment Bill 2005. At the outset, can I say that this is very important legislation in more ways than one. As a former transport minister, I understand the need for a full-scale overhaul of infrastructure not only in south-east Queensland but also throughout the rest of Queensland. Queensland is experiencing a population explosion. Certainly, we have to cater for that population through the responsible development of infrastructure.

I heard the contribution of the member for Thuringowa. I support him when he said that, when we talk about Queensland, we do not talk about just the south-east corner. At the moment, one of the most important initiatives on the agenda is AusLink. It is probably a great policy document, but it is not going to work. I will tell members why it is not going to work: it places too much emphasis on rail and not enough emphasis on road interfacing with rail. We can talk about road and rail in terms of north Queensland, the south-east corner—the whole of Queensland. This state is also experiencing a mining boom and associated infrastructure is needed to accommodate that boom. It is absolutely paramount that road and rail interface. When we have that balance right, the genuine outcome will be significant maintenance of the infrastructure and the progression of the infrastructure that is needed to cater for the growing population into the 21st century.

I congratulate the minister on introducing the Transport and Other Legislation Amendment Bill 2005. It has a lot of merit and will have a lot of purpose. The minister stated in his second-reading speech that this bill will enable local governments to acquire land for toll projects that ultimately will be operated by private sector entities. For the past half a dozen years we have been speaking about public-private partnerships. I have heard no mention in recent times about private finance initiatives. When are we going to accommodate private enterprise and allow it to build some of those major capital works? The private sector can inject millions of dollars into our transport operation needs, which allows the government to spend that part of the funding pie somewhere else.

**Mr Caltabiano:** In regional Queensland.

**Mr JOHNSON:** Absolutely! The member for Chatsworth has it right. This legislation is about freeing up the state funding pie. If we let private enterprise, in conjunction with government or as a stand-alone entity, build major capital works, that would allow the state to use its funding pie to help rural and regional Queensland to develop road infrastructure.

It is as plain as the nose on your face. That is how you do it. Even if we have \$1 billion for roads in the state, we are not going to even address the road needs in south-east Queensland. It is about time we faced reality and accepted that private sector involvement has to occur. It has to happen now. It is all very well procrastinating and saying, 'Yes, we need this for the kids of tomorrow.' I say damn the kids of tomorrow; let us think about the population of today so that they can enjoy that infrastructure, too. Queensland is a resource-rich state. It can provide that infrastructure. People are coming across the border to live in Queensland. We live in a free-migration system. We have to cater for these people's needs—whether it is providing education, hospitals, police or other public utilities.

When I talk about infrastructure, I am talking about economic infrastructure. I am talking about long-term infrastructure. When I talk about private finance initiatives, I am talking about the build, own, operate and transfer schemes. I refer to those big multinational companies building, owning, operating and then transferring the operation after maybe 30 years, 40 years, or whatever. The important point to note is that we will see a system put in place whereby the financiers of those multinational companies will lend them the money. I am referring to the Macquarie Bank, Deutsche Bank or whatever it might be. Those banks will be looking over the shoulders of those large companies to make sure that they are providing quality infrastructure. At the same time, the Department of Main Roads and the federal department will also be looking over those large companies' shoulders to make sure that they are providing quality infrastructure. I believe that we have to enter into more of these public-private agreements.

I see the Minister for Employment, Training and Industrial Relations sitting opposite. He was one of the first members to put in place a PPP in this state. We have to see more of them so that we can cater for the needs of the present generation rather than be worried about what is going to happen in about 10 or 20 years time.

I applaud the current Lord Mayor of Brisbane, Campbell Newman. The Property Law Act 1974 will be amended to protect tunnel infrastructure and adjacent infrastructure from the removal of support. Below-surface structures like tunnels will then have the same statutory protection as above-ground structures. I say, thank God for Campbell Newman. When I was the Minister for Transport, I instructed my Main Roads engineers to look at a program of tunnels here in Brisbane to get the congestion out of Brisbane. The then Lord Mayor, Jim Soorley, was even in agreeance at the time. It was a project that I believe should have been fast-tracked six or seven years ago. Unfortunately, we lost government and we have seen procrastination by the Labor government since then—nothing has happened.

I heard this afternoon in this House about the M1 Motorway. That is all very well. I will talk about the M1 Motorway. The issue there, again, was the procrastination of the Labor government. What about the koala tunnel? \$77 million was spent on the acquisition of that land. What has happened to the koala tunnel now? I bet the government has still got the land and has not sold it off. The minister should go and tell the people that he has still got the land. But that is another issue.

Everyone in this parliament should go to Europe and have a look at how the Europeans do it. They do not build new corridors here, there and everywhere. They utilise and upgrade existing corridors, and that is exactly what we did with the M1. And what a magnificent road it is today. The minister is talking about his \$900 million blowout, but he has not told the parliament that the government transferred losses from other projects into the M1 to make its books look good.

What about the RIP today? The minister earmarked \$19.7 million for the Tugun bypass in 2004-05 and has spent \$4 million. This project has now blown out by a further 12 months. Expenditure for the remainder of the project has now blown out to 2009-10. When are we going to see this project really get going? We heard from the former member for that area Merri Rose when I was minister saying, 'We're going to start this project in six weeks.' Carl Scully, my then colleague at the time in New South Wales, said that, it does not work like that. She could not understand that. We know what happened to Merri Rose. The rest is history.

The figure that has been earmarked for the Tugun bypass—\$360 million, \$120 million from the feds and \$240 million from the state—is pie in the sky. We know that the project is going to cost more than that. If we cannot get that project online soon, it could blow out to half a billion dollars. That is the significance of major capital works programs in very fragile pristine environments like that of the Tugun bypass. The minister knows as well as I do that we are talking here about a difficult road project. I think we have to be honest with the people of Queensland and tell them exactly when that project will go ahead.

I think this legislation could go a long way towards seeing the second range crossing to Toowoomba developed. If we entered into a PPP, we could see that second range crossing built. We could see commerce traffic flow again. We could see profitability flow again.

**Mr Lucas:** Who was the one who put it to the federal government that we should do it that way?

**Mr JOHNSON:** I know who said it—exactly. But the point is that we are seeing commerce traffic grind to a halt because nobody wants to pick up the pieces. At the end of the day I know what the mayor of Toowoomba is saying and I know what the people of Toowoomba are saying but, for goodness' sake, there is cheap money out there. We have seen cheap money now in the last six, seven, eight to 10 years—low interest rates that multinational companies can take advantage of. We are missing the boat. The Toowoomba second range crossing should already be half built. The corridor is already there.

**Mr Lucas:** Whose fault is that?

**Mr JOHNSON:** Hang on a second. Why don't you go and talk to them instead of throwing a bucket on them?

**Madam DEPUTY SPEAKER (Ms Male):** Order! Member for Gregory, you will address your comments through the chair, and I will not have members yelling across the chamber at each other.

**Mr JOHNSON:** I am not yelling at him. He was provoking me, Madam Deputy Speaker, and I was retaliating. I have to defend myself.

**Madam DEPUTY SPEAKER:** Order! I have made my ruling. Member for Gregory, return to the bill.

**Mr JOHNSON:** Thank you for your protection, Madam Deputy Speaker. Let me finish on this note. I could go for another nine minutes if he wants to put up with it. We talk about the choking of Toowoomba. We have seen that city virtually grind to halt because of heavy traffic that goes through it. You cannot get from one set of lights to another without being choked by B-doubles or semitrailers, but that is no fault of the commerce traffic. Eighty per cent of the cattle that are killed at AMH come down the range on the back of B-doubles; only 20 per cent of them use QR. This is what we have to turn around.

I say to the minister here today that it is absolutely paramount that we get a road-rail exchange at the top of the range and get the second range crossing built so that we can stop this choking process. That will allow industry to progress and we will see profitability in the meat industry and any other commerce industry. I heard the member for Lockyer speak in the House today about the Warrego Highway. I know this is a federal highway but, again, we have to make certain that the federal government and the state government are singing from the same hymn sheet to fix the problem. It is no good, just because we have a Labor administration in Queensland and a conservative administration in Canberra, throwing knives at each other across the chamber or across the airwaves.

Enough is enough. We have to fix these problems before we see major disasters in this state. We will see people reinvest somewhere else and, at the end of the day, we do not want that to happen to Queensland. This infrastructure is important to us. It is like the tunnel system here and the other infrastructure that we need. I have heard about a western bypass around Brisbane, and I have heard people in this House say, 'No, we don't want that.' But I say to members that we are going to have to have it, and in time we will have it. Otherwise we will have heavy traffic going through the centre of the city. I have seen it happen in Sydney and in Melbourne. They have bypasses now and they are better and more livable cities because of them.

Brisbane is in a unique situation. These problems are not so far advanced that we cannot correct them now. This is the advantage that we have in Queensland. We can talk about the duplication of the Gateway Bridge. The government has used that as a milch cow over a long period of time to pump up the treasury coffers. There is no doubt about that. At the end of the day, we have to put that associated infrastructure in place to stop the choking process. I applaud the minister for the new road into the Port of Brisbane. That is a magnificent road and it has enhanced commerce traffic there. But we have to make certain that the arteries leading in and out are free-flowing for commerce and that there are no impediments.

You only have to walk down to the corner of Margaret Street on any busy morning or even now—it is almost five o'clock—to see cars travelling past with one person in every car. We have to educate people to use our public transport system. We need a satisfactory public transport system that will take cars off the street. By doing that, we will be able to make this a more livable city than it already is.

I ask the minister to enter into negotiation with private enterprise. He is in the driver's seat to take advantage of PPPs and PFIs. As the member for Chatsworth picked up on, this is a grand opportunity for us to develop the whole of this state, not just the south-east corner, and to see the whole of Queensland be given an equal opportunity for road infrastructure development. The wealth generation capacity of this state is enormous, regardless of what corner we live in. It is absolutely paramount that every citizen, regardless of where they live, be given the opportunity of having good road-rail infrastructure and associated infrastructure to enhance the needs of the future progression and development of this state.

**Mrs MILLER** (Bundamba—ALP) (4.49 pm): I rise to support the Transport and Other Legislation Amendment Bill 2005 and to congratulate the minister on this legislation, as it establishes a framework for toll roads and any associated infrastructure which can incorporate involvement from the Queensland government, local government or the private sector. It is important that this bill outline clear guidelines for private sector involvement in local government toll roads.

There are four key areas of change in these amendments which are important. Firstly, local governments can acquire land for toll projects that may be operated by private sector entities. Secondly, local governments can set and enforce tolls with these amendments. Thirdly, tunnel infrastructure can be protected by ensuring physical support for toll structures from adjacent land, for example. Fourthly, the amendments make provisions for state and local governments to allow for full free flow through electronic tolling. It is very important legislation as our state grows. In fact, I understand that the Brisbane City Council's proposed north-south bypass tunnel may be the first project to utilise this legislation.

I would like to thank the minister and Brisbane City Council not only for their efforts in working together on the north-south bypass tunnel but also for their support in having the Ipswich Motorway fully upgraded—not the half-smart, half-baked upgrade from Wacol through to Brisbane. The Prime Minister, John Howard, has completely left out my electorate in the upgrade of the Ipswich Motorway. There is no money to upgrade the motorway from Dinmore through to Gables, so there is no money to upgrade the motorway in the suburbs of Dinmore, Riverview, Redbank, Goodna and Gables. In fact, the feeder suburbs through the motorway such as Collingwood Park, Redbank Plains, Springfield and Springfield Lakes all suffer. These communities have to put up with gridlock most mornings. The latest gridlock happened this morning, when there was an accident in Goodna and it took a couple of hours to get through to Brisbane.

Our people have to put up with stinking, foul fumes coming from B-doubles, semitrailers, cars and motorbikes as they crawl their way in through to the Logan toll road, through to the Centenary Highway or through to Brisbane city. Howard does not care about anyone in Ipswich. He does not care about our working-class families. In fact, with the industrial relations legislation he intends to create a servant class where people will be living in poverty.

Our Premier, Peter Beattie, our minister for transport, Paul Lucas, the Brisbane City Council mayor, the Ipswich City Council mayor, the federal member for Oxley, Bernie Ripoll, and all councillors in the city have united in their call for the Ipswich Motorway to be upgraded. We are not asking for a tunnel. We are not asking for any further studies. In fact, the \$10 million study of the half-baked northern bypass option, in my view, will be a complete and utter waste of money. What we want is a clear commitment to upgrade the whole motorway from Dinmore right through to Brisbane.

I say to John Howard: you are an absolute disgrace and you are despised in my electorate of Bundamba. You are considered to be a mean and lousy scrooge. I would like to give you this last chance to alter your reputation in my electorate by upgrading the Ipswich Motorway for Christmas. My electorate wants a Christmas commitment from Prime Minister John Howard to fully fund the upgrade from Dinmore right through to Brisbane. We want not just two lanes each way; we want several lanes each way as well as service roads. AusLink has a missing link—that is, from Dinmore to Gables. We want the Ipswich Motorway fully upgraded. We do not want the gridlock that happens day in, day out on that motorway. Nothing less will we consider to be reasonable from the federal government.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (4.53 pm): I rise to speak to the Transport and Other Legislation Amendment Bill 2005. In so doing, I reiterate other comments in relation to the critical nature of appropriate infrastructure for not only the south-east corner, which is the major focus of this legislation, but Queensland as a whole. In my own electorate we still have outstanding a number of critical links in terms of our transportation corridors.

I put on the record the appreciation of the community for the completion of the roundabout at the Boyne Island-Tannum Sands intersection. Whilst there were some comments made due to a lack of familiarity with the plans for the roundabout, since it has been opened I have had some very positive comments from those who commute from Boyne-Tannum to other parts of either Calliope shire or Gladstone city, or from Gladstone out to Boyne-Tannum, in terms of its effectiveness. I put on the record my appreciation to the minister for that very significant piece of infrastructure, which will affect safety. That corner, the T-intersection, has been the location of a number of very serious accidents. I believe this infrastructure will go in some measure towards remedying that problem.

We still have a problem with Kirkwood Road, and there is some dispute between Queensland Transport and Main Roads in relation to the nature of traffic which Kirkwood Road will carry. It was originally going to be a major transportation route that would keep heavy transport completely out of the city. It would link the Callemondah area across to Red Rover Road and Kirkwood Road, then across Dawson Highway and Benaraby Road. There has been some greying, I think, of the actual users of that road. At one stage I know the Mayor of Gladstone said that it was needed to disperse the urban growth in the Clinton area. Whilst that may be true to some extent, I believe there is still a very high priority for Kirkwood Road in terms of the management of heavy transportation infrastructure to keep the semitrailers out of town. Incerotec still travels through the city on a regular basis, as do petrol tankers, and Kirkwood Road would ensure that heavy transportation could, in great measure, be kept out of the inner city and away from educational facilities.

The port access road for Townsville was raised by the member for Thuringowa. We have had the port access road completed in Gladstone. Some weeks ago in this chamber I raised the fact that because of security issues the road is not utilised to any great extent by the transport that was targeted for use of the port access road. There might be one or two who live at Barney Point who see it as an excellent short cut to work, but the intent was to keep heavy transportation off waterfront land down the front of Goondoon Street and Flinders Parade. It has not been an access road that I have supported in great measure because of its location, not because of its intent. However, it is in place now and it would be good to see it achieve its potential.

There are a number of areas of concern in my electorate in relation to transportation. Of major concern is the interface with urban and heavy transport at the Kin Kora roundabout and also problems with congestion. I think the community preferred option would be an overpass so that east-west traffic would overpass the intersection and domestic traffic would use the roundabout to access the shopping centres, the school and other services in that specific area. I know that the department of transport representatives in Rocky are still looking at their alternatives. Part of the constraint on that development or progress of that issue has been that the shopping centre management is yet to decide on the growth of the Kin Kora shopping centre and the small shopping centre across the road which it also owns. That aside, there is going to have to be a decision made soon, with or without the cooperation of shopping centre management, to ensure that more significant hold-ups do not occur. We are a city and a region that are growing exponentially, and there is a great need for that roundabout to receive some attention.

In relation to the proposals that will be introduced into law, the legislation gives local governments the power to acquire land for toll projects that may ultimately be operated by private sector entities. I remember the debate when third party acquisition laws were brought in for other major projects. I would transfer the concern that I had then to this piece of legislation without being accusative and without implying that any local councils or other entities, such as the state government, have done the wrong thing. However, if third party acquisition power is given to an entity, in this case local councils, it must be clear and transparent that the purpose of the acquisition is a toll and that it is not subsequently changed to some other more commercial focus.

Members of the community, albeit grudgingly and with a great deal of heartache, will accept the acquisition of their properties for community advancement for things such as public infrastructure. They will not, and justifiably will not, support the acquisition of their private property, by either the state government or local councils, for a purported purpose and that purpose changes in the future, particularly if that change is to one of a profit-making nature. Very careful oversight will need to be given not only to the government's ability to acquire land but also to third party acquisition powers for any state government entity that that acquisition is only done as a last resort and that the purpose of the acquisition is followed through and achieved.

I commend the fact that, in terms of electronic tolling, there is an allowance proposed to be made on electronic tolling which provides an accessible means of tolling for casual or infrequent users through single or short-term products. I wrote to the minister on this because I had constituents who were concerned about the Gateway Motorway going completely to electronic tolling. Residents in my electorate said, 'What about those of us who only come down to Brisbane on a spasmodic basis but we use the Gateway; how will we be able to use that access way?' The minister wrote back at the time and talked about these casual or infrequent user products.

It is essential in any legislation, whether it is to be operated by the state government or by private parties, that construction of tunnels is done in a very careful manner. The incident at Epping is a telling reminder to us that there is a point in time when tunnelling as an option for infrastructure has to be called into question. A very careful engineering balance has to be assumed and implemented in relation to undergrounding, particularly in already established areas.

There are one or two other points that I wish to make in relation to this legislation. I commend the minister for the fact that in determining appropriate conditions in this legislation the state government will be guided by its toll policy framework to ensure that any toll road produces an equitable transport outcome for the community. One of those key principles is that there must be an alternative free facility that offers an acceptable level of service. I remember that for many years there was debate and ridicule

in the parliament of the former member for Caloundra, Joan Sheldon, who, when she was Treasurer, took the toll off the Sunshine Motorway. I can remember having a discussion with her in relation to the disadvantage to residents at the Sunshine Coast who lived around the Sunshine Motorway because it was their only access point; it was the only road on which they could commute to and from their homes. It was tolled; therefore, they did not have any free alternative. I think that is critical. People need to be able to choose a more convoluted route through areas that are perhaps controlled by 50 or 60 kilometre per hour speed limits. There are constraints on driving through suburbia such as possible intrusions like children, pushbikes, motorbikes and all those sorts of things. Their other choice is paying a toll and driving at a higher speed on a more direct route. I commend the government for retaining that as a primary principle. I note that the toll roads should revert to state ownership after a defined period of 30 years. I assume that all of those conditions would be considered by any private partner.

Along with the condition that commuters have a free facility that offers an alternative acceptable level of service, I commend the government for stating that it does not support the concept of artificial road closures and funnelling cars into toll tunnels. I am sure that in private-public partnerships there would be a temptation to underwrite income by ensuring that a level of vehicles must access a toll facility. That would be artificially improving the income, particularly for the private enterprise, but more disappointing and unacceptable would be the fact that it would artificially create a requirement on commuters to use roads. It would also artificially close thoroughfares that should, in terms of good road management, remain open.

I believe that the majority of this bill will be applied in the south-east corner. This is acknowledged as a high-density traffic area. As other speakers have said, I would endorse the need for there to be a very clear integration of any new road transportation system with other public transport infrastructure so that there is practical access to railway stations and bus lines. It is no use building wonderful railway stations and bus links if there are dirty great concrete walls between where the vehicular traffic is and where this access point is to roads and busways. I know that has occurred in some parts of Brisbane. There was a purported integration of public transport, but there were very practical physical barriers to people being able to efficiently manoeuvre through those various public transport options. That has to be one of the factors that is integrated into transport planning in the road tolling and underground tunnels process for Brisbane.

Again I reiterate, as other speakers have, that, whilst there is a concentration of infrastructure in the south-east corner, it is critical that rural and regional Queensland receives its fair measure of support because the communities in rural and regional Queensland contribute to this state's economy in a great way. People in rural and regional Queensland deserve to be travelling on a safe, reliable and efficient road system.

The report card by the RACQ on the Bruce Highway is a telling one. It reflects on the safety of commuters throughout this state. It reflects on the commitment of the state government and the federal government to the people of this state, and it is incumbent on governments to be even-handed in the allocation of funding for such a critical life stream as the road network. I commend the bill to the House.

**Ms NELSON-CARR** (Mundingburra—ALP) (5.08 pm): I, too, rise in support of the Transport and Other Legislation Amendment Bill 2005. This framework for toll roads and infrastructure, incorporating government at a local and state level, makes sense and is responsible legislation.

The growing costs of traditional infrastructure make it difficult for government to fully fund projects when blowouts occur—as they do. Considering the enormous profits that can be incurred by some sections of the private sector, it is sensible and realistic that they partner government as part of their social responsibility to benefit the community. Their profits will still be realised but the investment will also ensure a much-needed result for the community.

Partnership will enable local government to procure land for toll projects with eventual private operation. Local government will set and enforce tolls and will have the power, along with the state, to allow for full free flow through electronic tolling. This is a much more efficient and cost-effective method of tolling.

The bill is relevant to our growing population. The power to declare a tollway will rest with the Minister for Transport and Main Roads, which I am pleased to see. In Townsville and its regions, as the member for Thuringowa has pointed out, the population does not warrant tolling, as such. However, only today, Minister Lucas announced a commitment to the next five-year road implementation program, where \$10.5 billion will be spent on roadworks and support services. This is an increase of \$2.5 billion or 31 per cent over the last five-year RIP.

This is real commitment. It means that regional Queensland will not be left out of its share of the projects. It also means continued economic performance and continued job creation. It continues Queensland's fabulous lifestyle, which is the envy of the rest of Australia.

The Safer Roads Sooner program, which the minister launched last week, will deliver significant upgrades to our roads. I am very pleased to be chair of the group which will provide recommendations to Minister Lucas for road safety initiatives.

This RIP is all about reducing the number of people who are tragically killed or seriously injured on state roads. It is also a far cry from the ever-reducing commitment of the federal government, as has been reiterated by many members this afternoon, to federal roads, particularly in north Queensland and certainly north of Brisbane. These roads are nothing short of shameful. They are a disgrace and, of course, they take lives.

I am very pleased to support the bill. I thank the minister for the RIP funding that has been announced for Mundingburra. The funding commitments for the year 2005 through to the year 2007 contain six commitments, incurring a lot of money—I am very pleased—in Mundingburra alone. We have not missed out at all. While we do not qualify for the tolls, as such, this government's commitment to the region is commendable. I commend the bill to the House.

**Mr COPELAND** (Cunningham—NPA) (5.11 p.m.): I rise to make a short contribution to the Transport and Other Legislation Amendment Bill 2005. This bill sets out a framework to enable the planning, ownership, construction and operation of toll roads or tollways by local government, state government, a private operator or a combination of these entities. It is an important bill because it adds another framework in which road infrastructure can be provided to our state. The provision of road infrastructure has been a bone of contention in Queensland for some years, as the member for Chatsworth outlined, given its decrease as a proportion of the capital works program of Main Roads and Transport.

We now live with very, very real challenges when it comes to road infrastructure. An additional way to address some of those problems is to consider such things as tolls and PPPs. However, they are not an answer to everything. As the member for Nudgee outlined earlier, there are some international stories on the great successes of PPPs but there are also some failures. It is a matter of ensuring that appropriate projects are selected for PPPs or for tollways, and that it is not simply a substitute for the government doing the work. The government still needs to do the appropriate work that is expected of any state government and which it has the taxation funds to do.

One project I want to talk about tonight—and this will come as no surprise, I am sure, to the minister or to my colleagues from the Darling Downs—is the second range crossing in Toowoomba. The member for Toowoomba North, like myself, welcomes the federal government's contribution of \$10 million—it was in the press this morning—to seek out a partner for a public-private partnership for that second range crossing. That is great. I thank the federal government for that contribution. I note that even the minister thanked the federal government for that contribution, something he does not often do.

**Mr Lucas:** I do it when it is due.

**Mr COPELAND:** It is certainly due on this occasion, because it is a progression of that project that we so desperately need.

**Mr Lucas:** The member will recall that I spoke with him about it in the last year or so, and the member helped with lobbying them. However, the grass has not grown under my feet on this matter.

**Mr COPELAND:** That is true. I agree with the minister. There has been a concerted effort by all parties involved, both locally on the Darling Downs—regardless of the party they represent—and at the state level, and, I have to say, from the federal government as well. I have spoken on numerous occasions to my federal colleagues and they are under no illusions whatsoever about the need for this project. From day one, I have said that it will take innovative ways of approaching the financing of this project to make it a reality as soon as possible. That is also the message that I have sent to my federal colleagues.

It is a project that stands up to being a PPP. For example, it has an alternate route that people can take if they do not want to pay a toll. That is important whenever a tollway is being considered. We have seen examples where that has not been the case, where a toll has been put in place and it is the only option that people have. That is simply unacceptable. It is unacceptable to the people in the community and is certainly something that we should not be doing. I note that the bill states, as a matter of principle, that there should be an alternate route. This is, in fact, such a case because the existing range crossing will still exist.

I say without hesitation that the transport companies—who, in large part, have real problems with the existing range crossing—will happily pay a toll. It will result in a significant decrease in the costs that they incur from traversing the city of Toowoomba and travelling down or up the range, whichever direction they are travelling.

When I worked for the Shell company some years ago, I was in the logistics department for some time. We talked about savings of fractions of cents a kilometre or per unit of measure—in that case, it was cents per litre—because it makes a difference. If you can save a fraction of a cent with those sorts of volumes, it is a significant saving. By the time you take out the time factor that they incur, something in the order of 40 to 45 minutes will be saved, once the second range crossing is in place, for those heavy transports, let alone the wear and tear on the vehicles going through the 16-odd sets of traffic lights in the centre of town and then going up or down the range. It will be a significant cost saving.

I know from my conversations with transport companies that they will be happy to pay a toll on that road because it is such a saving to them in all aspects. It is an area that we can look at. As I said earlier, I have always thought that we need to look at an innovative financial way to approach it because otherwise we simply will not get that road. I note in the *Toowoomba Chronicle* this morning that most of the people in Toowoomba who were interviewed are welcoming the \$10 million that has been allocated by the federal government.

That corridor has been acquired. It will be approximately 42 kilometres, I think, in total. There will be a dual carriageway from the bottom of the range to around about Charlton and then a dual carriageway to Athol, where it joins up to the Gore Highway. That will be a significant saving. I say also, for the people who travel the Pittsworth-Toowoomba section of the Gore Highway, that the heavy transport that will be taken out of that section alone will be of a huge benefit to the people in my electorate.

**Mr Lucas:** This is an extremely exciting project. It has enormous potential benefits for the Downs and south-east Queensland generally.

**Mr COPELAND:** I completely agree with the minister. I could not agree with him more.

The potential for a shared corridor with rail is also very exciting. We will look at that. In the south-east Queensland plan, I think it is 2026 for the rail corridor. I want the road, that is the important section, at the moment. We will get the road and then we will worry about the rail. However, it would also be nice to have the rail infrastructure in place at that stage.

I have spoken many times in this House about the potential of that Charlton- Wellcamp industrial area as a distribution hub. A second range crossing in place would certainly make that a reality, I have no doubt at all. It is a very exciting project. It has a huge amount of potential. Not only will it be of economic benefit to our city and all of those people who use those highways that Toowoomba is at the crossroads of, but it will have a very great effect on the amenity of both Toowoomba city—taking all of that heavy transport out of our city will be a godsend. The number of trucks that travel through our city is unbelievable. Semitrailers and B-doubles, day in and day out, every hour of the day. When we have them out of the city and onto the second range crossing, it will be a huge increase in the amenity of Toowoomba. It will be fantastic.

I certainly welcome the federal government's contributions to progressing this project. We need to progress it, we need to make it happen, and we need the benefits once it happens, both economically and in the amenity of the city. I look forward to it. We will continue to work on it because we will not stop until we actually see construction start. We want to see that road in place—all of the members on the Downs and the member for Lockyer. I acknowledge him because it is largely in his electorate as well. It concerns all of us. We will all be working to ensure that it becomes a reality.

**Mr SHINE** (Toowoomba North—ALP) (5.19 pm): I rise to speak in support of the Transport and Other Legislation Amendment Bill. It is great to see the government reflecting the reality of the circumstances that exist at the moment and thereby encouraging the development of much needed road infrastructure in south-east Queensland in particular. This has been referred to by most speakers who have spoken in the debate on this bill this afternoon.

The bill establishes a framework for toll roads, particularly with respect to private-public partnerships. In this day and age we are reliant to a large extent on federal money through AusLink to upgrade federal roads. Unfortunately, it has been the case that the federal government, under former Deputy Prime Minister Anderson and the subsequent minister, ignored its responsibilities to properly upgrade the national highways. This leads us to consider different ways of achieving the necessary ends.

Under the most recent AusLink funding program only a very small fraction of the total Australian expenditure is to be spent in Queensland. The majority is to be spent in Victoria and New South Wales. This is despite the fact that Queensland is an economic powerhouse. That is very disappointing. It really is a reflection on the inadequate lobbying by our federal members—most of whom are conservative members—of the federal government.

The other point about the federal government is that it seems to be at a loose end as to what to do with its surplus of \$13 billion. Every member in this parliament from the Darling Downs could certainly make a suggestion about what it could do in terms of the second range crossing. A lot has been said about that this afternoon. I will come to that issue shortly. In my view it would be better to spend that surplus of \$13 billion on something like that rather than fritter it away in tax cuts. However, that does not seem likely to happen bearing in mind the attitude of the Liberal federal Treasurer to these matters, anxious as he is to cater to his constituency.

The reality is that there has been a miserable contribution from the federal government under the AusLink program. There is a general acceptance on both sides of politics of the public-private partnership concept, which was pioneered to a large extent in England with varying results and which was referred to by the member for Nudgee. With respect to, for example, the second range crossing project, I accept that a toll road seems to be the only way to achieve that end despite my regrets about the federal government not spending that surplus, which I referred to earlier in my speech.

In his second-reading speech the minister spoke about the north-south bypass tunnel that is to be constructed in conjunction with the Brisbane City Council. The bill refers to that project specifically and the involvement of local government generally. There are powers in there that obviously are appropriate and needed. There are powers to declare a tollway, powers to bring in electronic tolling, powers to resume land for tunnelling purposes—which is a bit different from the norm—and powers to ensure that there is structural support for tunnels below the surface. These are novel matters in terms of land title and the types of concepts that we have been used to over generations in Queensland. Therefore, this is a bill suitable for the 21st century and for what is needed to meet the exigencies of the present circumstances.

I particularly want to note that there is a requirement in the bill that if there is to be a toll road declared then there must exist alongside of it or nearby an alternate free facility. I think that is extremely important. It has been touched on by other speakers this afternoon. That would particularly be the case in Toowoomba. The existing range crossing would be there for the free use of anyone, probably other than those driving trucks. I would urge the minister to give consideration down the track when construction becomes a reality to banning heavy vehicles using the existing range crossing.

**Mr Lucas:** In fact, it may be cheaper for them even with paying a toll, bearing in mind the improved transit times and the reduced fuel and wear and tear costs. I will certainly be taking your points strongly on board.

**Mr SHINE:** Thank you, Minister. I appreciate that. As has been indicated this afternoon, the economic savings to transport operators would be quite considerable. I do not think we would have too much resistance to that point of view. It would certainly make the existing range crossing a much safer one. A lot of the accidents involve semitrailers and so on overturning.

**Mr Lucas:** And also quality of life for people in urban Toowoomba. Tor Street and the like have vehicles with compression brakes and the like going through them.

**Mr SHINE:** Absolutely. As has also been said, there are about 16 or 17 sets of traffic lights. It is a huge interruption to the experience of that ideal living that we otherwise experience in Toowoomba and what makes it such an attractive place. I will not go over the economic benefits for the trucking industry that have been set out at length today and many times by me and my colleagues from the Darling Downs and the benefits to the economic life of Toowoomba and the economic life of Queensland. The benefits to the Charlton-Wellcamp industrial hub and so on have all been set out.

I refer to the announcement about the funding made yesterday by the federal minister for industry and federal member for Groom. It was announced about two weeks ago by the *Courier-Mail* and some comment was made in the local press at the time. It was good to see, even if belatedly, the announcement being made yesterday that \$10 million has been allocated to this project. I recall around January this year that the minister, Mr Lucas, made approaches to the federal government for \$10 million to be appropriated for the development of the business case for a PPP. I wrote to the new minister, Warren Truss, when he was appointed pointing that out and asking him to give some attention to that request. It is good to see that there has been a response to my lobbying and no doubt the lobbying of others as well.

It is an appropriate amount of money. It is a little bit late, but it is better late than never. It is just another step towards the construction of this spectacular infrastructure that is so needed. It is extremely pleasing—and it has not always been the case during my term in this parliament—to see that our own state minister is so supportive of this concept and can see what it will mean for the economic growth of Queensland as well.

The minister has been up to the site of the second range crossing at my request. It crosses over the middle of my electorate. He has seen first-hand where it will go and where the tunnel will be. I appreciate the minister's ongoing interest in this particular project. This bill will facilitate, from a legal point of view, the toll concept if that is finally what it is to be.

Mr Macfarlane said in his press release yesterday that the extra funds for planning and route studies were for an integrated road and rail corridor over the Toowoomba range. I think that would be somewhat different from the current idea.

**Mr Lucas:** He needs to understand that the road corridor that they have agreed to that we require is a 6½ per cent maximum grade. The most you can get out of it for a train corridor is 1½ to two per cent. I do not know what rail line he thinks will be going up the range on the road corridor. However, we will work with them in relation to a road PPP project.

**Mr SHINE:** I thank the minister for that. I really do not think that the federal minister, Mr Macfarlane, gave that a great deal of thought when drafting this press release.

**Mr Lucas:** He could have spoken to us first. I would have welcomed it. He would have got his facts right.

**Mr SHINE:** I thank the minister for that interjection. I also think he is probably ignorant, really, of the tremendous amount of work that has already been done on the Gowrie to Grandchester rail corridor, which, as the minister knows, is the subject of a \$1 billion provision in the south-east Queensland

infrastructure study. A lot of work has been done by the state in these areas. While it is not my purpose to belittle the federal government or the minister, Mr Macfarlane—he is the local federal member; I work well with him in relation to this matter—I do ask him to perhaps look again at the phraseology that our minister, Mr Lucas, has pointed out today is inappropriate. Without further ado, I commend the bill to the House. It will facilitate that particular project as well as other important projects throughout Queensland.

**Mrs PRATT** (Nanango—Ind) (5.30 pm): The Transport and Other Legislation Amendment Bill 2005 makes a number of amendments to transport legislation and some consequential amendments to other legislation including the Transport Infrastructure Act 1994 and transport operations bills dealing with marine pollution, marine safety, passenger transport, road use management, planning coordination and the South Bank Corporation land area. It also makes, as I said, consequential amendments to the Commission for Children and Young People and Child Guardian Act, the Integrated Planning Act and the South Bank Corporation Act. The bill deals with port authorities. As I come from a landlocked, inland electorate, I will refrain from commenting on that particular section of the bill and leave that to members with ports in their electorates.

I will, however, talk about roads, because that is something that every one of us has experience with. In the 7½ years I have been travelling to Brisbane, I have witnessed an enormous amount of roadworks being undertaken with extra lanes added to the major motorways and freeways. However, for all of the extra expense and added lanes, the time taken to travel from even Caboolture to the city has not lessened but in fact has increased. Road infrastructure has been playing catch-up for a long time, simply because we have not been thinking long term, and I believe that is what this bill is aiming to achieve—thinking long term.

The bill opens up the opportunity for public-private proposals to occur, and it may be that local governments throughout Queensland will in time take advantage of this. Perhaps the minister can tell us whether it is available to the inland shires to take advantage of in the future to assist with road infrastructure in their areas.

With regard to the tunnels advocated by Campbell Newman, the concept of private funding to achieve road infrastructure is a reality. No private money is put forward without a guaranteed return, and that will be via tolls. There will be a certain scepticism on the part of the general populace as more and more government responsibility is passed on to the private sector through these government-private partnerships.

I actually support this bill—these public-private proposals—and I would strongly support such a relationship to upgrade the Blackbutt Range so that it could have an overtaking lane all the way. The amount of traffic on that road has grown enormously. Although this project has been in the RIP over the past few years, it keeps being pushed further and further down the list, due to the cost involved I can only assume. A few members in here have spoken about the Toowoomba range. The truth is that if the Blackbutt Range collapses, as it invariably will one day due to the erosion that is occurring on its steep banks with the weather and the deluges of rain we are having at the moment, it will only be a matter of time before it will slip. It is only due to the fact that we have had drought over the past five or six years that it has not happened already. But I smiled to myself when those members mentioned the Toowoomba range, because if the Blackbutt Range does in fact get cut off the alternative is to go down the Toowoomba range.

There is a bit of a battle here between the members who are advocating for the Toowoomba range to be looked after and me trying to get the Blackbutt Range looked after. However, I will keep plugging along. It is my pet project and I would like to see it done before my term in office is finished, whenever that might be. The Blackbutt Range does need attention, and it is going to need it in the near future. The number of cattle B-doubles and other transport trucks that frequent that road to not only supply essentials to the inland towns but also service the power station and the mines has a huge impact on the current road network, not to mention the back loads that keep coming down the range. If anyone has ever had to travel behind semis and B-doubles as they come up or down that range, they will know that it is very frustrating for many motorists who forget that the trucks can drop down their gears to go a lot slower rather than just slam on the brakes all of the time.

I take the opportunity to thank the minister for his willingness to discuss road issues whenever asked. I also thank him for the number of roadworks that have been undertaken in my electorate over the past few years. All of the bridges that have been asked for have been built. I really cannot see how anyone in my electorate can complain too much about the roadworks. I know that they complain when they get held up, and I take full responsibility for that and all of the bridgeworks and everything else.

**Government members** interjected.

**Mrs PRATT:** I will not stop asking.

**Mr Lucas** interjected.

**Mrs PRATT:** The point is this, Minister: thanks to you, he will not have too many roadworks or bridges to complain about. He should be quite happy with all of the roadworks that have been going on in the electorate. So I do thank the minister for those most sincerely.

However, there are more roads and other issues to be attended to and over the next couple of years, or until the next election, I will be asking for those to be attended to. I am sure that the minister would be aware that we are still waiting for the Kilcoy bypass and things like that. I notice that the minister has nodded and that is still in the pipeline. So I appreciate that as well. This bill is primarily going to benefit the south-east corner, but I would seriously ask the government not to forget that there is a very large section of Queensland that needs safe, reliable road systems in the future. I look forward to seeing a lot of those go ahead.

**Ms STONE** (Springwood—ALP) (5.36 pm): It certainly does give me pleasure to rise to speak to the Transport and Other Legislation Amendment Bill. The planning for infrastructure that meets the demands of the future is critical to maintaining the lifestyle that we have come to enjoy and that other states certainly envy. This bill will give greater flexibility by allowing local governments to construct and operate toll transport infrastructure that they require to meet their planning needs. Planning for new transport infrastructure and upgrading of existing transport infrastructure is certainly important to the people of Springwood. That is why I am pleased to see that this state government is building on the extra \$300 million provided in the current RIP over four years under the arterial roads infrastructure package and the additional \$92 million to progress the upgrading of the Pacific Motorway from Tugun to Mount Gravatt. This forms part of the \$1.5 billion program of works to be undertaken over eight to 10 years and is only subject to matching funding from the federal government—funding which has been sought.

Earlier I heard the member for Chatsworth speak of the importance of planning for the future and I heard the member for Gregory speak of the importance of upgrading existing infrastructure. Yet neither of them is calling on the Howard government to match this funding and support the people of Logan City, and in particular support the people of the Springwood electorate. I doubt very much if the Liberal Party even knows where Logan City is. The Liberal Party should be asking the Howard federal government: why on earth does it not like Logan City? It should be asking why it lacks commitment to giving money for infrastructure in Queensland.

I inform the House that the Howard government has actually committed \$160 million per annum over the next 10 years on a fifty-fifty basis, and this is going to be spent on the Pacific Motorway upgrade in New South Wales. I will say it again: the federal Howard government has committed \$160 million per annum over not one year, not two years and not five years but over 10 years not to Queensland but to New South Wales. I know the Queensland state government is seeking a similar fifty-fifty commitment from the federal government. But do I hear the member for Chatsworth or any Liberal member calling on their federal colleagues to support Queensland? No! Only silence! The Beattie Labor government has committed our share, and Main Roads is certainly getting on with the job and is out there planning. In fact, the government's priority will be given to the extension of the transit lanes to the Logan Motorway and construction of the Loganlea interchange. That is to be done in conjunction with Queensland Transport's busway extension to Springwood, and they are also my priorities.

I, too, will be getting on with the job. I will be informing the people in my electorate that the Liberal Party does not consider them to be a priority. The Liberal Party is not calling for federal funding for a Road of National Importance and we are certainly not a priority on its list. The National Party branch member who sought preselection for the seat of Springwood said that the Liberal Party and many of his own National Party branch members did not support him because he supported workers' rights. Now they do not even support funding for critical road infrastructure. They certainly do not support the people of the Springwood electorate and they certainly do not support the people of Logan City.

Earlier an opposition member said that the Roads Implementation Program, which was announced today, was nothing. Let me say that the people of Logandale in my electorate do not think the program is nothing. The funding for the installation of traffic lights on Beenleigh-Redland Bay Road at Logandale Boulevard will certainly address their concerns about the intersection. I thank the minister for listening to the representation that I made on behalf of that community and for those traffic lights, because they are certainly needed.

The funding for projects under the TIDS program is also important to my electorate. These are local projects that provide increased safety to pedestrians, cyclists and school students. They are projects for local issues that the community has raised with me. That funding from the state government will allow the local government to get on with the projects. So to say that the RIP is not important is just stupid. It is just not right. For my local community, the RIP is very important. Queensland is the envy of other states. Legislation such as this bill will ensure Queensland continues to be the envy of other states. I commend the bill to the House.

**Mr WELLINGTON** (Nicklin—Ind) (5.40 pm): I rise to participate in the debate on the Transport and Other Legislation Amendment Bill. I am disappointed that the minister has to introduce such a bill because, to my mind, the federal government is not prepared to honour the commitment of user pays. In Australia millions and millions of dollars are raised through the tax on petrol.

**Mr Wallace:** Billions.

**Mr WELLINGTON:** Billions are raised through the tax on petrol. A minuscule amount of those funds is returned to assist our state government and local councils to upgrade and improve our very important road network throughout Australia. That is why there is pressure on the minister to explore new ways of creating infrastructure.

Today, we are debating the Transport and Other Legislation Amendment Bill, which will open up opportunities for the state government to enter into private-public partnerships to provide very important infrastructure. I really believe that if the federal government honoured the commitment of user pays we would see significant dollars returned to the state governments and the councils to provide that very important infrastructure that is crucial for effective transportation throughout Australia. Unfortunately, the federal government seems to be wearing blinkers. It seems to think that it does not have to be accountable for the millions of dollars of tax that is generated through the fuel excise.

**Mr Wallace:** \$14 billion.

**Mr WELLINGTON:** I am informed that \$14 billion is generated. I really believe that it is high time all members in all the parliaments in all the states and territories throughout Australia took the fight to the federal coalition government—the Liberals and the Nationals—and demanded that it returned this money for Australia's infrastructure needs. It is not good enough to say, 'Yes, but your tax on your fuel is going to support this program, that program and all of these other programs,' while our roads fall apart. Regularly on the news we see footage of road fatalities that have occurred. I believe that our federal government is letting down all Australians by using the windfall created from the generation of tax on our fuel to fund so many other programs. I believe that is contrary to the general principle of user pays.

I will turn now specifically to the bill. I am very pleased that in this bill the minister has ensured there will be a full tabling of the road franchise agreements from both local councils and the state government. Too often when members of parliament ask important questions—

**Mr Lucas:** We are doing it.

**Mr WELLINGTON:** Yes. I am not reflecting on the current minister, but when members of parliament ask important questions about the finer details of the infrastructure franchise agreement local councils talk about the project being commercial-in-confidence. I regard that as a cop-out. So I say to the minister that it is great to see in this bill that there will be a requirement for full and frank disclosure of those road franchise agreements. I believe that Queenslanders would demand nothing less. I think it is wonderful that we are going to have the opportunity to scrutinise the terms of these agreements to ensure there is no sweetheart deal to lock in a guaranteed number of drivers to use certain toll roads. It is also great to read in the bill and the accompanying material that there is going to be a guaranteed requirement for road users to have a choice as to which road they may wish to use. They may want to use the toll road or they may prefer not to use that toll road.

Whilst speaking about the importance of infrastructure in Queensland, I want to refer to a couple of specific issues in my electorate of Nicklin on the Sunshine Coast. My electorate certainly is in great need of the upgrading and improvement of some of its road networks. I know that I have mentioned previously in this House the urgency and the importance of upgrading the bridge on the Kenilworth-Eumundi road—bridge No. 2 over Belli Creek. I hope that in the roads improvement program, which the minister will announce maybe later this month or next month, there is a commitment for the replacement of the Belli Creek No. 2 bridge on the Kenilworth-Eumundi road.

Another important linkage road in my electorate is the Nambour Connection Road. Certainly, a number of meetings have taken place between the state government, the Department of Main Roads, Queensland Transport and local councils. I certainly hope that when the proposals are finally taken to the community the government will provide some particulars as to the likely cost of the proposed alternatives for the upgrading and safety improvements of this road and also the time frames for the provision of this very important improvement to our road network.

Whilst talking about infrastructure, I digress to speak about our rail infrastructure needs on the Sunshine Coast and the duplication of the Citytrain network all the way to Nambour. Currently, Nambour is at the end of the Citytrain network to the Sunshine Coast. I know that there is pressure on other networks and other linkages to Caloundra, Maroochydore and Noosa, but I remind the minister that we really need to focus our attention on the duplication of the existing rail corridor to Nambour, which is the end of the Citytrain network. Hopefully, we will never see the day when we have to talk about a private-public partnership for the upgrading of rail infrastructure on this important—

**Mr Lucas:** You might have to realign it a bit, too.

**Mr WELLINGTON:** That leads me to the final comment that I would like to make and that is in relation to the important rail section through Palmwoods. I understand that at the moment there is a proposal for the sale of significant railway land in the town of Palmwoods. I really hope that that sale can be postponed to another date. On the information provided to me, I understand it is likely that the sale will proceed in January. There is a lot of concern about this sale being conducted at this time. Perhaps I can discuss this matter with the minister further. If it is at all possible, I would like a postponement of this sale until the railway corridor issue is resolved. That might bring forward the issue of the duplication of the Nambour link of the Citytrain network.

I return to the bill before the House. I support the bill, because I understand the difficult position the minister is in. The federal government will not release sufficient funds to the minister to assist in improving very important infrastructure in Queensland. I really believe that it is a core responsibility of the federal government to provide the funds, which are raised through the taxes on our fuel, for the specific purpose of addressing the traffic needs on our roads. It is not good enough. I stand here proudly as an Independent to take the message to John Howard and his federal colleagues, because unfortunately it seems that some of the coalition members in Queensland are not prepared to speak up on this very important issue. I understand the difficult position the minister is in. The federal government will not ensure that the dollars come back to Queensland—and back to other states—so that we have proper infrastructure. I commend the bill to the House.

**Mr REEVES** (Mansfield—ALP) (5.49 pm): It gives me great pleasure to rise to speak in support of the Transport and Other Legislation Amendment Bill 2005. Before I turn to the specific provisions of this bill, I would like to thank the Minister for Transport and Main Roads because contained within the Roads Implementation Program is an allocation of \$500,000 for noise barriers to be located on the Gateway Arterial between Mount Gravatt-Capalaba Road and Miles Platting Road. At the moment the Department of Main Roads is conducting a study to determine the most effective location of those barriers. I have no doubt that those barriers will be of major benefit to the people who live in the Wishart Outlook estate at Eight Mile Plains. They have been campaigning with me for these noise barriers. I have made strong representations to this minister about the need for these barriers. Today is a great day because today funding for them has been delivered.

The money is there to be spent for the 2006-07 financial year and I look forward to the people seeing the benefit. Some of these people have been long-suffering on the noise barrier issue, particularly those in Bluegrass Crescent and a few other streets around Wishart Outlook. It is terrific. That area also benefited greatly from the expansion of the busway car park at Eight Mile Plains. It gave them a second entrance and exit point out of their estate which was much needed in case there was an accident on the freeway or just near the entrance to the freeway. There had been no way they could enter or exit their own estate in such a situation and it became difficult for emergency services vehicles as well. So that area has benefited greatly.

I need to respond to the member for Chatsworth. The member for Chatsworth continues to give the same speech. He gave the same speech in Rockhampton. I think he said it a couple of weeks later and he keeps talking the same line. Most of it is false, but that is what the Liberal Party is all about at the moment—falseness. It cannot even tell the truth to itself, let alone anybody else. He is living in fantasy land if he honestly believes that infrastructure has not been built in the south-east corner. Just in his own area of the south side of Brisbane, members can look at the south-east busway if they want an example of infrastructure that was delivered—delivered by this government—and the improvements that has created.

The member talked a few weeks ago about the increase in patronage. A lot of that increase in patronage, particularly on Brisbane Transport, is a direct result of the south-east busway. As the No. 1 ticket holder of the south-east busway, I know the impact it has. It has simply taken people out of their cars and onto the bus. The eastern busway will do the exact same thing. It is a furphy, an absolute furphy, to say that infrastructure has not been built. I have spoken about the Eight Mile Plains car park—further infrastructure. There is TransLink, and soon smartcard technology will transform once again the public transport use of south-east Queensland.

The member for Springwood spoke about the planning for the upgrading of the Pacific Highway. Even the member for Chatsworth has talked about the Gateway upgrade. We are delivering the latter two projects with no assistance from the member's federal colleagues. They are parts of the National Highway.

**Mr Caltabiano** interjected.

**Mr REEVES:** The member for Chatsworth is defending the federal government for not putting in any money. Let the record show that the member for Chatsworth is sitting there defending the federal government for not putting in any money. He tried to defend them the other day for not putting any money into the Ipswich Motorway. He was up there defending them. The federal government was dragged kicking and screaming into finally doing a study on the Brisbane urban corridor. We are now doing an investigation on Kessels Road and Mains Road. My concern is that the federal government loves doing studies but it does not like putting the money in as a result of those studies.

This is the member for Chatsworth's big test as shadow minister for transport and main roads. Let us see what the federal government does when the study of the major upgrade that is needed for Kessels Road and Mains Road is completed. Anyone who lives on the south side, even the member for Chatsworth, would say that it is needed—even the member for Moreton says it needed. Let us see if the federal government delivers on the money when that study has been done on what engineering work has to happen.

**Mr Caltabiano:** I will bring my glasses.

**Mr REEVES:** It is all right to speak words, member for Chatsworth, but words are cheap. Words are absolutely cheap. These are the same type of words as, 'We will not deal with One Nation,' but we know what is happening there. Let us see the member deliver. This is his test as a shadow minister. A shadow minister is supposed to be sticking up for Queensland. Let the member go down to Canberra. I know he likes hobnobbing down there with all his Liberal federal colleagues. Let him go down there and bring the money back for the Brisbane urban corridor. Let him bring the money back for the Gateway Arterial, and while he is at it let him bring the money back for the Ipswich Motorway. There was another accident there today. Hours upon hours are lost to the economy of south-east Queensland because of the Ipswich Motorway and the same thing will happen with the Brisbane urban corridor if something does not happen at Mains and Kessels roads.

This is the only government that is delivering on infrastructure—particularly in the south-east corner, but it is also doing it in all parts of the state, as we heard from the member for Thuringowa and from others. Let us see the federal government back it up and let us see the member for Chatsworth put up or shut up. He has to deliver the federal government money, but I will not hold my breath. I am sure, leading up to the election, we will get all these handshake photos. We will have the Lord Mayor there, we will have the member for Chatsworth there—he will be leader by Easter. We will have the roads minister or John Howard there saying 'Oh, look, if we get a Liberal-National coalition we will deliver the money.' It will not happen. They are all talk and no action. Now is the time to deliver, because the people of south-east Queensland deserve it and the people in Queensland deserve it. Let us see whether the member can deliver at least one deal. We know he cannot deliver a coalition.

Also with regard to the bill, electronic tolling provides a number of benefits to motorists. Electronic toll collection improves the safety of toll plazas by reducing the number of vehicles that enter the plaza and weave through traffic in order to reach the appropriate manual payment option. Electronic tolling collection improves traffic flow on the motorways and reduces congestion at toll plazas. Approximately four times as many vehicles can pass through an electronic toll collection in the time it takes one vehicle to process through a cash payment lane. This is because the need to decelerate into a toll plaza, idle while waiting and paying and accelerate from the toll plaza is avoided. For motorists this means a faster service and reduced fuel consumption.

Perhaps most importantly, reduced fuel consumption equates to reduced vehicle emissions. This will benefit the whole community. Electronic toll collection also gives toll operators the flexibility to offer motorists a variety of payment options. Motorists can use a transponder and periodically top up their accounts by cash, credit card or direct debit. Alternatively, less frequent users who do not have a transponder can open a video tolling account on the same basis, paying after they have used the motorway. Motorists who use credit cards or direct debits can be given the option of having their accounts automatically charged when their accounts reach a predefined level. Data gathered by electronic toll collection can also provide the opportunities for operators to better accommodate the informational needs of their customers. Pertinent information such as statements detailing an individual usage may be provided to customers to the same standard as utilities statements. Electronic toll collection offers great convenience to those motorists who travel interstate. Motorists who carry a transponder are recognised on electronic tollways in Queensland, Victoria and New South Wales.

In talking about electronic tolls, I would like to talk about the toll operators. I have known one who has worked there for 10 years, Pat Jedra. I must say—I am sure the member for Bulimba will back me up on this—the toll operators on the Gateway Bridge are very friendly people whenever you go through. They are great, hardworking people. It is a difficult situation for them because e-tolling virtually puts them out of a job. I know that the minister has been very concerned about making sure that they and their rights are looked after. I would like to put on the record my thanks for the great work that they do, particularly Pat Jedra, whom I know well. He has worked there for over 10 years. They are friendly people and they do an efficient job. I commend the bill to the House.

**Mr LANGBROEK** (Surfers Paradise—Lib) (5.59 pm): I rise to support the Transport and Other Legislation Amendment Bill, although I trust that government members will be supporting the amendments to be moved by the member for Chatsworth to ensure that this bill presents an even better deal for Queensland motorists. We are growing in Queensland, with a new Queenslanders every few minutes. I note that we are soon to welcome our four millionth Queenslanders. This means that we have to be visionary with regard to transport and infrastructure policy.

There is most definitely cause for concern when it comes to the Beattie government and its track record. The member for Chatsworth canvassed at length the myopic nature of this government's attitude towards transport policy as a whole but specifically to the Gateway Motorway. As one of the most important transport corridors in south-east Queensland, we have seen it relegated under this government to the absolute back of the queue. Nothing highlights this more than the Tugun bypass—one of the issues that helped to elect my colleague the member for Currumbin. I was just looking at the Roads Implementation Program, which shows that the lack of expenditure over the last year has meant that it will not be constructed until 2009-10. I see that there is a generalised amount of \$169 million quoted for the last three financial years up to 2009-10, which means that the people of the southern Gold Coast will be waiting and waiting and waiting.

The bill proposes to change the nature of reporting to parliament by the transport minister in relation to public-private partnerships. While PPPs can be advantageous in terms of saving tax dollars, the accountability of the government and organisations it is working with to this parliament is paramount. While I would like to think that the government would execute all partnerships with private companies honestly and with the taxpayer in mind, it is important that as much information as possible about projects that have been entered into by the elected government of the day is subjected to the scrutiny of the parliament. An example would be the Goodwill Bridge, which was originally supposed to cost \$13 million and which blew out to \$30 million. It is important that in circumstances such as the Goodwill Bridge our taxpayers can be assured that important information in relation to the agreement made as part of the PPP will be tabled by the minister instead of just a summary, as is proposed by this bill, which could gloss over important facts.

May I also add my support for an aspect of tolling that the member for Chatsworth touched on, and that was the proposal of congestion based tolling. I believe it would be a good way of ensuring that road users prioritise when using roads and thus help the infrastructure in our state cope with future demand. It is certainly something which the community needs to be consulted about first, but it is worth consideration.

The member for Chatsworth outlined the great decay that has occurred in terms of spending on capital works in the Main Roads and Transport budgets from 1998-99 to last year. We are constantly bombarded with the terrible news of road deaths in Queensland and yet the government is letting the Main Roads and Transport capital works budget stagnate. It is marked stagnation, too, with investment in capital projects as part of the Transport and Main Roads budget going from 45 per cent of the budget in 1998-99 to just 31 per cent last year.

As I have said from the outset, as elected members we have a duty to our constituents to ensure that they know as much as possible about decisions affecting them, their road transportation system and their tax dollars. So I urge the Australian Labor Party to support the amendments proposed by the member for Chatsworth to ensure a more transparent system in Queensland when it comes to PPPs and toll roads.

**Mr ROWELL** (Hinchinbrook—NPA) (6.03 pm): I rise to support the Transport and Other Legislation Amendment Bill. Transport is extremely important right throughout Australia and certainly in Queensland. When we look at the areas that are so critical to a good transport system, the farther we get from Brisbane the clearer we see that roads are critical and so important to this great state. Whether it is beef roads, main highways, council roads or state controlled roads, they are all essential and they all play an integral part in the future development of this state.

There are a couple of issues that I want to mention because I believe they are quite important and they are very pertinent. Signage on roads is extremely important. I am concerned at times that we see a differentiation with billboards along the side of railway tracks, for example, where people can put up anything they like on those billboards to attract the attention of passing motorists, and yet billboards cannot be put up on a main road. I think there is an inconsistency in some small village areas in that signage cannot be put up to advertise certain types of businesses that are there. Even if we could get the speed limit down to 40 kilometres an hour, I think there is still the prospect of having accidents. That is the essence of why we cannot put up substantial sized billboards along the side of roads, and yet only three or four metres away we can put them up next to railway lines. What I am saying to the minister is that there is a degree of concern about the variation in what is right and what is wrong. In some of these smaller villages they are not able to put up these signs, albeit they may be small and albeit a speed limit could be justified to allow people to read the signs but not have any difficulties as far as the road is concerned.

Other aspects that I am concerned about are overtaking lanes and tourism, because we are seeing more and more people on the roads. There are campervans, caravans and semitrailers and it is a major concern that with increasing traffic people are taking risks. We sometimes see three and four of them lined up along the road travelling at 80 kilometres an hour or even less, and very often people start to take unnecessary risks because long stretches of oncoming traffic really do not allow them to pass. It is essential that we have a look along the highways and the state roads. I know that those opposite will say that the federal government is involved in it, and that is exactly right. But under the agreements that the state has with the federal government I think it is appropriate that the state should be identifying areas where overtaking lanes are essential.

We are seeing Queensland Rail close many sidings, even in main towns and substantial areas. In areas such as Kennedy and Ingham they virtually closed up areas as far as attracting or taking in freight. That freight then has to go on the road down to Townsville so that it can be taken by Queensland Rail to the destination concerned—the southern market, in most cases. I think that is a little ridiculous. In the case of the cucurbits that come out of Ingham and some of the areas that are a little south, 6,000 or 7,000 tonnes of cucurbits are being taken by road down to the rail yard in Townsville. There is enormous congestion when these trucks—

**Madam DEPUTY SPEAKER** (Ms Jarratt): Member for Hinchinbrook, I know that members have been offered a fair bit of latitude on this bill, but this bill does deal with very specific issues and I will ask you to very soon return to them.

**Mr ROWELL:** It is very important that the roads are used appropriately and that we do not put more traffic on them than is absolutely necessary, because it is just adding to the cost burden and certainly to a range of difficulties that motorists are facing with the increased traffic that is on the road with semitrailers.

I would like to talk about registration costs, because they are coming up. As far as B-doubles are concerned they are going to increase them by—

**Madam DEPUTY SPEAKER:** Member for Hinchinbrook, the bill does not deal in any way with matters of vehicle registration, so please make your point very briefly.

**Mr ROWELL:** I want to talk about semitrailers because I know that the minister will be attending the National Transport Council in December this year. There is a great concern about the distance that the freight is hauled on roads. It is unfair if users of transport have to pay additional costs. Routes that have high mass limits are extremely important. I have spoken to the minister about this on a few occasions. If we are going to increase the actual cost to the B-double transporters, there is a good case for introducing more routes with high mass limits for those transports to use. This relates to attracting funds to the higher traffic flow areas and using PPPs to do that. That is great, but you cannot justify a PPP or attract the level of return needed on some of the low-flow areas. Although they are critical and they are used increasingly, we can only justify a PPP on roads that have substantial traffic flows.

I will talk briefly about the Tully Highway, because it is going quite well. The federal government has put \$80 million into that project. Planning is going well, but there are some difficulties in clearly identifying how the plan will affect those farmers who will lose some land. There will be acquisitions in that area. Of course, the farmers are coming to that time of the year when they have to decide which crops they will plant over the next three to four years. The people who are doing the planning are doing a great job, and they talk to me from time to time. However, we need to speed up the process of finalising and implementing the plans. That would be much better for the people directly affected by the construction of the road. The construction is inevitable. It will probably start next year and take two to three years to complete.

I am restricted in what I can say about roads. Some elements of the bill are not perceived to cover some of the things that I wish to discuss in parliament. However, it is important that I raise them.

**Mr HORAN** (Toowoomba South—NPA) (6.11 pm): In rising to speak on the Transport and Other Legislation Amendment Bill, once again I will refer to the second range crossing at Toowoomba, which is a part of the entire PPP process. We hope that the recent announcement by the minister, which was welcomed, could lead us to this public-private partnership process. This bill sets out the parameters governing whether projects are undertaken as fully private projects or as part government/part private projects.

I have always believed that, when looking at public-private partnerships, things should be kept very simple. When I was the opposition leader, I had the opportunity to study PPPs in England. One of the things that struck me was that were PPPs that were obvious and sensible and there were good reasons for them. Other PPPs were very complex. They usually related to the building of social infrastructure such as schools and hospitals, and I did not agree with that. The British government undertook many of those PPPs simply because it had an enormous deficit of infrastructure, be it capital infrastructure or social infrastructure, and it was forced to move into a whole plethora of PPPs in order to catch up. For example, I examined the PPP relating to the replacement of the electrical systems and so forth of the entire London Underground.

What struck me about those PPPs and how they were put together—mostly for the ones relating to hospitals, schools and so forth but also for those relating to roads and road transport—was that in some cases their complexity made it nearly impossible for them to progress. PPPs are an excellent way of building infrastructure, provided that a simple and logical process is used, and that the public is not being charged for something that it should have for free.

When it comes to toll roads, we can reflect on what happened with the Sunshine Motorway. As a general philosophy, everyone is entitled to access a road so that they can travel from A to B. Those who live in Toowoomba are entitled to a free road to get to Brisbane. However, we also want a second range crossing to take the trucks out of Toowoomba. For people who live in places such as Dalby and Roma, such a road could save three-quarters of an hour to an hour in travelling time, and it could also save money on fuel and so on. If after a fair and accurate analysis, on the available funds, it is difficult to get such a road built in the foreseeable future and if a PPP could bring the project forward, those would all be reasons for it. Also, there is the major escalation in costs to consider. Things that we could build now for \$500 million in five years time may well cost \$1 billion. We are not in a position to accumulate that money in that space of time. The announcement regarding the second range crossing has to be looked at in the context of this project.

The Warrego Highway, where it runs through Toowoomba, is probably the heaviest freight carrying road in Australia. It carries in the order of 3,500 to 4,000 semitrailers per day, nearly all of which are B-doubles, and they travel through the city. Toowoomba is the biggest inland city in Australia after Canberra. It has 100,000 citizens and is the economic, social, health and education centre for another 100,000 to 150,000 people from northern New South Wales, the South Burnett in the west and the Lockyer Valley. Each year, approximately 20,000 vehicles travel on the main east-west street of this huge, important city. Of those vehicles, about 4,000 are semitrailers. If one stands at any of the 16 sets of traffic lights on that road, particularly late in the afternoon, there will be five or six B-doubles at either side of the lights. Can members imagine a mother taking her kids to school in a Mini Minor? She would be in the middle of four or five B-doubles in a four-lane road in the middle of the city. That is the social inconvenience aspect of this problem. That road is the main link from the south-east of Queensland to Darwin and the southern states.

In about 1997, when it was first proposed to build a second range crossing to divert the trucks from the city via a northern route, the cost was estimated at \$300 million. As I understand from recent discussions, the cost is now in the order of at least \$650 million. The costs are escalating. The entire corridor has been purchased for about \$30 million, and the detailed planning has been undertaken. However, the issue is bringing the project forward and undertaking it through a PPP. This week's announcement by the federal government regarding the allocation of \$10 million will enable a business case to be undertaken to allow for the bringing forward of the project under a PPP or some other similar arrangement.

If looked at very simplistically, one needs to ask: if funding was split between the government and the private investor fifty-fifty—that is, they each contributed \$300 million—would that provide an adequate return to the investor or the contractor? Would it enable the project to start as soon as possible, rather than in a number of years down the track? Would the cost be contained at today's prices, rather than the prices in five or seven years time? Would it provide the necessary convenience to the trucking industry of Australia, Toowoomba and western Queensland? Would it provide the people of Toowoomba with more convenient access to the main streets traversing our city? Those are the principles that we need to look at with PPPs, which are such a significant part of this particular bill. I have no doubt about the basic logic of the whole process, as I have outlined.

I make one more point on this matter. It was costing around \$80 an hour to run a B-double. Due to the price of fuel now, diesel in particular, the costs have probably blown out. If you save nearly an hour in travelling time, it is not hard to work out what the savings will be and not hard to see that a toll road will be good for the trucking industry and will save them a lot of money.

I want to make one other comment in relation to contracting and so forth. I am quite concerned by what has happened in the letting of a tender for the four-lane highway at Highfields on the northern side of Toowoomba. A local firm that went through all the preconditions and arrangements for picking out the best tender lost that contract. They tendered at the lowest price—\$200,000 less than anybody else. That contract has gone not to that local Darling Downs firm but rather to a Sydney firm.

The Queensland parliament and the Queensland government have to ensure the public receives the best value for money and have to consider companies with long-established reputations in the local area. The company that lost this contract has that in road building and earthworks. If a significantly lower tender is submitted and is not successful—in this case it was almost a quarter of a million dollars less—then we have to start having some sensible consideration in the tendering process. I know that 20 per cent of that contract did not relate to the actual moneys, but it galls people anywhere in Queensland to see a reputable, long-established firm come in with the lowest tender, at extreme cost to the firm, and lose it to an interstate firm.

**Mr TERRY SULLIVAN** (Stafford—ALP) (6.21 pm): I rise to support the Transport and Other Legislation Amendment Bill. The first project likely to utilise the legislation is the Brisbane City Council's north-south bypass tunnel, the NSBT. The state government has been very active in supporting the Brisbane City Council so that the council can advance the NSBT, its first tolled tunnel project.

After receiving representations from council and the council's prefeasibility report, the Premier wrote to the Lord Mayor on 19 September 2003 and gave in-principle support for tolling powers, subject to conditions. The state then provided support through the 28 February 2005 memorandum of understanding with the Brisbane City Council, signed by the Premier and the Lord Mayor. The state undertook to consider legislative amendments for tolling, concession arrangements, traffic management, acquisition of subterranean volumetric title, support for underground infrastructure, and power to acquire land, including where the taking of the land may ultimately benefit a third party.

The bill includes transitional provisions so that the council is not required to seek duplicated preliminary approvals for the north-south bypass tunnel. I understand that the state has consulted with the Brisbane City Council during the development of this legislation and that the Brisbane City Council has consulted with its two NSBT proponents.

In addition to the support given by the MOU and this bill, the state has offered a loan of up to \$450 million, subject to the BCC meeting the state's borrowing requirements. Furthermore, the state has

offered up to \$16 million towards feasibility studies for the airport link, and it is progressing the feasibility study for the airport link in cooperation with council. Many of my constituents are involved in that consultation process.

The state has advanced its planning for the northern busway so that this is done in parallel with planning for the airport link. The northern busway is a much-needed facility in the inner-northern suburbs and it cuts through the middle of my electorate. I support the minister in providing this facility.

On 25 August 2005, the Coordinator-General approved the environmental impact statement for the north-south bypass tunnel. This approval carries 21 conditions, covering matters including noise and vibration, air quality, traffic management, waste management and ground and surface water. Provided that these conditions are satisfied and that a public-private partnership can be established in accordance with the agreed parameters, this project can improve transport, lifestyle and commerce in Australia's fastest growing region. The state has done its part. It is now up to the Brisbane City Council to achieve an appropriate contract with one of its two proponents.

In conclusion, I say to the minister that parts of my electorate, particularly around the Kedron State High School, the Emergency Services complex and the areas of Kedron south of the avenues and around the intersection of Stafford and Gympie roads, are likely to be affected by the portals. I ask the minister to ensure proper consultation is carried out by the department in this regard. I will ask the minister for a detailed briefing on this in the coming weeks. I support the project and I support the bill.

**Hon. PT LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (6.23 pm), in reply: I table the addendum to the explanatory notes that was circulated in my name. I thank members of both sides of the House for their contributions to the debate. I appreciate the opposition's expression of support for the bill. I do take issue with some comments by members opposite, and I will deal with those in due course.

This is a significant piece of legislation that will enable tolled infrastructure to be delivered by local and state government in conjunction with the private sector. As discussed, the main objectives of the bill are to enable local governments to acquire land for toll projects that may ultimately be operated by private sector entities, provide local governments with the power to set and enforce tolls, protect tunnel infrastructure by ensuring physical support for such structures from adjacent land, and provide local and state governments with the powers to allow for full, free flow through electronic tolling.

As indicated during the debate, a key element is the retention of a strategic role for the state. While the bill provides the capacity for private sector involvement in local government tollways, the state will continue to play its strategic role in the planning and approval of such infrastructure projects.

I have indicated previously that the bill will be altered—indeed, clause 24 will be omitted—so that the position will now be that the full franchise agreement will be tabled. Queensland has not had private sector toll roads before. However, in relation to those, this will now mean that the same rules that applied in the past to QML will apply.

In New South Wales they table only a summary of the document. In Victoria it is project specific, so it depends upon what they decide in any particular case. This means that any toll road—state or local government—will have the franchise agreement tabled. I think that is substantial transparency. The private sector will need to get used to the fact that their franchise agreement will be tabled. However, I do not think that is an enormous impost in the circumstances. Those comments might deal with a number of issues that were raised by the Scrutiny of Legislation Committee.

The member for Chatsworth started his contribution by delivering a magnum opus on PPPs and toll roads. It was very interesting, I might add. He talked about the cost-benefit analysis undertaken by motorists, and fast and expensive verses slow and free. His speech started off being quite interesting, but it rapidly deteriorated into what we have come to know and expect from him in the short time that he has been a member.

A number of members opposite spoke about the importance of the Gateway project. They believed that it should have been a PPP. In Queensland, we are not forced, by virtue of financial reasons, to enter into public-private partnerships. We will do it when it is in the best interests of the state. The Gateway is a brownfield site. We know the traffic volumes on the Gateway, we know the projections and we have great experience with its operation. The private sector is very good at taking risks. I take the honourable member's point in relation to the appropriateness of who takes the risk. That is one of the things people need to understand in relation to successful PPPs. However, why would you ask the private sector to price a risk premium into a project that has very little risk, other than, of course, the natural construction risks, which happen no matter who does it?

From my discussions with people in the construction industry I can say that there has been a bit of a change. A number of them have been concerned about financiers. Their motivation in some instances is to drive down project costs further and further because they will exit the project very early on and sell down. We need to be very, very careful and clear to understand that we are supportive of PPPs but we will run the ruler across the project. We will not be forced either way. We will act in the best interests of the state. We make no apology for doing that in relation to the Gateway project.

The member for Chatsworth indicated that the opposition, if elected, would fund all of the Lord Mayor's TransApex projects. That is a very interesting commitment to make prior to any feasibility studies being completed. In fact, the Lord Mayor has not even asked us to fund them prior to the feasibility studies being completed. Obviously the member for Chatsworth thinks they can just be committed to. He has not told us over what time frame he would commit to them, what he thinks they would cost or what the traffic flows would be, because there has not been a feasibility study. That is very interesting.

He made the point that we will be 'picking up the difference' in relation to the airport link. The state has always made it clear that we expect to make a contribution to that project. We will wait and see what the feasibility study shows. However, I will say—and the member for Chatsworth ought to take particular notice—that the greatest challenge confronting construction of this sort of infrastructure in Queensland, or, indeed, Australia or any liberal democracy, is the encouragement to different sides of politics, regardless of their political persuasion, to take away bipartisanship or nonpartisanship from the construction of these projects. One of the great strengths of the airport link project is the fact that we have worked together with a conservative Lord Mayor, with the support of a Labor council and with the support of the state government. We have taken the politics out of it and focused on a good outcome.

I implore the member for Chatsworth, in relation to projects such as the eastern busway, to take a similar approach. What is good for the goose is good for the gander. By working together, we will achieve a far better outcome. That is one of the things the federal government needs to understand as well.

The member for Chatsworth mentioned that the state should do these projects instead of the Brisbane City Council. I note that he has not said that the state will take them over if he is elected. However, there is a particular difference, I would have thought—and I am not from local government and the member for Chatsworth is—that is fairly self-evident, between the city of Brisbane and the cities of Sydney and Melbourne.

I am told that the city of Brisbane is the same size, in financial terms, as Tasmania. It is a very large sovereign government. It covers an area that is encompassed by these tollways—not partially, as in Sydney. The city of Sydney does not extend to the other side of Sydney Harbour. There are many municipalities in Sydney. That is the difference between Brisbane and Melbourne, and that is why it does not apply. If we had the old town of South Brisbane and the old Brisbane town, the member may have a point.

Sitting suspended from 6.30 pm to 7.30 pm.

**Mr LUCAS:** I want to make a number of other points about the general application of the matters before the House tonight. The member for Maroochydore spoke about the percentage capital budget. A standard furphy that the opposition seems to portray in this place is what percentage of the state's capital budget is spent on roads. The problem with that is that that is fundamentally misleading. It relates to the other capital expenditures that are presented to government at any point in time. What is far more important to look at is the actual amount that we are spending per capita in real terms and compare that over time. I would suggest to members that that would be a real comparison.

We could have a static or declining capital spend but if we actually reduced the capital spend on everything the percentage would go up. That is a ridiculously misleading outcome. I would imagine people spend less per capita these days on the acquisition of cars than they used to. That says nothing other than that household spending priorities have changed as our society has changed.

The member for Maroochydore went on and on about a whole lot of issues. One of the ones that she raised was the Sunshine Motorway. Indeed, she crowed about the Borbidge-Sheldon government removing the toll from the Sunshine Motorway. Frankly, I do not think the issue of the Sunshine Motorway was handled well by the Goss government. I do not think people can say that they are going to do one thing and then do another. Those opposite seemed to manage to take the toll off the Sunshine Motorway for the people of the Sunshine Coast but they did not take it off for those who use the Gateway Motorway or the Logan Motorway. Those motorways were always constructed as tollways, but it is very interesting to see how they treat issues differently.

The member for Maroochydore went on and on about acquisition issues and the need for us to be compassionate and sensitive. True to form for the member for Maroochydore, at any time there is an issue related to land acquisition she seeks to criticise the project. That is ridiculous. Obviously, if we require land for projects then we need to have acquisitions. People are not usually happy when their land is acquired. Sometimes they are but usually they are not. We need to deal with that as compassionately as possible. But if we threw our hands up in the air merely because we had to acquire land then we would not get anything built. Under the Pacific Motorway project during the term of the coalition government a large number of acquisitions had to take place on the M1 alignment. That is a fact of life. We need to understand that point if we want to improve our transport infrastructure for everybody.

A number of members of parliament from both sides spoke about the PPP for the Toowoomba second range crossing. I will table some media releases that give a bit of a history of the second range crossing. As to the suggestion by the member for Chatsworth, who is only new here, and that of others that we have delayed things or dragged our feet in relation to the second range crossing, I point out that I have knocked my head against a wall—

**Mr Caltabiano:** I did not say that at all.

**Mr LUCAS:** Sorry, if the member for Chatsworth did not say it then maybe another member said it. I certainly recall a member on the other side of the House saying it. Time and time again I have said to the federal government, 'Give us the money for the PPP business case.' For well over a year I have been saying this continually. Not only have I been talking to the federal government about it; I have been talking to people like the member for Toowoomba South, the member for Toowoomba North, the member for Cunningham and other members on the opposition side of the House about this. I have spoken with the mayor of Toowoomba simply because in terms of federal funding \$10 million is not a large amount of money, but it is a significant amount of money. I wanted it to get on with the job of doing the business case study for the PPP.

I issued a media release not so long ago when Sharman Stone and the Prime Minister were saying how the federal government's road funding projects should consider PPPs. I was saying, 'Hello, we have been having lengthy discussions about getting you to stump up the \$10 million for Toowoomba.' I do not dispute what anyone on the other side has said about the importance of Toowoomba because we agree with them. I am very enthusiastic because the one project that can really open up that section of southern Queensland is the second range crossing. I am very enthusiastic about it.

We agree with the federal government on the corridor. We have the corridor largely acquired. We now need to get on with the job. I thank the federal government for that \$10 million. The federal member for Groom, Ian Macfarlane, issued a media release the other day about this. As the member for Toowoomba North indicated, he mentioned that there has to be a study for an integrated road and rail corridor. With due respect to him, I am not sure where he got that from.

The road tunnel under the range will be approximately 750 metres long. The rail corridor will go 200 metres below it under the range and will be about seven kilometres long. The ruling grade for a train is an absolute maximum of two per cent. The road route is going to be 6½ per cent. That is the route that we have agreed on. I have made this point to the federal transport minister in terms of our work with the federal government on the very important Brisbane to Melbourne rail corridor: the most important part is to get it up to Toowoomba first. Then getting down the range is something that we will have to deal with in due course. It is extremely expensive, but if we have the second range crossing we can get it up to Toowoomba and the Charlton-Wellcamp area and we can break-bulk, have a logistics centre up there and we would have many of the benefits anyway. I table that material which gives a bit of the history of it. We certainly have not mucked around in relation to the range crossing. At least we agree with the federal government on the importance of the project. We will go further with it.

The member for Gregory spoke about the need to work with the federal government and not score points off it. I would love to work with the federal government. I am by nature someone who would actually rather work cooperatively with people. That is why I can work cooperatively with the mayor of Brisbane and he can work cooperatively with me. The problem is that federal politicians for some strange reason think that all knowledge resides in them and they go shooting off and doing things without talking to anybody about it.

I warn the member for Chatsworth not to fall into the trap of talking to the 'Typhoid Mary' of Queensland transport policy, the member for Blair, Cameron Thompson. One of the great problems is that the federal government has listened to him too much to the detriment of everybody, including federal Liberal and state Liberal members of parliament. If they talk to me a bit more often about things it would be in the interests of the people of Queensland.

The member for Surfers Paradise, of all people here, actually made an outrageous contribution. He ought to hang his head in shame for what he talked about in terms of road funding. We got an announcement recently on some Ipswich Motorway money, but no-one has been duded more by the federal government than the people of the Gold Coast. They return a swathe of safe federal Liberal seats. All we have had in recent years is the money for Tugun—we welcome that; thank you very much for that. But we have \$392 million sitting there waiting to be spent, subject to matching money from the federal government, on the Pacific Motorway.

All the federal government has left under what it calls Brisbane urban connectors is about \$50 million. Unless it gives fresh, new or additional money to AusLink it has no capacity to deliver any road projects either at the top end of the M1 in the member for Springwood's electorate or at the southern end past Nerang and before Tugun. The member for Surfers Paradise might want to start the campaign to convince his federal colleagues to get off their backsides and do something about it.

The member for Chatsworth talked about Gateway tolls and the like. When the Gateway was set up by the Liberals and Nationals under the Bjelke-Petersen government—it may not have been a coalition; I cannot remember that far back—it was set up under a model where the toll would not in its initial years cover the size of the debt, so the debt would balloon and then be reined back in. Anyone who suggests that enormous amounts of money have been paid in tolls and therefore people have been ripped off and it should be returned somewhere else really is not facing reality. One would not do that on a house loan. That would not be a credible argument. The member for Chatsworth knows that full well. He should not try to gild the lily and lower his credibility by suggesting that.

Indeed, in CPling the toll, this government is able to put Queensland Motorways Ltd on an appropriate path that does not mean that motorists are paying more in real terms. That is very important. I have to say this as well: had the federal government met its responsibilities on the Gateway Motorway, which is everything bar the bridge, we could have done the project years ago. It could have put up the money to have it done, but it did not. So our hand was forced. Would members opposite want me to wait longer and have an Ipswich Motorway style stand-off? I could not afford to do that. As a result, people in their electorates are paying more money for tolls, as they are in mine, because the federal government duded them and those opposite ought to be prepared to criticise the federal government. They do not do that very often. Well, they do not do it at all and I think that that is very sad.

In terms of what we are spending, in the last period of the coalition government—that is, 1996-97—the government spent \$213 per person and that has risen to \$378 per person in 2006-07. That is an enormous increase. A 2002 recommendation by the Local Government Association of Queensland that at least \$1 billion extra a year needed to be provided for Queensland roads and public transport has been met. The Beattie government provided the lion's share of that. The funding increased some \$700 million or more, according to a 2005 update by the LGAQ on its 2002 report. The LGAQ—not the Labor Party, not Paul Lucas; the LGAQ—said that the Beattie government and local councils have bitten the bullet and sharply increased funding. It also said that the Commonwealth government was yet to get fair dinkum on roads and roads funding. Alan Layton and Alan Morton found that from 2003-04 to 2005-06 the Beattie government increased funding for roads and public transport by 100 per cent to \$1.4 billion, meeting most of the LGAQ's \$1.4 billion extra target with an increase of \$700 million. They go on and on about that.

The *Courier-Mail* commissioned a roads report. It makes very good reading actually because it is on the older figures and still shows how strongly Queensland is doing at 2½ times the per capita spend of Victoria. We have a number of challenges confronting us in south-east Queensland with our tremendous growth and in Queensland generally. We will work with local authorities such as the Brisbane City Council and the federal government, if it wants to work with us. In the future—in 10, 15 or 20 years time—people will not give two hoots about whether it was Labor or Liberal or whatever. They will give two hoots about whether we could deliver on the projects because we could get together in a bipartisan fashion to deliver on them. That is the most important legacy that we in this House can leave.

Motion agreed to.

### Consideration in Detail

Clauses 1 to 6, as read, agreed to.

Clause 7—

**Mr CALTABIANO** (7.43 pm): I rise on clause 7 because I think it is a very important clause and I want to relate to the parliament that it is in fact very interesting to note that the Brisbane City Council is out of sync with the other local governments, probably as a result of the Brisbane City Council Local Government Act. But it is also important for other local governments across Queensland to understand that, with the capacity to acquire, which clause 7 allows them to do—as do clauses 8, 9 and so on—there may be a need for the state government to very clearly indicate that where land is acquired by local governments they may not be able to prepurchase. If local government comes to the minister and says, 'Minister, we would like to build a tollway from point A to point B but we're going to need some assistance for acquisition,' particularly in extenuating circumstances of people who wish to get in and out, this clause and other clauses in this bill are important for local governments to be able to come to the minister and ask him those questions. It is important for members of the House to understand that in their own constituencies their local governments may come to them for support for acquisition purposes. I am very pleased to support clause 7, because it brings Brisbane in line with the other local governments and allows Brisbane the same flexibility that other local governments across Queensland have in relation to land acquisition.

Clause 7, as read, agreed to.

Clauses 8 to 12, as read, agreed to.

Clause 13—

**Mr CALTABIANO** (7.45 pm): Clause 13 retrospectively recognises the resumptions already completed on tollway land by the Brisbane City Council, particularly with regard to NSBT. Normally retrospectively making laws is something that I would absolutely oppose, and that is my natural inclination when it comes to retrospectivity. However, in this case it is again worth me standing and reflecting and articulating that I support clause 13, which reinforces for the city of Brisbane its lawful position in acquiring land for the purposes of a tollway—land that it has already acquired and land that it is in the process of acquiring and has issued resumption notices for. So I support clause 13 because I think it is important that the city of Brisbane has those powers. Even though it is retrospective law, I think it is something that this House should support.

**Mr LUCAS:** I just wanted to clarify the point, because I do not think that the honourable member is actually correct in that. I am told that there have been no resumptions yet from the Brisbane City Council in relation to the project. It has made a number of acquisitions. This bill will then allow it to resume it. Because the Brisbane City Council essentially complied with the first stage of the process, the bill acknowledges that and this facilitates that.

**Mr CALTABIANO:** Yes, the minister could very well be right regarding resumptions per se, but it has acquired land for the purpose of tollways and, in fact, has acquired Liberal Party headquarters over at Bowen Hills for the purpose of a tollway. So I am very aware that it has acquired land for tollway purposes, and this brings it into order.

Clause 13, as read, agreed to.

Clauses 14 to 18, as read, agreed to.

Clause 19—

**Mr CALTABIANO** (7.47 pm): If the minister has some notes, I want to know how this might apply. I support this clause. I think it is very important—that is, the need to change the words ‘or below it’ to cater for the impact of tunnels, not the impact today but the impact of future buildings going in and adjacent to and on top of future tunnel projects or current tunnel projects. I wonder if the minister has any further information of where clause 19 has come from. Is there any other evidence around Australia where it works? Can the minister give us some guidance about clause 19, which I support?

**Mr LUCAS:** There are two purposes to this clause. One is to protect the community and the other one is to protect the people who build the tunnels. So it has two aspects. It says that if someone is building a tunnel they should not undermine anyone else and, if there is a tunnel there, no-one else should undermine them. It is simply making it very clear. There was that situation in New South Wales, for example. It is making clear that, if someone does that, they have breached that section of the Property Law Act. Similarly, if there is a tunnel there, they cannot start doing things that will then adversely affect it.

Clause 19, as read, agreed to.

Clauses 20 to 22, as read, agreed to.

Clause 23—

**Mr CALTABIANO** (7.49 pm): I move the following amendment—

**1 Clause 23—**

At page 16, lines 9 to 12—

*omit, insert—*

‘(3) The declaration of land as State toll road corridor land may be subject to conditions about any of the following matters relevant to the toll road proposed for the State toll road corridor land that the Minister considers necessary in the circumstances—

- (a) the requirements for delivery of services;
- (b) performance specifications;
- (c) the transfer of assets;
- (d) tolling arrangements.

‘(4) The conditions must be included in the declaration under subsection (1).’

I have moved an amendment to new subsection 84A(3) of clause 23, which appears at page 16 of the bill at lines nine to 12. I think it is important that, when the minister declares land as state toll road corridor land, with that declaration comes a range of clear indications for the members in this chamber and the people of Queensland as to why that declaration has occurred. In my amendment I have moved that it be declared and that the minister considers it necessary to advise the chamber and the people of Queensland of the following matters as a minimum: the requirement for the delivery of services, why we need it, what performance specifications are going to adjoin this declaration of land, the transfer of assets and the tolling arrangements. I think it is important that, when we are at a stage of declaring state land as toll road corridor land, we should provide the people of Queensland with a little bit more information than just a simple declaration.

**Mr LUCAS:** The government does not support this amendment. This amendment is part of a group of four proposed amendments—one amendment to clause 23 and three amendments to clause 32. The amendment specifies the conditions that should be in the declaration, the requirements for the delivery of service, performance specifications, the transfer of assets and tolling arrangements. They may indeed be matters that are relevant, but there are many other conditions that may be relevant to the approval, for example, access for emergency services, access for use by public utilities, safety, security requirements or financial viability.

The legislation also needs to apply to a variety of future projects not yet contemplated. This amendment will limit the ability to achieve community outcomes and manage risk. In one breath the opposition is suggesting that it wants to avoid problems that have occurred in relation to toll roads and toll tunnels down south, yet in many respects this amendment is limiting the state's power to condition projects.

The bill lays out in detail in clause 32 the matters that the minister may have regard to in deciding whether to approve a tollway project. These matters include whether it fits in with transport plans such as the integrated regional transport plan, community needs and even viability. To ensure that toll projects meet community needs and problems are avoided, the minister must be able to impose conditions as he or she considers necessary and desirable.

I understand that the honourable member is trying to do the right thing here. He is not trying to be funny or anything like that. But in the circumstances the government cannot accept the member's amendment because it believes that the current provisions are preferable.

**Mr CALTABIANO:** So is the minister saying that the current act requirements for a declaration, in fact, exceed the requirements in this amendment? If they do, then I am happy to vote against this amendment. It was not clear from the minister's explanation whether the current act very clearly articulates a higher standard than what is contained in this amendment for the declaration of land. This is not limiting; this is only the minimum requirement. There can be more than these four categories provided by the minister in advice of a declaration by way of conditioning. If the minister is saying that the current act has a higher standard than what is contained in this amendment, I would be very pleased to hear that.

**Mr LUCAS:** I am not going to spend all night doing this. With respect, the clause states 'subject to conditions' about any of the following matters relevant to the toll road. It does not state 'may include some and other conditions as well.' It specifies them. It does not state 'other conditions'. There are myriad conditions that I, or the minister at the time, may wish to apply.

I have indicated previously that I am more than happy to make the declaration available in detail. Although I understand the point that the honourable member is making, I do not think this achieves the outcome. That is the advice that I have received.

Amendment negated.

Clause 23, as read, agreed to.

Clause 24—

**Mr LUCAS (7.53 pm):** The bill as printed provides that a summary of the franchise agreements certified by the Auditor-General is an appropriate summary of the documents. The Scrutiny of Legislation Committee raised an issue in relation to that. I have given some further consideration to this clause as well. The member for Chatsworth proposed to move an amendment to provide further information in a summary agreement but did not go as far as actually requiring the full tabling of it. I have spoken to the member about this matter. I think it would be fair to say that he is prepared to go with the government's position on this matter.

Just to make it clear in terms of what happens in other states, I point out that in New South Wales it is a summary agreed to by the Auditor-General and in Victoria it depends on the project facilitation legislation. This amendment means that for all agreements—all state or local government agreements—the full franchise agreement will be tabled. It will ensure transparency for all of them. It will ensure that the public can have confidence. They can look at the whole agreement commercial-in-confidence—the whole lot.

**Mr CALTABIANO:** I support the government's amendment to this clause. I had some discussions with the minister and his staff in a briefing and raised my concerns about what was contained in the bill, which was the requirement to document a summary.

Whilst with the best intentions in the world the minister would want to see a very detailed summary, the bill did not provide any details of what 'summary' meant. I raised that issue at that briefing and subsequently had an amendment to this clause drawn up. The minister has taken this matter one step further and has suggested in his amendment the tabling of the entire franchise agreement. I think that is a very bold step and one that I hope will—

**Mr Quinn:** Courageous.

**Mr CALTABIANO:** As the member for Robina and Leader of the Liberal Party said, it is courageous. The minister will be pleased to know that there are no Sir Humphreys in this chamber. Tabling the entire franchise agreement is certainly a brave and courageous move and one that we will support. I look forward to seeing the first franchise agreement tabled.

Clause 24, as read, negatived.

Clause 25, as read, agreed to.

Clause 26—

**Mr CALTABIANO (7.57 pm):** I move the following amendments—

**3 Clause 26—**

At page 19, line 29, 'The Minister may, by gazette notice,'—

*omit, insert—*

'A regulation may'.

**4 Clause 26—**

At page 20, line 6, 'declaration'—

*omit, insert—*

'regulation'.

**5 Clause 26—**

At page 20, line 13, 'gazette notice'—

*omit, insert—*

'regulation'.

**6 Clause 26—**

At page 20, line 18, 'gazette notice'—

*omit, insert—*

'regulation'.

The reason for moving these amendments is to change the word 'declaration' predominantly and gazetting into a regulation. I and other members on this side would like to see that when declarations are made on toll roads, state controlled roads and local government corridors for tollways, that it is done by regulation so that the parliament can see those things happen and they are not simply gazetted.

I think it is an important principle and it was pointed out in the Scrutiny of Legislation Committee's report in which it indicated very clearly that it had previously commented adversely on bills that permitted matters that might reasonably be anticipated would be dealt with by regulation to be processed through an alternative means that did not constitute subordinate legislation. Even though I am very new to this place—and I accept that—as a matter of principle I think that those things are of such importance and, given that we have just said that we are going to put the entire franchise agreement in, any changes to that should go through the formality of being put in a regulation and brought forward before this place or be able to be brought forward before this place as opposed to just being gazetted.

**Mr LUCAS:** I thank the honourable member for the amendments. I make this observation: I thank him for his economy of words. It is not often that we have economy of words necessarily in consideration in detail, but I do acknowledge that. He spoke about what happens when there are changes in franchise agreements. The requirement will be that any change in the franchise agreement has to be tabled as well. That is separate to this. The provisions in section 86, off the top of my head, of the Transport Infrastructure Act will mean that the changes are there.

To put this in perspective, the bill sets out a three-stage approval process. The first is project approval. The second is declaration of local government corridor land. The third is declaration of local government tollway. In the bill, the minister may declare by gazette notice local government tollway, including land which must specifically be identified in the gazette notice. So the gazette notice has to identify the land and local government tollways. The amendments proposed will remove the minister's requirement to declare the local government tollway by gazette notice and instead require the minister to declare local government tollways by regulation—that is clauses 9 to 13 and clause 16—and amend the transitional provisions to reflect declaration by regulation rather than gazette notice.

For the declaration of local government tollway corridor land and local government tollways, the amendments proposed by the member for Chatsworth specify that these declarations must be by regulation. The development of regulations require the preparation of regulatory impact statements or introduce another level of uncertainty and potential time delays for the project. The Statutory Instruments Act also provides that a regulation must be tabled in parliament within 14 sitting days after it is notified in the gazette. However, a disallowance motion may be tabled in parliament within 14 sitting days after the regulation is tabled. The regulation ceases to have effect if the resolution is not disposed of within 14 sitting days after the notice of the disallowance motion. The problem with that is that we can potentially have a situation where the local government in this case—or, indeed, the state government in the case of a tollway proponent—is left hanging for a significant period of time until the disallowance motion is dealt with.

Entering into contracts is an executive act. I understand the honourable member's issue with respect to this, but this is not the sort of thing that is normally subject to regulation and the regulation then expires after 10 years. What happens if for some reason a government gets a bit funny or a parliament gets a bit funny in the future—the parliament does not have to give reasons for what it does—and says in 10 years time, 'Sorry, we don't like the airport link anymore. We're going to disallow the regulation and not renew it.'? What do we do? Do we pack it up, put it in a box and put it away?

I understand the point of the honourable member in moving these amendments, but this will be a very public process. We have the EIS approval process and the various gazettals and the like in relation to resuming land. We have the matters that the minister must be satisfied in relation to. There are significant safeguards and milestones along the way. Then ultimately the full franchise agreement will be tabled. I think that achieves the outcomes better than the honourable member's amendments. Therefore, the government cannot accept them.

**Mr CALTABIANO:** If it is possible by regulation to change all of these things and a government or a parliament of the future might not allow a regulation, then the same could be said of a minister of the future who then gazettes that these things cannot happen. I think the accountable process is the parliament. We are talking about changing tolls and administrative charges in this particular section. I very firmly have the view that this should be done by regulation.

Amendments negatived.

Clause 26, as read, agreed to.

Clause 27—

**Mr LUCAS (8.03 pm):** I move the following amendment—

**2 Clause 27—**

At page 21, line 13, after 'faulty'—

*insert—*

'through no fault of the driver and the driver is unaware it is faulty'.

The minor amendments to clauses 27, 29 and 32 clarify when a transponder is faulty. I have proposed a minor amendment to make it explicit that drivers are not liable to pay administration charges or user administration charges only if tolling devices—for example, transponders—are faulty and these faults have not been caused by the driver and the driver is unaware of the fault. The bill introduced may be ambiguous as to whether a driver is liable to pay administration charges or user administration charges should the driver deliberately render a tolling device inoperable or know that the tolling device is faulty. This amendment will ensure that both toll road customers and operators are not unfairly penalised.

The point I am making is that, as is in the bill, a driver might know that the battery is flat and that means that the device is faulty. If the device is faulty because the battery is flat and the driver keeps driving through the tollway then the driver is off the hook. That is totally different to if the device is faulty through no fault of the driver's or if someone else does something and the driver does not know about it. Then the driver should not pay. That is just to clarify that issue.

**Mr CALTABIANO:** I am supportive of the minister's amendment to clause 27. I think it is commonsense. This amendment is one that very clearly will give some direction in the implementation of these things. It will give some guidance to those who are implementing the tolling regime, whether it be the public or private sector, when people come to them with faulty transponders or the like, or whatever the future technology might be. We are supportive of this amendment.

Amendment agreed to.

**Mr CALTABIANO:** I move the following amendment—

**7 Clause 27—**

At page 21, line 28, 'gazette notice'—

*omit, insert—*

'regulation'.

This is an identical argument to the one I just raised with regard to clause 26. It is in relation to the use of regulations instead of gazette notices. In this case it is in particular in relation to the ways of making payment. Again, I think it is important, whilst there is some flexibility in the system, that, particularly for those things that are critical such as the payment of tolls, the ways of making payment be set by regulation. That is what the Scrutiny of Legislation Committee found and that is what I would support.

Amendment negatived.

Clause 27, as amended, agreed to.

Clause 28, as read, agreed to.

Clause 29—

**Mr LUCAS** (8.06 pm): I move the following amendment—

**3 Clause 29—**

At page 22, line 17, after 'faulty'—

*insert—*

'through no fault of the driver and the driver is unaware it is faulty'.

This amendment is about the faulty nature of the transponder, as is the amendment to clause 32. So I will not bother speaking about this again.

**Mr CALTABIANO:** The minister has noted my brevity on these matters. I will continue that trend and offer our support to this amendment.

Amendment agreed to.

Clause 29, as amended, agreed to.

Clauses 30 and 31, as read, agreed to.

Clause 32—

**Mr CALTABIANO** (8.07 pm): I move the following amendments—

**9 Clause 32—**

At page 29, lines 10 and 11, ', by gazette notice,'—

*omit.*

**10 Clause 32—**

At page 29, line 15, ', by gazette notice,'—

*omit.*

**11 Clause 32—**

At page 29, line 26, 'gazette notice'—

*omit, insert—*

'declaration'.

**12 Clause 32—**

At page 29, line 27, 'gazette notice'—

*omit, insert—*

'declaration'.

**13 Clause 32—**

At page 29, line 28, 'gazette notice'—

*omit, insert—*

'declaration'.

**14 Clause 32—**

At page 29, lines 31 to 34—

*omit, insert—*

'(6) The declaration of land as local government tollway corridor land may be subject to conditions about any of the following matters relevant to the local government tollway proposed for the local government tollway corridor land that the Minister considers necessary in the circumstances—

(a) the requirements for delivery of services;

(b) performance specifications;

(c) the transfer of assets;

(d) tolling arrangements.

'(7) The conditions must be included in the declaration under subsection (2) or (3).

'(8) A declaration under this section is of no effect until it is approved by a regulation.

'(9) If, under subsection (8), a declaration is approved by a regulation, the Minister must table a copy of the declaration with the regulation in the Legislative Assembly.'

**15 Clause 32—**

At page 30, line 21, 'or desirable'—

*omit.*

**16 Clause 32—**

At page 42, line 10, ', by gazette notice,'—

*omit.*

**17 Clause 32—**

At page 42, after line 30—

*insert—*

'(3A) A declaration under this section is of no effect until it is approved by a regulation.

'(3B) If, under subsection (3A), a declaration is approved by a regulation, the Minister must table a copy of the declaration with the regulation in the Legislative Assembly.'

**18 Clause 32—**

At page 42, line 31, 'the Minister makes a declaration under subsection (1)'—  
*omit, insert—*

'a regulation under subsection (3A) approves a declaration made by the Minister'.

These amendments are again in line with the discussion we have already had with regard to regulation. I do not plan to labour the point. It continues the same theme right through this bill. They are all in relation to clause 32 and all in relation to the regulation and declaration issues.

Clause 14, which is about declarations, mirrors the clause that we debated before clause 23 but specifically now in relation to local government tollway corridor land. Clause 23 was about state government tollway corridor land. The amendments all relate to the changing of gazettal notices and declarations into regulations. I have certainly had a fair hearing from the minister on those issues.

Amendments negatived.

**Mr LUCAS:** I move the following amendments—

**4 Clause 32—**

At page 41, line 7, 'summaries of'—  
*omit.*

**5 Clause 32—**

At page 41, line 13, 'a document containing a summary of'—  
*omit.*

**6 Clause 32—**

At page 41, lines 15 to 25—  
*omit.*

**7 Clause 32—**

At page 41, line 26, '(4)'—  
*omit, insert—*  
'(2)'.

**8 Clause 32—**

At page 41, line 27, 'document'—  
*omit, insert—*  
'local government tollway franchise agreement or the amendment of a local government tollway franchise agreement'.

These amendments again relate to the entire franchise agreement and the faulty nature of the transponder.

**Mr CALTABIANO:** This quite considerably tightens up the bill before us today, removing the words 'summary of' and reinforcing the minister's view that the franchise agreement in its totality be tabled before the House. I support the amendments.

Amendments agreed to.

Clause 32, as amended, agreed to.

Clauses 33 to 36, as read, agreed to.

Clause 37—

**Mr CALTABIANO (8.12 pm):** I move the following amendments—

**19 Clause 37—**

At page 54, lines 22 to 30 and page 55, lines 1 to 11—  
*omit, insert—*

- '(a) the road continues to be a toll road; and
- (b) tolls payable for the use of toll roads under the previous provisions continue to be payable for the use of the toll roads; and
- (c) the types of vehicles liable for tolls for use of the toll road under the previous provisions continue to be liable for tolls for use of the toll road; and
- (d) the toll set as payable under the previous provisions for each type of vehicle at each toll plaza on the toll road continues to be payable; and
- (e) the administration charge for a toll set under the previous provisions for chapter 6, part 7 of the Act continues as the administration charge for the toll.'

**20 Clause 37—**

At page 55, line 12, 'The Minister may, by gazette notice,'—  
*omit, insert—*  
'A regulation may'.

**21 Clause 37—**

At page 55, line 16, 'gazette notice'—  
*omit, insert—*  
'regulation'.

These amendments follow the theme of clause 23 and clause 32 in again seeking tighter clarification, particularly in regard to paragraph (a) on page 54, where we are again talking about declarations instead of what I believe should be regulations. Page 55 then goes on to mention 'regulation' and at line 16 there is removal of the word 'gazette'. It is the same argument as before. It is about the substantive nature of what this parliament sees, particularly in local government circles, when things are changed, and on state controlled tollways when things are changed at what level of scrutiny those changes are going to be brought before this House. I would urge the chamber to support these amendments to give a greater degree of transparency to the operations of tollways in Queensland.

**Mr LUCAS:** We have dealt with the issue before, as the honourable member indicates. For reasons that I indicated, the government cannot accept it. The issues that the member raises in relation to declaration would be included in the sorts of things that I would consider putting in anyway, so I would say that to the member. We think it is better to deal with it in the manner we have indicated.

Amendments negatived.

Clause 37, as read, agreed to.

**Mr LUCAS:** I move—

That clause 32 be recommitted.

Motion agreed to.

Clause 32—

**Mr LUCAS** (8.14 pm): As I indicated before in my contribution, this is the part about the transponders and the full franchise agreement. The honourable member realised that. I think that part of it was just not put in the consideration in detail stage. So I formally move the following amendments—

**9 Clause 32—**

At page 44, line 5, after 'faulty'—

*insert—*

'through no fault of the driver and the driver is unaware it is faulty'.

**10 Clause 32—**

At page 45, line 21, '(3)'—

*omit, insert—*

'(4)'.

**11 Clause 32—**

At page 45, line 28, '(3)'—

*omit, insert—*

'(4)'.

**12 Clause 32—**

At page 46, line 12, after 'faulty'—

*insert—*

'through no fault of the driver and the driver is unaware it is faulty'.

Amendments agreed to.

Clause 32, as amended, agreed to.

Clauses 38 to 42, as read, agreed to.

### Third Reading

**Hon. PT LUCAS** (Lytton—ALP) (Minister for Transport and Main Roads) (8.15 pm): I move—

That the bill be now read a third time.

I again thank the honourable member for his economy of words. Prolivity does not help anyone and I hope that I have responded in a non-prolix fashion to the member's prolix queries.

Motion agreed to.

### ORDER OF BUSINESS

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Leader of the House) (8.16 pm): I move—

That government business orders of the day Nos 3 to 4 be postponed.

Motion agreed to.

## NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 8 November (see p. 3764).

**Mr SEENEY** (Callide—NPA) (Deputy Leader of the Opposition) (8.16 pm): I am pleased to make a contribution to the consideration of the Natural Resources and Other Legislation Amendment Bill 2005 before the House tonight. I am pleased to say that the opposition will not be opposing the passage of this bill, nor will it be opposing any of the many and varied parts that are contained within the bill.

The Natural Resources and Other Legislation Amendment Bill 2005 is an omnibus bill that amends five acts in the Natural Resources and Mines portfolio and makes minor amendments to nine other acts. So the bill actually affects 14 different acts of parliament. The major amendments relate to freehold title boundaries, land title fraud, the Queensland Mines Inspectorate and the Valuers Registration Board. The rest of the amendments—the minor amendments within the bill—as stated by the minister in his second-reading speech largely address minor administrative matters. In my contribution to the second-reading stage, I will deal with the major issues amended by the bill and lend our support to those minor administrative matters which the minister touched on in his second-reading speech and which I do not think really warrant any repetition from me.

The opposition, as I said, will be supporting the bill. I thank the minister and the department of natural resources for providing me and my colleagues with quite an extensive briefing this afternoon. Almost half of the department I think was there, as would be expected given that the bill amends 14 different acts. So there was a need—and I say that in jest. I appreciate the fact that so many people took time out to brief those of us who went along to the briefing. By necessity, there was a lot of people there because of the omnibus nature of the bill. I acknowledge the effort that the department went to to provide us with a briefing this afternoon. However, there are some issues that the Scrutiny of Legislation Committee raised in relation to this legislation which I think are deserving of comment. I trust the minister will comment on and address these matters during his summing-up speech.

In particular, the committee raised concerns about how the amendments relating to easements and title boundaries will impact on the rights of lessees and landowners. Given our well-known position on property rights and our determination that property owners' rights be recognised in legislation before this House, it is appropriate that we raise those issues and discuss them during the passage of this legislation.

While I believe that the concerns raised by the Scrutiny of Legislation Committee are genuine and deserving of consideration, I do not have any major problems with them. I do not think there is a major transgression on property rights in the way that the previous legislation before this House transgressed on property rights. It is worth mentioning that the government has a record of ignoring private property rights and trampling on the property rights of private individuals. With legislation such as this we need to be always on guard that we do not allow private property rights to be further eroded, or that we do not rely on academic solutions to emerging problems that completely ignore the rights of the individual, such as the property rights that individuals are entitled to with the ownership of property. I do not believe that that has occurred in this particular bill. However, later tonight in his reply to the second-reading debate, the minister has a responsibility to address the concerns raised by the Scrutiny of Legislation Committee.

This is an omnibus style bill, so I will deal with each of the major amendments in turn. Firstly, I will deal with the changes that the bill makes to the Mining Act. The changes relate to mining safety and the acts that govern mining safety.

It is always appropriate to note that Queensland is one of the world's leading regions for mineral and energy production. We have an array of world-class mining operations. It is always appropriate to note and to recognise the importance of the mining industry to the economy of Queensland. Although sometimes we take it for granted, every Queenslanders should recognise the contribution that the mining industry makes to the lifestyle that all of us enjoy here in this great state.

According to the annual report of the Queensland Resources Council, last financial year the state's annual revenue from mineral exports was \$14.3 billion. The resources sector share of capital expenditure in Queensland was 20.9 per cent. If the infrastructure needed to support the mining industry is provided in a timely and efficient manner, there is no reason this growth cannot continue and more jobs and export dollars can be generated for Queensland.

It is great to see the boom that is being experienced by the resources sector generally and the mining industry in particular. My electorate takes in the southern end of the Bowen Basin. Some of the communities in my electorate have been fortunate enough to benefit from the resources boom in the mining industry. I know what a great difference that has made, not only to people directly employed in those industries but also to their communities. Opportunities are being offered and taken up by young people who are finding very well paid and lucrative careers in the mining industry. I am really appreciative of that as I see the sorts of opportunities that are being given to young people. It was not so

long ago that young people leaving school worried about whether or not they would find an apprenticeship or a job.

At the moment in the mining industry in my electorate and in the electorates to the immediate north, the biggest problem that mining companies encounter is finding appropriate young people to take on apprenticeships. They are finding it difficult to get qualified people to perform the range of jobs that are necessary. That has provided some great opportunities for young people and tradesmen. It has provided a great boost to communities throughout central Queensland. The major regional communities like Mackay, Rockhampton and Gladstone have certainly benefited. The member for Rockhampton would agree that there is a real buzz in the mining industry in central Queensland. We would all hope that long may those opportunities exist.

Mining is a lucrative business and it can provide a lucrative occupation for those who have the required skills. It can also be lucrative for the companies themselves. However, it can also be a dangerous industry, and it has a history of providing dangerous occupations. It is vital that those involved in the mining industry adhere to the highest level of safety and health standards.

Unfortunately, places such as Moura have experienced tragic mining disasters that have been very expensive in terms of lives lost. Nobody wants to see ever again anything remotely like the mining tragedies that occurred at Moura. Everybody within this parliament would support the highest levels of safety in mines. We all support the highest levels of vigilance to ensure that those things do not happen again.

The most recent summary of serious accidents and high potential incidents reports from the Department of Natural Resources and Mines' web site provides a stark illustration of what can happen in the mining industry. In the four weeks to 30 October 2005, a crane operator broke his collarbone, several workers received electric shocks and a number of small fires were reported, to cite just a few examples. In a media release issued on 15 August this year the minister said that, while Queensland had one of the best mine and health safety records in the world, safety performance in 2004-05 was varied. It was particularly saddening that four fatal accidents occurred in 2004-05 in the metalliferous and quarrying industries. On a positive note, the lost time injury frequency rates fell by about a quarter, which is certainly an encouraging statistic.

From the visits that I have made to mine sites throughout central Queensland, I know that safety is an overriding consideration for miners and mine management. 'Safety is everybody's responsibility' is a slogan that is used consistently across the mining industry. Even for those of us who go to the sites as visitors, safety is very much the first thing that we are confronted with, and so it should be, in an effort to ensure the statistics that I referred to decrease from year to year.

The Queensland Mines Inspectorate in the Department of Natural Resources and Mines is the regulator of health and safety in the mining industry. It establishes safety and health legislation standards, undertakes audits and inspections, and promotes and participates in safety and health education programs. In August 2004, the previous minister announced a review of the inspectorate which was overseen by a steering committee consisting of union, industry and departmental representatives. I note that ACIL Tasman was employed to produce a report to the Mines Inspectorate.

While an eight-page brochure on reforms to the Mines Inspectorate is available on the department of natural resources' web site, I have been unable to locate a copy of the ACIL report on the web site. I find that surprising given that the department's web site is generally very comprehensive and includes copies of most reports that the government has prepared or had prepared for it. I hope that the minister may be able to table a copy of the report or provide the parliament with some information about where it is publicly available.

**Mr Palaszczuk:** We'll give you one tomorrow.

**Mr SEENEY:** Good. Clause 4 of the bill removes the mandatory eligibility requirement of a professional engineering qualification relevant to coalmining operations for appointment as an inspector, allowing for inspectors with qualifications outside the mining industry to be employed. This change is basically being made because of the difficulties that the government is facing in ensuring it has enough mining inspectors. That is a flow-on from the issue that I spoke about before, where the mining industry generally is struggling to find the people it needs because of the development and growth in the industry and the resources boom. There is a difficulty in finding qualified and appropriate people to fill jobs across the range of employees that are needed in the mining industry, and so it is with mining inspectors. It is appropriate that the government responds as it has tonight to ensure there are enough mining inspectors available to fill those positions, thus maintaining the level of safety that we have all agreed is very important.

We obtained documents through the freedom of information system that reveal that as of 8 September 2004, the Mines Inspectorate was four officers under the approved number of 42 contract officers, while two officers were on secondment from head office to the south-east region. In a briefing note to the director-general at the time, the Chief Inspector of Mines wrote—

This situation cannot be sustained without serious impact on business and critical services.

As a result, a previously retired inspector was reappointed on a part-time basis to cover for the shortfall. A subsequent departmental briefing note, dated 6 May 2005, revealed that despite advertising nationally and the fact that a mining inspector position was based in Brisbane, only one suitable person was employed. A copy of the Mines Inspectorate reforms implementation plan, which I have obtained, outlines further why this change to the law and the qualification requirement is contained in the bill before the parliament tonight. This plan notes—

The limited availability of engineers with mining experience is potentially a major stumbling block in maintaining the numbers in the ranks of the Mines Inspectorate.

It goes on to state that the Queensland public sector is not in a position to compete with industry for scarce resources. The scarce resources that we talk about are the people resources that the industry very badly needs. As a result, the implementation plan states—

Whilst engineers with mining experience continue to be essential for regulating those areas of mining where there is the potential for the greatest harm, many of the activities of the Mines Inspectorate can be undertaken by appropriately trained persons without the legislated prerequisite background.

That is what this bill does. It sets in place a process where those people are able to lend their skills to the mining industry to ensure that they can be employed within the Mines Inspectorate to make a contribution to maintaining that level of safety.

Another section states that several of the current inspectors plan to retire in the near future. This provides opportunities to reorganise it into a structure with fewer levels of management. I hope that this change will actually improve and not dilute the department's ability to regulate mining safety, and that these changes will not be used as an excuse for cost cutting or cutting corners generally.

I note that the implementation plan states that some of the changes to be made to the Mines Inspectorate will require funding and that a submission will be made to the Cabinet Budget Review Committee. I understand that the Queensland Resources Council is also concerned about how the inspectorate will be funded in the future in the wake of this review.

The opposition will be watching closely to see if the CBRC submission is successful and if the additional funding that the department of natural resources says it needs is actually provided by the Beattie government. Once again, that is an area where the government does not have a good track record. Departments such as the department of natural resources have been chronically underfunded for some years. Every year that I attend the estimates committee process of this parliament, the issue that I have to deal with is the degree to which the department of natural resources is underfunded. The questions that I ask every year concern how the department of natural resources is to fulfil the roles given it by the government without the required funding to fulfil those roles.

Members can see that pattern if they look back over the estimates committee hearings regarding this department over a number of years on a whole range of areas that the department is responsible for. The water reform process is a top-of-mind issue. When one looks at the targets that were set for the water reform process by the department and which it subsequently failed to meet year after year, it is simply because the government has not provided the department with the funding to ensure that it can carry out its role. I certainly hope that that will not be the case with the Mines Inspectorate. In this particular instance, at least, we are dealing with an issue that has a direct effect on the lives of people who work within that industry.

The other Mining Act change relates to prosecution. The bill vests the power to prosecute in the chief executive and removes the power of the minister or the Attorney-General to authorise someone else to start a prosecution. Departmental officers who briefed me on this legislation stated today that they do not anticipate more prosecutions as a result of this amendment. That forms part of a more general compliance policy.

I hope, too, that that is delivered eventually, because there are other sections of this department where prosecution has become the focus of the department's activities. Unfortunately, that has led to a huge breach of trust and a huge loss of trust between the stakeholders and the department. I refer, of course—as the minister knows—to the management of native vegetation and the prosecute-and-persecute approach put in place by the minister's predecessor. I acknowledge that it was not the responsibility of the current minister.

I support this move in the parliament tonight. However, I do so with the expression of a hope that the prosecute-and-persecute type approach taken by the department in other areas will not be replicated here. Further, I hope that the attitude of prosecute at all costs taken by the department in the management of native vegetation is reversed and wound back to one of extension and cooperation. As I have said in parliament a number of times, that change would result in a much better outcome for the department, for the stakeholders who are directly involved and for all of Queensland. The Queensland environment, the Queensland economy and Queenslanders would benefit if that approach was wound back and the level of trust and cooperation that used to exist between stakeholders and the department of natural resources was, at least in part, restored. I could speak at length about that but it moves away from the general thrust of this bill. I hope that in supporting that part of this bill tonight, we do not see a continuation of that type of attitude and that type of approach.

The second major element of this bill relates to freehold title boundaries and property boundaries that are set according to the tidal level. An emerging issue that will have to be addressed right across the property title system in Queensland relates to property boundaries. In this case, they are tidal but in a lot of other cases they are stream based. The boundary of a property can be the tidal area, in the case of coastal properties, or a stream, in the case of a lot of rural properties that are surveyed with a stream as one of their boundaries.

In many instances, those boundaries are very difficult to establish to the exactness required in today's administrative arrangements. Certainly when the property boundaries were established—over 100 years ago, in some instances—that degree of exactness was not considered necessary. As the member for Darling Downs indicated, over that period of time a lot of streams and tidal boundaries shifted because of changes in geography. That happens with both the deposition and the erosion of sand dunes and it happens with the movement in streams through erosion and the deposition of silt. One can see quite significant movements over the period of 150-odd years that some of these land title boundaries have been in place.

**Mr Shine** interjected.

**Mr SEENEY:** Sorry?

**Mr SHINE:** Global warming.

**Mr SEENEY:** Rubbish. What rubbish. Good Lord!

**Mr Hopper:** Go and plant some trees.

**Mr SEENEY:** I have heard some ridiculous interjections in this House, but the one from the member for Toowoomba North would have to take the prize. It is a serious issue for land-holders who have to establish the boundaries of a particular property. It becomes an even more serious issue when there are management issues relating to the size of the property and where the property boundaries lie.

In this bill we are dealing with freehold title boundaries for coastal properties and we are talking about particularly valuable land in a lot of instances. Therefore, the establishment of an accurate boundary is critically important. It relates to a small number of properties compared to the number of rural properties that are involved in stream boundaries. For rural properties the establishment of stream boundaries has become more important in recent years with the whole range of legislation that has been put in place which regulates things like native vegetation. The regulations, Water Act 2000 and other legislation put in place make it critically important for land-holders to establish where their boundaries are and where their responsibilities start and end.

I know that this legislation does not deal with the issue of stream boundaries. I have not discussed this with the current minister, but I have discussed it with the previous minister. I think there is a recognition both within the department and within the land-holding community that that problem has to be addressed. It is an extensive problem and to address it is going to be a major undertaking. It has been addressed as the issue becomes critically more important.

The issue addressed in the bill tonight relates to freehold title boundaries. The vast majority of changes in this bill relate to either the Land Act 1994 or the Land Title Act 1994. In particular this bill places a three-year stay on the extension of freehold title boundaries. This took effect the day the legislation was introduced, which was 8 November 2005. The provisions will apply where land sought to be subdivided has at least one boundary formed by a body of tidal water—whether that be an ocean, a river or an estuary—and the tidal boundary shown on the new plan of subdivision differs from that on the current plan.

The boundary of land which adjoins a body of tidal water can be surveyed by means of a series of connected straight line segments which generally follow the edge of the body of water. This boundary, whilst mimicking the shape of the body of water, is fixed. The surveyors use what they call a system of transverses that run off that fixed boundary to establish an approximate line of points which establish the real boundary.

Alternatively the boundary can be surveyed by reference to the body of water itself, in which case the actual boundary line is the high-water mark. This is known as the ambulatory boundary since over time it will move imperceptibly either outwards, known as accretion, or inwards, which is erosion, in accordance with the natural changes in the position of the edge of the body of water.

The bill's provisions apply to land with the second type, the ambulatory boundary, which moves imperceptibly over time one way or the other and is actually determined by the mean high tide level. The minister states that these amendments are necessary because recent tidal boundaries being resurveyed show a greater land area than the original survey registered in the 1800s or the early 1900s. In some cases, boundaries have been extended to include public beaches and foreshores. The government and the community is understandably worried that landowners may restrict access to areas of foreshore, including beaches, although the department states that this has not happened yet. However, I understand that issues such as this are certainly emerging in central Queensland such as around Yeppoon and Bargara, where the rights of access to immediate beach areas are being

contested. It is becoming an issue of conflict. A questions and answers fact sheet on the departmental web site states—

You will only be affected if you own a parcel of land next to a tidal river or coast, and wish to resurvey or subdivide your land.

Further this fact sheet sets out—

The stay will not change the current position of your boundaries and will not take away anything already depicted on a registered plan.

The advice from departmental officers who have briefed the opposition is that this stay will allow the government time to come up with a solution to address what is undoubtedly a difficult issue. However, I would urge the state government to consult widely and in particular with the Urban Development Institute of Australia which, I understand, is a little sceptical of the motivations behind these amendments and where they may lead. Also it is relevant to note that the Scrutiny of Legislation Committee notes—

Clauses 48 and 110 impose major restrictions for the next three years on the subdivision of land which has a boundary constituted by a body of tidal water.

The committee went on to state that it had no choice but to refer to parliament the question of whether the provisions of clauses 48 and 110 have sufficient regard to the rights of owners or lessees of relevant land. I would be interested in the minister's response. However, as I outlined at the beginning of this contribution, one of the important issues for me when I first considered this bill was the preservation of private property rights. Given my background and my history in this parliament, no-one should be surprised about that. I am satisfied that, given the issue that has to be addressed here, the private property rights of these land-holders have been protected as well as can be expected in the situation given that this bill puts in place a three-year stay.

The property rights of the private land-holder should be an overriding concern of the minister and the department as they look for a more permanent solution to this complex issue. While I am satisfied that private property owners' rights are protected as well as could be expected in this bill before the House, the three-year stay that it puts in place is an issue that has to be considered as the department and government put in place the long-term solution to this issue.

The committee also raised concerns about this amendment being retrospective. The stay takes effect from 8 November 2005, the date the bill was introduced. The opposition is always wary of retrospective clauses in legislation. For example, we very rigorously opposed a recent amendment relating to a court case involving Burdekin irrigators. The legislation was retrospective. So we should have done. What the department and the minister set out to do in relation to the Burdekin irrigators was an absolute outrage. The retrospectivity of the legislation actually took away the rights of those particular Queenslanders to have their situation redressed by law. The legislation actually assisted the government. They were not able to take the action that they required under the existing law.

On this occasion I can understand why it is important for the three-year stay provision to take effect from the date of the bill's introduction. While I repeat our caution concerning retrospectivity in any legislation, I am prepared to accept that it is necessary in this bill before the House. Even though this legislation will pass through the House tonight and will be gazetted in a few days time, it does act retrospectively to the date on which the legislation was introduced.

The bill addresses a complex issue. It is an interesting issue for those of us who are interested in land titles and the management and administration of land in Queensland. It is interesting how we deal with what are commonly called wiggly line boundaries, whether it be a coastal situation or a stream bed situation. It is an issue that has been around for quite a while. It is becoming more and more important and more and more urgent to address this issue.

While this bill only addresses the situation with regard to boundaries that exist where properties abut the tidal zone, there are a lot of interesting issues to be dealt with in respect of the far greater number of properties that are surveyed to a stream boundary and do not have a straight line boundary. I look forward to seeing how that greater issue will be addressed by the government and the minister in time to come. It is an interesting issue, but certainly I think there is bipartisan support for the fact that it needs to be addressed. How it is going to be addressed will be interesting to see. It will be interesting to see what the department and the minister come up with and whether or not we can provide bipartisan support for that.

The other major section of the bill that I want to make some comment on deals with land title fraud and provisions within the bill to prevent land title fraud. The bill makes amendments to reduce the risk of land title fraud in relation to the registration of mortgages. The changes relate to claims of compensation for mortgage fraud flowing from the lack of due diligence by lenders to verify the identity of borrowers. I understand that this usually involves lenders of last resort who lend at high interest rates, and the departmental briefing this afternoon indicated that there are not a large number of such instances in Queensland, although it is a greater problem in other states. It is just as well that this provision has been included in the bill to try to address this problem before it does become a major problem in Queensland. Of course, when dealing with land title fraud and the registration of mortgages which are registered

fraudulently, then any number of transgressions is too many. It is not hard to understand how such an area can have a major impact on land-holders, and the law needs to be such that the Torrens system of land titling needs to have the integrity to ensure that this type of fraud cannot be committed upon land-holders.

The amendments in this bill place obligations on mortgagees to take reasonable steps to identify mortgagors. The aim is to prevent unscrupulous lenders from benefiting from the Torrens system in which the state guarantees registered interests in land and pays compensation to people whose interests are affected by fraud. Essentially, the state government is saying that the onus is on these lenders of last resort to make sure that they know who they are lending to. If a mortgagee has not complied with their obligations, they do not obtain the benefit of indefeasibility provisions usually associated with the registration under the Land Title Act.

There are also some amendments which are designed to protect state government and local governments from claims of adverse possession and a series of amendments to improve the operation of the land registry and clarify powers of the registrar to make corrections. In addition, there are some changes to the Land Act 1994 to give power to make corrections to land registers to include compulsorily acquired public utility easements which are not currently recorded in the register. Section 358A enables the Governor in Council by gazette notice to direct the chief executive or the registrar of titles to amend the current registered particulars about specific land to record the existence of an easement which was previously acquired under an acquisition act but not registered.

The relevant easements, as explained by the minister in his second-reading speech, were previously acquired for, and mostly continue to be used for, their intended purpose of carrying public utilities such as water, pipelines and rail lines. The Scrutiny of Legislation Committee referred to parliament the question of whether the provisions of clauses 23, 37, 101 and 107 have sufficient regard to the rights of lessees and the owners of land affected by the relevant easements. I note that the explanatory notes state—

... as it was through administrative oversight that the easements were not registered, it is considered that property rights are not infringed by the amendment.

I would be interested to hear the minister's response in relation to the Scrutiny of Legislation Committee's comments. But, once again, I have looked at this from the angle of private property rights and my well-noted concern for that. The provisions within this bill do not transgress on what I consider to be the proper protection of private property rights and the rights of private property owners. The establishment of the particular easements that are covered in this bill broadly correct mistakes that have been made for a whole range of reasons in the transfer of land title where the registration of the easement has been left behind in those transfers. In layman's terms, that is the easiest way to describe it. It is bringing the titles system back to a greater level of integrity by ensuring that those easements are registered on the proper and appropriate title.

It does not change any of the accepted rights of egress that currently exist with those easements and those rights that are recognised by both the land-holder and the holder of the easement. So I do not have a problem. Even though the issue was raised by the Scrutiny of Legislation Committee, I do not really have a problem with the protection of private property rights in the context that this particular section of the bill operates and I certainly will not be opposing it. However, I would be interested to hear the minister's response to the issues that have been raised by the Scrutiny of Legislation Committee.

In conclusion, this is an omnibus bill. It does, as I said at the outset, address 14 different acts of parliament. I have dealt with some of the main amendments. There is another amendment provided for in this bill which relates to the Valuers Registration Act 1992. I deliberately have not dealt with that, because I will leave it to the member for Darling Downs to speak about those changes in land valuations in general. It, too, is an area where the government is facing some considerable challenges. Whoever would be in government would be facing those same considerable challenges in relation to land valuations, unimproved capital values and finding enough registered valuers to ensure the integrity of the system. It is a challenge for the minister, because he is the person in the seat. But it would be a challenge for whoever sat there—that is, this whole area of land valuations, the registration of valuers and unimproved capital values. It is a challenge for whoever administers the land titles system in Queensland in the future to find some sort of a solution to the range of challenges that is emerging in that area. Overall, the opposition has no major problems with the legislation and we certainly will not be opposing its passage through the House tonight.

**Mr HOPPER** (Darling Downs—NPA) (8.57 pm): Before turning to the bill in detail, I want to run a few things by the minister and totally agree with what the shadow minister, the member for Callide, said. Touching on the issue of those alignments, no doubt the boundaries were put in place 100 years ago. Of course as the minister knows and I know, with the ocean and everything else over 100 years these boundaries shift.

**Mr Shine:** Global warming.

**Mr HOPPER:** Global warming! What a lot of rot! I also want to thank the minister for that briefing today. From that briefing, however, I made out that the minister said that he was going to put it on a

three-year hold to see what happens. In summing-up, I ask the minister to explain what happens to the developers in that three years. At the moment, from what I understand, they can probably get a surveyor in and get it checked out and then go ahead with the development. Is this going to put them on hold? Are they going to be left in limbo? What will happen during that period of time? I ask the minister to answer that in his summing-up.

As the shadow minister stated, the Natural Resources and Other Legislation Amendment Bill 2005 is an omnibus bill that amends five acts in the Natural Resources and Mines portfolio and makes minor amendments to nine other acts. The amendments that I want to address today relate to the Valuers Registration Act 1992. The Valuers Registration Act 1992 provides procedures for the public to lay complaints against registered valuers and is administered by the Valuers Registration Board. The primary function of that board is the protection of the public through the registration of valuers of land.

As the minister stated in his second-reading speech, the Valuers Registration Board provides this protection by assuring that valuers meet appropriate requirements before they become registered and are able to practise as registered valuers in Queensland. The annual report of the Valuers Registration Board for the 2004-05 year reveals that, as at 30 June 2005, there were 1,380 valuers registered in Queensland. That figure is an increase from the figure of 1,337 as at 30 June 2004, but a decrease from the figure of 1,417 in 2001. The Valuers Registration Board anticipates that the number of registered valuers will continue to diminish as some valuers are not practising valuations and are instead choosing to work in a different capacity and not comply with the continuing professional development requirements under the act to maintain their registration.

In 2004-05, 14 complaints about valuers were received, two charges were laid, two disciplinary hearings were held and seven complaints are yet to be finalised. Currently, the board's standards are linked to the standards required by the Australian Property Institute and amendments in this bill allow the board to develop different standards. In particular, these amendments will provide for the Valuers Registration Board to perform criminal history checks and require that the valuers must attend a disciplinary hearing in person. I challenged that matter when I heard about it. Maybe the minister could explain why there is a need for criminal history checks to be performed.

The bill also makes some changes in relation to continuing professional development for valuers. I understand the Valuers Registration Board was concerned that the current 18-month period in which continuing professional development activities must be undertaken to maintain registration qualifications was too long. The bill shortens this period to 12 months, tightens up the requirements relating to valuation reports and allows the board to request details of the professional development activities undertaken and supporting documentation.

The bill also introduces amendments ensuring that where valuers have had their registrations cancelled due to disciplinary action, their names are removed from the register. Further, to ensure that the public has better and easier access to the register of valuers, there will no longer be a fee to search the register. I commend the minister for making that change.

As the minister stated in his second-reading speech, making a valuation is a skill that is very important in our society. That is an absolute. We all agree on that. Valuations can have significant implications for property owners and land-holders in terms of how much they pay in land tax, council rates and rural rents. Valuations issued by the state government throughout Queensland in 2005 have soared—in some cases between 200 per cent and 500 per cent. This year's ridiculous increases have generated extensive anger and disbelief right throughout Queensland ranging from people such as the small rural land-holders in western Queensland through to large shopping centre owners in the south east. Hardly a person out there is not affected.

As a result, almost twice as many Queenslanders are objecting to the state government's property valuations and nearly three times as many objections are being upheld. In 2003—the last year in which widespread valuations were issued—only 11,735 objections were received. This year, that figure has ballooned to 21,657. Surely the minister must think that something is wrong.

Not only are more valuations being objected to; more objections are being upheld. That further serves to highlight the flaws in the valuation system. Although not all the objections have been resolved, to date 6,589 objections to valuations have been upheld with almost two-thirds of these objections—4,419—coming from south-east Queensland while there is also a high number of objections from people in central-western Queensland.

But even more objections could have been upheld and lodged if it were not for the changes that the Beattie government has made to the objections process, which are designed to discourage challenges. They make it hard to challenge the valuations. So people say, 'Why bother.' That is the point I am trying to make. The number of objections would have been much greater if the process was not bound up in red tape.

The August 2005 edition of the *Queensland Business Review* revealed that private valuers and the Property Council were concerned that the state government had changed the objections form and was trying to avoid objection conferences. The figures that the opposition obtained from a question on

notice certainly backs up this concern, with only two-thirds of the requested conferences being granted. In the south east, that figure is even worse with only half of the conferences requested by property owners granted by the state government.

Problems with the land valuations system are also causing serious headaches for councils, which could be forced to offer rate rebates on wrongly valued land. The new valuations were issued by the state government in March to take effect in 1 July. Councils adopted their budgets in mid-August with rates based on those valuations. However, it could be 18 months to two years before all the objections have been heard, meaning that many councils could face offering huge rebates.

I understand that this issue was raised by the Tara Shire Council, which is situated right next door to my electorate in the electorate of Warrego. That council faces the possibility of having to make substantial refunds if there is an across-the-board reduction in valuations.

It is clear that Queensland's land valuations system needs a major overhaul. The Beattie government cannot keep ignoring the problems that keep cropping up year after year. With those few comments, I commend the bill to the House.

**Mr MULHERIN** (Mackay—ALP) (9.06 pm): In rising to participate in the debate on the Natural Resources and Other Legislation Amendment Bill 2005, I would like to address the important amendments to both the Land Title Act 1994 and the Land Act 1994. These amendments introduce a temporary stay on registering certain plans of properties abutting rivers or the coast that depict moving tidal boundaries. These amendments are designed to protect one of Australia's favourite pastimes by ensuring that the public can continue to access beaches and tidal foreshores.

Some deeds of grant depict land parcels as bounded on one side by reference to, for instance, the Pacific Ocean or the Coral Sea with an ambulatory boundary—that is, a boundary that moves over time with the high-water mark. Surveying practices in the 1800s and early 1900s meant that the ambulatory or tidal boundary was sometimes shown as coinciding with a feature that represented the edge of the useable land rather than the high-water mark. It was acknowledged that the rest of the land on the seaward side of the survey boundary and up to the high-water mark was considered not useable or wasteland.

In many instances, an esplanade was included between the water and the land parcel, meaning that public ownership and access to the beach was guaranteed between the freehold property and the water. However, more recent definitions of the high-water mark have shed some doubt on the actual position of the boundary and the status of the original intent. In lay terms, this has meant that for some beachfront land there is ambiguity in where the boundary actually follows with some interpreting it to mean that usual beach access, other than at lower tides, could be prohibited or limited by a private landowner.

As the member for Callide pointed out earlier, recently a number of freehold lots with ambulatory boundaries along coastal areas, particularly in central Queensland, have been surveyed again and new plans registered on the land titles register. These new plans depict significantly greater land areas than the original surveys that were lodged in the 1800s and early 1900s, which raised interest in the ownership of the land. Furthermore, it is essential that the registrar has a clear power to refuse to register these new plans.

The amendments to these acts will deal with the immediate problem of resurvey plans that depict a significantly greater land area being registered. The amendments put in place a three-year stay on the registration of certain survey plans with tidal boundaries. The stay will affect only landowners who wish to subdivide or resurvey the tidal boundary to their land. The stay will not change the current position of the boundaries and will not take away anything already depicted on a registered plan. However, the stay does allow for plans of resurvey or subdivision to still be registered provided there is no change to that part of the depicted tidal boundary. The stay will ensure that the problem is not exacerbated and access to public beaches for all Queenslanders continues. By amending the acts to enable the stay, the government has time to consider the broader policy issues and consult a wide range of stakeholders to ensure the best outcome for the benefit of all Queenslanders.

There are some exemptions from the stay. If a landowner was given a local government approval to which section 3.7.6 of the Integrated Planning Act 1997 applies before 8 November 2005, the amendment will allow registration of plans. If the surveyor can demonstrate that the boundaries of a subject lot have increased because of natural, gradual accretion processes, the minister may consider the registration of the plan. In order to register such a plan, either the location of the new boundary must not be contrary to the public interest or there must be a development condition imposed under the Integrated Planning Act 1997 that is sufficient to protect the public interest. If either of these cannot be shown, the plan falls within the stay and cannot be registered. The surveyor must provide sufficient information for the minister to assess whether the plan meets these requirements.

The three-year stay will enable possible solutions to be discussed with local councils, landowners, the surveying and legal professions and the community in general. The stay will also allow the department to investigate the specific extent of the problem. The government will also look at how

issues relating to beach protection and erosion, public use and access and liability need to be taken into consideration. This needs to be considered in the current regulatory environment and in conjunction with other laws including the Integrated Planning Act 1997 and the Coastal Protection and Management Act 1995. This work is currently in its early stages and it is anticipated that it will be completed during the three-year stay.

This amendment raises public interest issues regarding ownership of and public access to beaches and other tidal areas. There is the possibility that owners of the resurveyed lots may, now or some time in the future, restrict access to some areas of foreshore, including beaches. These are areas that have traditionally been considered public land. Public access to beaches is part of the Australian way of life. I commend the bill to the House.

**Mr HOBBS** (Warrego—NPA) (9.12 pm): I am pleased tonight to talk on the Natural Resources and Other Legislation Amendment Bill. This is quite an extensive bill. It does make a lot of amendments to the Department of Natural Resources and Mines legislation as well as minor amendments to nine other acts.

One of the issues I want to discuss tonight is that amendments to both acts will introduce a temporary stay on the extension of freehold tidal boundaries in Queensland. This is a very important issue. The department obviously found that when areas were resurveyed some of the boundaries stretched out to areas that would have been thought in the past to have been beach area, and so it would be of genuine concern to many Queenslanders. However, it is certainly a problem and the stay is probably the only way the government is going to be able to manage the situation.

Apart from the fact that possession is nine-tenths of the law, the reality is that these people have a genuine title to those areas that were given under title at the time. We can go back and look at other various titles given in relation to the old Victorian freehold where they ended up with mineral rights as well. Do we take those titles back? No, we cannot. So we have a very serious situation. I think the only solution is for the government to take a strategic look at the various areas, and if it is very important it might resume the area and pay the appropriate compensation.

The simple fact of the matter is that property title is sacrosanct. If governments think they can use land title as a plaything, they are wrong. We have to have some security of tenure. That is the backbone of our tenure system. Probably putting it on hold will at least give them an opportunity, but I would be very disappointed if we had legislation that resumed those areas without appropriate compensation to the people concerned. They may find that they can negotiate their way around many of these situations, but the reality is that in many instances that land does belong to those people. That is their title. If the community requires natural resources for community purposes, the community pays. I do not think we can resume land across-the-board with no compensation to those people. So we need to look at that very seriously.

There is another issue in the bill that I want to canvass. This is probably a little bit out of the minister's field, but it is important that we get an answer to it. There are two types of freehold. The minister's second-reading speech states—

Another amendment will help reduce the risk of land title fraud, particularly in relation to the registration of mortgages. They will also further align registration provisions for freehold and non-freehold land and will generally improve and clarify that technical operations associated with land registry matters.

The question is in relation to freehold title and freeholding leases. They are two separate issues. Which vegetation management guidelines apply to freehold and to freehold leases? The answer should be that they are the same. They should be the same. However, some people have been making inquiries to the department who have a freeholding lease and they are about to pay it off or are paying it off—whatever the term is. It was a freehold grant that was given but they do not actually take delivery of it until such time as they pay the last bit of money.

**Mr Shine:** It is only a lease.

**Mr HOBBS:** No, it is not. It is a freeholding lease.

**Mr Shine:** It is only a lease until they pay.

**Mr HOBBS:** It is a freeholding lease. The vegetation management conditions should be the same when they go through to that stage. That is the difference. So, if we can get a clarification from the minister in relation to which vegetation management guidelines apply to freehold and freeholding leases, that would be very helpful.

**Mr Shine:** World of difference.

**Mr HOBBS:** I do not think there is a world of difference, but we will see what happens. The minister's second-reading speech states—

The Land Title Act provides the legislative basis for the Torrens system of land title by registration, which has operated successfully in Queensland for over 140 years.

And it has been a good system. I think we are very lucky here in Australia, and particularly in Queensland, that we do have this system that has been pretty good. The minister's second-reading speech continues—

A registered interest in land is "indefensible", that is, with very few exceptions it cannot be defeated by another, unregistered interest.

That is the way it has always been. The department has noted a small but increasing number of claims for compensation. This is particularly important. If fraud is occurring in these sorts of situations—which obviously it is—the lender, quite clearly, is not doing the appropriate checks on the title. That has to be what is happening. In this case, the lender really is not doing the right thing. They should be doing the appropriate checks. I think what the minister is doing here is the right way to go. The bill will place obligations on mortgagees—that is, the lenders—to take reasonable steps to identify mortgagors—that is, the borrowers—with consequences for a mortgage where the steps are not taken and a mortgage is found to be fraudulently executed. I think the minister has done the right thing in this particular instance.

There are a lot of other issues in this piece of legislation. The provision of a temporary stay on the registration of certain survey plans, particularly those with tidal boundaries, is important. It is an issue that I suppose people did not think of earlier until these areas were resurveyed. But now that they have been we can appreciate the problems that we have.

I have another point in relation to the surveys of those areas, particularly surveys from a straight line to a tidal area or a high-water mark. There are some concerns within the surveying community, and I hope the minister is able to talk to the surveyors to make sure they are satisfied and that there are no concerns amongst their group. We do not want to have legislation passed that does not have the support of the surveying industry.

**Mr JOHNSON** (Gregory—NPA) (9.21 pm): I have pleasure to speak to the Natural Resources and Other Legislation Amendment Bill this evening. There are only a couple of aspects that I would like to canvass tonight. First and foremost, I heard the minister make reference in the House this morning to a mining tragedy in China, where another hundred people lost their lives. This is an ongoing occurrence in that part of the world.

**Mr Pearce:** Seven thousand last year, Vaughan.

**Mr JOHNSON:** I take the interjection from my colleague the honourable member for Fitzroy. The figure of 7,000 is something that we cannot comprehend in Australian mining circles. The honourable member for Fitzroy has been an underground miner and is someone who is passionate about mining safety. He has certainly displayed those concerns in this House over 16 years.

My son is a mining geologist and has done five years underground at Newlands mine at Glenden. I went underground once with him there. I thought to myself: all my life I have been an employer of people in the pastoral industry, and I have never, ever begrudged writing out a cheque to pay a shearer. I reckon shearers are amongst some of the hardest workers I know. But, after going underground and seeing the conditions which those underground miners work in, whilst they appear to be safe conditions, just how safe are they? And what price is safety?

This legislation will mean that in future inspectors will be better positioned to continue improvements in mining safety. There is one issue that I wish to draw to the minister's attention with regard to deputies and mining inspectors. I think it is important that I ask this question of the minister this evening. He said that we can draw people from outside the industry. In particular, the minister in his second-reading speech states—

... this Bill facilitates an expansion of the skill set of the Inspectorate by permitting the appointment of Inspectors with qualifications outside the mining industry.

That is an area that I would like clarification of. This is a unique industry. The people who work in the industry are so passionate about it, regardless of whether they are miners, engineers, field staff or whatever role they play in the mining industry. I wonder how qualified people outside the mining industry will be to play that important and integral role. I for one—and I know the minister would not be either—am not in the business of compromising in any way, shape or form the safety of our industry. I think this aspect needs clarification.

The coalmining industry and hard rock industry in Australia is certainly a unique industry. It is one which for a period of time we have been very proud of, especially the achievements and the wealth generation capacity of this industry. There are a number of personnel who now seek a livelihood from the industry. There are also a number of women who are now working in the industry who are playing a very integral role. I know a lot of women in open-cut mines driving dump trucks and heavy machinery who are doing an exemplary job. It just goes to prove that it is an industry for both men and women. It is an industry where safety is a prime factor. At every mine site I have ever been to, safety is important. The safety record can be seen outside the mines. It records the mine's safety record over so many days and so many hours. Also recorded are minor accidents and minor incidents. I think it is pretty good that our people can boast those records, those outcomes and those tonnages, whether they be underground or open-cut operations.

I remember when the Speaker was the Minister for Mines and Energy we were debating in the House whether there should be more deputies and more inspectors in mines. I remember talking to the member for Fitzroy about this at the time. I thought to myself: why do we need this higher echelon all the time? We need to be very careful in the way we manage this issue. I do not know whether the minister has been underground. No doubt he has and he knows what I am saying here, but we cannot put a price on safety. I support the minister in every way, shape and form to make absolutely certain that we have this aspect of mining right. I am sure that we do not need unskilled people. To see the way that they operate, the skills that those men and women have, the mateship, the support they have for one another, the mine safety crews—the whole bit—make me proud to be an Aussie. It is a unique industry.

We have to keep those standards up there, and we have to make absolutely certain that we do not put any impediments in their way to have anything less than what we have. The minister in his summing-up might like to cover what qualifications those outside people have and how we are going to make certain that we are going to protect those people.

**Mr Palaszczuk:** Vaughan, there will be two types. There will be mines inspectors and occupational health and safety officers.

**Mr JOHNSON:** I realise that from the minister's speech notes but I just wanted clarification.

Another aspect that I want to touch on this evening is a very important part of the legislation, and that is that the bill amends the Valuers Registration Act 1992. Values are a very important part of the everyday operation of land deals, regardless of whether it is about purchasing, selling or valuations in general. Over a period of time we have seen an erosion of valuers at DNR right across the state. In the central west, the area I represent, there are no more. It is a sad state of affairs that we do not have the number of valuers that we have had in the past. It is something which I draw to the minister's attention tonight. I believe this department is providing that hands-on support to the wider community. Valuers are an integral part of that everyday operation, regardless of whether it is valuation of pastoral lands for Crown rent purposes, whether it is for purchase of property, whether it is for bank mortgages or whatever the situation may be.

It concerns me greatly to see the erosion of those valuer services throughout the state. We have to take a long, hard look at that. There are valuing services in Emerald. Regardless of where they are based, everyday we are losing more and more services, especially in DNR. There is an erosion of services and we have to reverse the cycle. One or two valuers are not enough. In the west we used to have six or seven and that was good, but now the situation is deplorable. It is out of control.

In all professions, whether it is teaching, medicine, nursing or whatever, the upgrade of professional standards is paramount to one's personal development as a professional. Valuers are no exception. The minister says that the board recognises this and is concerned that the current 18-month period in which valuers' continuing professional development must be undertaken to qualify for the next financial year of registration is too long. However, no matter what we do we must all upgrade. Time and technology move forward constantly. The dynamics of industry and techniques are constantly changing. I would ask the minister to refer to that issue as well. The member for Darling Downs touched on this subject tonight and he canvassed it very well.

Regardless of where we are, valuers play an important role. Often they differentiate between a viable operation and a non-viable operation, which is crucial when it comes to borrowing from or financing by banks and other lending institutions. Near enough is not good enough. We must have highly qualified and trained personnel to perform that job.

We must ensure that the public has access to the register of valuers maintained by the board. In his second-reading speech, the minister said that the legislation will allow the board to continue to investigate a complaint, even though the complaint has been withdrawn. Amendments to the act will also indemnify an investigator appointed by the board from civil liability where the investigator has acted honestly and without negligence under this act.

While public prosecution is paramount, at the same time we must ensure that the customer is protected. When we employ professional people, we want professional advice that is real and honest and will have a genuine outcome. Valuers are no exception. Valuers are a very important and integral part of our everyday operation. Near enough is not good enough. I have seen many cases of people receiving false valuations. Their bank or lending institution may not have followed through and obtained an accurate assessment of the valuation. Suddenly, the person is financially out of control and, ultimately, bankruptcy results. Who is the loser? Most times it is the family or somebody else. This is an aspect of the legislation that I have genuine concerns about.

I draw the minister's attention to clause 127 of the bill, which amends the Transport Infrastructure Act 1994, and the insertion of new chapter 6, part 8, in clause 128. These amendments provide for public thoroughfare easements to be registered in favour of public utility providers. That is fair enough. However, I would have thought that this would be the responsibility of the department of transport. When we talk about easements to quarries or other issues relating to mining, power, water, public utilities, roads or telecommunications, the department of transport is always the provider under transport

infrastructure legislation. I remember plainly when the former minister, the Hon. David Hamill, introduced that legislation into the House. It was powerful legislation. It binds other state government agencies. I draw the minister's attention to that, because I would hope that there is no conflict with another department. I am wondering just what the legalities of it are. The amendment of schedule 6 under clause 129 provides a definition of public thoroughfare easement and amends the definition of road to specifically exclude a public thoroughfare easement. I draw the minister's attention to that. It is an important aspect of the legislation that needs clarification in relation to the Transport Infrastructure Act.

Like the shadow minister, the member for Callide, I have pleasure in supporting the legislation. I ask the minister to clarify the issues that I have raised.

**Hon. KW HAYWARD** (Kallangur—ALP) (9.35 pm): In rising to participate in the debate on the Natural Resources and Other Legislation Amendment Bill, I would like to address the amendments that will provide for greater powers for the Valuers Registration Board of Queensland with respect to disciplinary matters and otherwise clarify the operations of the Valuers Registration Act 1992.

The Valuers Registration Act 1992 relates to the registration of valuers and associated matters. The act is administered by the Valuers Registration Board of Queensland. An investigator appointed by the board has no indemnity against civil action from the valuer who is the subject of the investigation. The act requires that a person applying for registration as a valuer is of good fame and character and allows for the cancellation of a valuer's registration if the valuer has been convicted of an indictable offence. The board must advise an applicant for registration as a valuer if the application is refused, provide reasons for the refusal and inform the applicant that they can appeal a decision. An applicant for registration as a valuer must advertise the fact. A disciplinary committee appointed by the board may only apply one of the available penalties to a valuer.

The period for a valuer to undertake continuing professional development activities is 18 months. A valuer is allowed to provide statements that they have undertaken the required continuing professional development activities. The act allows for a board member to adjourn a meeting, rather than a chairperson. The act requires the payments of a prescribed fee to search the register of valuers.

A valuer's registration may be cancelled, but there is no requirement for this to be published by the board. If a valuer's registration is cancelled for failure to comply with an order made by a disciplinary committee, there is no requirement for the valuer's name to be removed from the register. The act does not require a valuer to attend a complaints and disciplinary committee in person if represented.

The changes have occurred because the board requested them to allow it to better carry out its statutory responsibilities and to improve the operation of the legislation. A number of issues were considered. Firstly, of course, there was the matter of the indemnity for an investigator appointed by the board, because the definition of officer of the board, which includes an investigator, will be inserted thereby giving an investigator the same indemnity given under the act to a member of the board. Without this indemnity, an investigator could be liable to civil action when acting honestly, without negligence and for the purposes of the act. The investigator will now be protected and feel more confident in conducting an investigation into the practices of a valuer.

Another issue is the criminal history checks on applicants for registration. The board will now be able to conduct criminal history checks on applicants for registration as a valuer and existing valuers on the renewal of their registration. This will assist the board in determining if an applicant is of good fame and character, and if a registered valuer has been convicted of an indictable offence. This will assist in providing protection to consumers of valuation services from fraudulent practices by a convicted person, which could result in financial loss.

The board will be required to advise an applicant of its intention to refuse an application for registration and allow the applicant the opportunity to respond. The board must then consider any submissions made. Previously, the applicant had no opportunity to respond before the rejection of the application. This provides operational transparency and the opportunity for applicants to respond. An applicant for registration as a valuer will no longer be required to advertise the fact. These advertisements are seen as being of little value and are an unnecessary expense for the applicant.

The next issue, of course, is penalties. Where a disciplinary committee finds a registered valuer guilty of a charge, the committee may implement one or more of the currently available penalties. In the past, there was concern that the committee did not have the flexibility if, due to the nature and extent of the investigations, it wished to impose more than one penalty.

The period for a valuer to undertake continuing professional development activities has been shortened from 18 to 12 months. Valuers will be required to supply details of and documents to support the continuing professional development activities that they have undertaken. There was concern that the 18-month period did not encourage valuers to remain proficient with the latest thinking or practices, and that valuers were simply providing basic statements about their continuing professional development. The reduced period and the requirement to provide more detailed continuing professional development information will encourage greater networking and sharing of knowledge.

Only the chairperson will be able to adjourn a meeting of the board. Previously, members could adjourn a meeting of the board, which is an inappropriate practice.

There will be no requirement for a person to pay a prescribed fee to make an inspection of the register of valuers that is maintained by the board. The board has created a web page that allows a member of the public to carry out a search for a registered valuer by either surname or location. This information is provided at no charge, as part of the transparent operations of the board. The board will still make the register available for search at its office at no charge.

Where a valuer's registration is cancelled, the board is required to remove the valuer's name from the register. The board must also publish notice of the removal in a newspaper circulating in Queensland and on its web site. The board believes that the name should be published so that consumers of valuation services are aware that a valuer's registration has been cancelled.

The board must notify the valuer that they must attend a complaints and disciplinary proceeding. The act currently provides that a valuer who is the subject of disciplinary action must be given the opportunity of defending all allegations in person, by counsel or by solicitor. This option does not require the valuer to attend, if represented. The board was concerned that this could result in a proceeding having to be adjourned while clarification or additional information is sought.

These amendments will improve the effectiveness and efficiency of the operation of the legislation. They will allow the board to improve its protection of the public, as potential consumers of valuation services.

I commend the bill to the House.

**Mrs PRATT** (Nanango—Ind) (9.42 pm): I rise to speak on the Natural Resources and Other Legislation Amendment Bill. This bill affects approximately 14 acts in total.

I thank the departmental staff who were at the briefing. On my arrival, there were 13 of them and just myself. I was a little bit outnumbered at that particular stage. However, as always, they were perfect gentlemen and I thank them for turning up.

**Ms Spence:** No ladies?

**Mrs PRATT:** Unfortunately, no, but it only needed one lady to match 13 of them, don't you think, Minister?

As most members know, Tarong Coal operates in the Nanango electorate. I recognise that there is a difficulty in recruiting people with the relevant qualifications. This bill contains a move to adjust the qualifications needed by inspectors so that more inspectors can be put on and trained whilst in the mining occupation.

The safety of workers in the mines, whether it be open-cut or underground, is essential. I would like an assurance that safety standards will in no way be jeopardised. We have only to look at the tragedies that occurred in China in the past and most recently, which the minister spoke of today. These events should never, ever be allowed to happen in Queensland. I hope that no possibility for that exists in this part of the bill.

I move on to the section of the bill dealing with the Land Titles Act. To date, the government has been responsible for compensation in the case of land title fraud. Although I have been told that land title fraud in Queensland has been minimal, in New South Wales it has been somewhat rife, to the point that there was thought to be a possible syndicate at work. This showed that the compensation provisions needed adjusting to meet this kind of fraud. This bill allows for that. Any lender who does not do proper checks has no recourse to compensation from the government. I would like the minister to clarify if I have understood that correctly.

The bill addresses boundary provisions where boundaries, due to erosion by sea or changes in watercourses, may be affected. Erosion brings into question where a boundary really is regarding mean high-water spring. It is proposed that there be a stay of proceedings for three years where someone wants to build on what is deemed to be mean high-water spring. If the building does not extend into the mean high-water spring, that three-year stay will not apply, as long as it remains within the original identified boundaries.

Recently, a constituent came to me in relation to a swaggie or hobo—whatever you might like to call him—who had decided to pitch camp on the property about 12 or so years ago. Fairly recently, the family who owns the property received a letter from him stating that, as he had been there for so long, he was laying claim to the property.

The section of the bill relating to adverse possession or, for want of a better term, squatting protects the property rights of owners of land and local governments. I am satisfied that this bill is designed to do just that. This particular hobo or squatter has no right to threaten these land-holders' ownership of the land simply because they regarded him as a helpless old man. It appears that he is not that old and it also appears that he is not as unfortunate as most people were led to believe.

The final section that I will comment on is the statutory covenants which protect how land can be used. I refer, in particular, to small parcels of good farming land that on their own are not sufficient, perhaps, to make a living and can actually be joined to smaller parcels of land, thus preserving the good quality farming land. This part of the bill deals with where an easement has been omitted from being registered in the past, for whatever reason, but compensation has been forthcoming in the past, and everyone knows it was there in the past and accepts that it was there in the past and all relevant checks have shown it to be there. The bill allows that it can be registered. This is really a correction of an omission. I do not think anyone would object to that.

However, there is one question that I would like to ask the minister. If the property owner has occupied, used and paid rates on that piece of land because the council was unaware there was an easement, because it had never been registered, where does that particular property owner stand? Does he receive reimbursement for the rates that he has paid over a period of time? What happens if the land has changed hands several times? What happens if it has been purchased? What compensation exists for those people who bought it, believing it was their land? I am not sure if the member for Gregory asked this question, but I will also ask it: does this also apply to freehold and freehold leases? Is it treated in the same way?

All in all, I do not have any major issues with regard to this bill. I support the passage of the bill.

**Mr PEARCE** (Fitzroy—ALP) (9.48 pm): In rising to take part in the debate on the Natural Resources and Other Legislation Amendment Bill, I want to focus on those amendments contained in the bill that amend the Coal Mining Safety and Health Act 1999 and the Mining and Quarrying Safety and Health Act 1999. The amendments will put in place changes from recommendations following a major review of the Queensland Mines Inspectorate. As part of the review committee, I have a personal interest in the changes that the amendments will bring to the way in which the state's Mines Inspectorate is structured and the way it does its work in Queensland's multibillion-dollar mining industry.

It is appropriate that we in this place remember those who have lost their lives working in the nation's most hazardous industry. In the last 20 years 23 miners have lost their lives in both open cut and underground mining operations. In particular, we should remember the Moura No. 2 disaster on 17 August 1994. At 11.35 pm 21 miners were working underground when there was a devastating explosion. Ten workers from the northern side of the mine were able to find their way to the surface but 11 from the southern side of the mine failed to return to the surface.

I remember the night well. I remember getting a call midmorning to advise me of this incident. I remember how hard that hit me because of my connection with the industry. After the events that followed over the next few days I vowed that I would never allow any safety issues in the mining industry go unnoticed. As an elected representative of mine workers in this place I vowed that I would always stand up and support miners when they had concerns about mine safety.

On that particular night mines rescue teams were rushed to the mine and made ready for entry into the underground workings. Unfortunately, the mines atmospheric state and other unknowns of the mine's environment following the explosion prevented rescue teams from carrying out any rescue attempt. At 12.20 pm on the following Tuesday, 9 August, a second more violent explosion ripped through the mine workings. Following that second explosion all rescue and recovery attempts were abandoned and the mine was sealed. To this day, honourable members, the bodies of those victims remain entombed.

As a former underground and open cut mine worker and now representing the community of Moura I remain very much aware of the pain and suffering of the families and friends of those who perished. For the families and friends there is no closure to this. There are no graves for the loved ones to visit. The best that could be done for those families, the community, the friends, the brothers and the sisters of the mine workers was to build a garden and monument above where it is believed those men were working at the time of the explosion.

I remember at the time that politicians and the media declared that this should never be allowed to happen again. The disaster and the subsequent inquiry brought about legislative change and the acts that we are amending here tonight. For the people of Moura this was its third horrific tragedy. In total 36 lives have been taken in underground explosions in the Moura area. At the Kianga mine on 20 September 1975 13 miners died. The mine was sealed and their bodies never recovered. On 16 July 1986 at Moura No. 4, 12 miners died. In this case they were able to recover the bodies.

The recommendations of the mining warden's inquiry into the 1994 Moura No. 2 disaster brought about extensive changes to the way the coal industry is regulated and managed. The coroner's inquiry recommended a review of the inspectorate to look at the skills and the structure of the inspectorate itself. That subsequent review recommended periodic reviews of the inspectorate to ensure that the inspectorate keeps pace with the demands of the developing industry.

There was an internal review in 2002 and a more detailed review was initiated in July last year by then mines minister, the Hon. Stephen Robertson. The minister invited representatives from the industry stakeholders—the Queensland Resources Council, the CFMEU, the AWU, Xstrata Coal, Theiss—

contractors, the inspectorate and the department to make up a steering committee. Highly respected and former government minister Paul Braddy was appointed chair and I was the government's representative on that committee.

I must say that I was most impressed with the spirit, the goodwill and cooperation of all participants, in particular the Queensland Resources Council and the unions which are the key stakeholders in our mining industry. The steering committee considered and agreed to the appointment of Acil Tasman, New Horizon Consulting Pty Ltd and Shaw Idea Pty Ltd in partnership to act as consultants for the review. The consultants carried out extensive consultation with all industry stakeholders. They visited mine sites. They talked to mine management, they talked to workers, they talked to mine inspectors, they talked to health and safety officers and they talked to union officials.

The consultant met with stakeholders in workshops. They had personal interviews and group interviews and met focus groups along with talking to the unions, management, inspectors and health and safety officers. There was a real commitment to consultation with industry about the inspectorate as part of this review.

The consultants sought feedback on such things as relationships with the inspectorate and inspectors, what helps and hinders positive outcomes from current arrangements, what works now and what does not work, what can be done to make it work better and what is the ideal inspectorate. Participants were probed for discussion on enforcement activity, performance management, response to complaints, inspection auditing, advising, management system reviews, emergencies and investigations.

The consultants reported regularly to the steering committee and earlier this year the steering committee, after lengthy discussions, agreed to the content of a report that was then sent off to the minister. My understanding is that 13 of the 15 recommendations made have been put in place. Two of those were not adopted, one of those being moving the inspectors to the Department of Industrial Relations. I think that is accepted by industry. I do not have a problem with them staying where they are. Budget issues and arrangements was the other issue. I want to make some comments about that later on because I have some concerns.

The members of the inspectorate are recruited from the industry because of their qualifications and experience. The appointment is a statutory one. This means that they have the powers to act under relevant legislation. They have discretion in how they go about their duties and responsibilities. But over the years we have seen a number of things develop which have had a significant impact on the recruitment and retention of the inspectorate. These things came out quite strongly during the review process.

Probably the most important issue is the blowout in the gap between the salaries of mine managers and mine officials and those people who work within the inspectorate. There has been a lack of genuine commitment by the inspectorate to the development of a career path that encourages people to get into an inspectorate role. There was not much incentive for people to come from outside the inspectorate and get involved and make their future in the inspectorate. There is no career path there.

It allowed things to get bogged down. There was not a lot of direction. There has been a lack of support for the inspectors doing the job in the coalfields. New inspectors were left to carry the load while the more senior officials sat in Brisbane. There are issues that are important to people in an industry that has high demands.

Despite these failings, the inspectorate and the work of the inspectorate is valued. There is no doubt about that. It is valued by the industry and the changes emanating from the review will ensure that the inspectorate can move on to a new level of service delivery ensuring that the industry continues to grow in partnership with an effective mines inspectorate overseeing a health and safety regime that provides for high standards of workplace safety.

The lack of aggressive pursuance of coal companies for negligence is an undeniable reason for coal industry workers to have little confidence in the inspectorate. Over the years they have seen their mates injured and killed because of negligence, but no-one has been brought to account for the failings of management to carry out its responsibilities with regard to workplace health and safety. If one is in the industry or closely associated with it, there is genuine feeling which is still fresh in the minds of people who know about what happened at Moura. What a lot of people in this state do not understand is that on that night management knew of the dangers that existed in the mine at that time but did not pass that message on to the work force.

Debate, on motion of Mr Pearce, adjourned.

## ADJOURNMENT

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Leader of the House) (10.00 pm): I move—  
That the House do now adjourn.

### Gladstone, Railway Crossings

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (10.00 pm): Some time ago now I spoke in this chamber about the need for boom gates on Witney Street. There had been a fatality there a couple of years ago when an elderly gentleman—an 81-year-old—made an error of judgment and, whilst the crossing was signalled, he did not see an approaching train and was killed. There has been a protracted debate about the gates on Witney Street as to whose responsibility they were. It was some period down the track of the debate when it was recognised that the Gladstone City Council had given an undertaking to Queensland Rail that, if it approved subdivision on the western side of the railway line, council would actually assume responsibility for that crossing to have boom gates installed. That has occurred. The drafting of the design has taken 17 months, and that has certainly been regrettable. But it is expected that the new boom gates will be in place in the very near future.

However, there is a mirror crossing in Mercury Street that is subject to the same risks. The young children who walk to school and parents and others who walk that street and the mixture of trains that travel that area means that there should be more than just signals and an actual physical barrier and boom gates on the crossing. The regions of Gladstone and Calliope offer much in terms of income to the state government with both types of railway—that is, coal trains and other commercial loads—that use that tracking system. I again call on the minister for transport to review the funding for barrier crossings at Mercury Street to equal those which will be installed on Witney Street to ensure the safety of all of those who cross there.

As I said, a lot of children walk to school along that road and there are a lot of young families who live in that area who use that crossing. Whilst there are signals there, they are inadequate for the risk that is posed to the community. The boom gates at Witney Street will be constructed in the next couple of months. That will be a welcome safety initiative. I am asking the state government to come to the party and share the responsibility for half of this safety measure and actually install the boom gates on Mercury Street to close that circuit of risk for the community of Gladstone.

### World AIDS Day

**Ms LIDDY CLARK** (Clayfield—ALP) (10.03 pm): Thursday is World AIDS Day, a day which highlights the fact that the struggle with the enormity that is HIV-AIDS is in as much need of support as ever. HIV-AIDS has been an issue in this country for over 20 years. Unlike other medical issues, research and support have been hampered by prejudice and uninformed bigotry. When HIV-AIDS is considered a pandemic and in some countries has Commonwealth heads of state heading major research and actively campaigning for effective strategies to fight its spread, why do we in Australia still have to battle an all too prevalent notion that HIV-AIDS sufferers are automatically either gay or intravenous drug users? This callous stigmatisation serves only to dehumanise sufferers at a time when, as people, they are most in need of our support.

The world impact of HIV-AIDS includes Australia. If we believe ourselves to be buffered from that impact or consign it to the backburner by marginalising it, then we are neglecting our responsibility not only to ourselves but to the global community. It is not called World AIDS Day in an attempt to inflate its importance. It is called World AIDS Day because HIV-AIDS requires support and strategies from every country, and we in the Smart State of the Lucky Country cannot isolate ourselves from this global reality. It is not enough to frown and sigh and point at the devastation HIV-AIDS is wreaking in, say, Africa and offer our sympathy from a comfortable distance, for that comfortable distance may be a lot smaller than one imagines. Papua New Guinea, our very near neighbour to the north, is in the grip of an HIV-AIDS pandemic. PNG has a population of around five million. There are 40,000 reported cases of HIV-AIDS infection and many more unreported in the face of negative social ramifications and public stigmatisation. In a report issued by AusAid, the government's overseas aid program, it is estimated that if the epidemic is left to run at the present rate of increase 70 per cent of hospital beds in the country would be occupied by AIDS patients in 2010.

As part of an enhanced cooperation program with Papua New Guinea begun by the federal government in 2003, HIV-AIDS education has been given assistance. But what we must not do is now view this as simply helping another country with a problem that is not ours. I would be interested to see the figures comparing our assistance given to overseas AIDS assistance and education and what is spent domestically on the same programs. Whatever the figure is, knowing that new infections are once more on the rise, clearly we can do more. World AIDS Day is about humans and humanity on a global scale, because HIV-AIDS is a global issue that must stay in the sphere of public awareness as much as any large-scale issue such as environmental responsibility, greenhouse emissions and the pursuit of peace. I would encourage all members of this House to acknowledge and support World AIDS Day with an open heart and, equally importantly, an open mind.

### **Australia Post, Travel Agents**

**Mrs STUCKEY** (Currumbin—Lib) (10.06 pm): Agents across Queensland are deeply concerned about the damaging potential of the submissions lodged by Australia Post and Jetstar seeking exemption from having to comply with existing state legislation which governs the licensing of travel agents. If this exemption is granted, Australia Post will not be required to contribute to the Travel Compensation Fund, creating a lopsided playing field which severely disadvantages travel agents. Further, the main objective of schemes such as the TCF is to protect consumers from financial loss arising from the failure of travel agents to account for moneys deposited with them, and here we have a government considering tossing those rules out for new players.

Disappointingly, questions I asked of the minister on 24 November and today seeking the government's position in relation to this matter remain largely unanswered. The minister has failed to instill any confidence in those who stand to lose by this decision by refusing to supply satisfactory answers as to whether the government actually will support or reject non-competitive business activity such as this, attempting to pass the buck to the federal government. Our federal government has no power over SCOCA—its only involvement being an observer's role—so I am concerned that the minister is receiving misinformation. I am also concerned that the minister would not advise me of the depth of consultation—if any—with industry representatives.

Australia Post does not want to be a travel agent; it just wants to be a point of sale for Jetstar, because if it has to be registered and has to contribute to the TCF there would not be enough profit margin for the commercial agreement to be profitable. The federal government does require Australia Post to fulfil a core business activity, being the delivery of mail. However, as a business it may utilise any spare resources as it wishes. If Australia Post wants to become a travel agency, then it must comply with the same conditions, qualifications, TCF contributions and legislation imposed upon all other travel agents.

Key industry representative AFTA advised me that this exemption would destroy the regulatory regime because it would give preference to a large and powerful organisation over and above 4,500 small businesses. Where is the fairness in that? Retail sectors of the travel industry tell me that they are already working in an unfriendly environment, with yields cut to shreds, competitive airline fares and online internet bookings. Some feel that if there is much more erosion we will not even have a retail industry to fall back on, and that would be a great shame. It takes two years to become a reasonable sort of travel consultant and five years for international, such is the experience required in this specialised field.

I call on the minister to stand up at the Ministerial Council on Consumer Affairs and say no on behalf of Queenslanders to this request for exemption, otherwise what sort of message is this sending to small businesses and consumers in Queensland? What about tourists who, when their plans fall to pieces, will flock to retail travel agencies? This is happening now as many bookings made in cyberspace do not have the people to service travellers when they reach their destination. What will happen if this exemption is successful? Surely our tourism industry upon which so many depend upon for their livelihoods deserves fairer consideration.

### **Homelessness**

**Mrs ATTWOOD** (Mount Ommaney—ALP) (10.09 pm): Homelessness affects many Queenslanders—in fact, far too many—ranging from single people through to young families and children. The Queensland government is committed to addressing the situation. However, we all need to recognise that such a complex issue cannot be resolved quickly by just one agency. As a whole, the Queensland government has directed an additional \$235.52 million over the next four years to boost responses to homelessness. This significant investment will not only build on existing initiatives to help homeless people but also establish new and innovative projects and programs.

Already a number of government agencies are working together to improve responses and to better integrate services for homeless people and those at risk of becoming homeless. Providing safe and affordable housing is one approach, but that alone will not resolve the situation. We can reduce the occurrence and duration of homelessness by early intervention to help people find pathways to more stable living. The government's goal is to ensure that homeless people can access integrated services that meet their immediate needs and help them connect with and participate in their community. There are also some homeless people who have a number of support needs that must be met in a coordinated manner. These people have difficulty accessing existing services that are often scattered and operate independently of each other.

On 8 June this year the Minister for Communities, Disability Services and Seniors approved funding of \$350,000 per annum over three years to HART 4000, a consortium led by the New Farm Neighbourhood Centre, to provide an information, assessment and referral service to the inner-Brisbane area to improve access to services to homeless people. The HART 4000 consortium consists of Better Housing Projects, Inner Northern Community Housing, West End Community House, the Wesley

Mission, the Brisbane Youth Service and the New Farm Neighbourhood Centre. The purpose of the new service is to meet the information, assessment and referral needs of homeless people in inner Brisbane as well as increase their access to homeless options.

The service will also play a significant role in coordinating responses to homeless people. The Department of Housing has also provided brokerage funds of \$50,000 per annum to purchase accommodation and support and a one-off establishment grant of \$55,000. Micah Projects Inc. also received \$350,000 to provide information, assessment and referral services to the inner-Brisbane area under a one-stop shop model. It is expected that the two consortia will work together to ensure their combined resources provide enhanced value for money and improved service effectiveness across the service delivery spectrum which they represent. Service hubs like the HART 4000 consortium, which was launched a few weeks ago, will play a key role in the continuum of services for homeless people. The hubs will help coordinate services.

### **Mooloolaba Spit**

**Miss SIMPSON** (Maroochydore—NPA) (10.12 pm): Members of the public must have their say about the future of the Mooloolaba Spit so that it is protected in accordance with their vision. I urge the public to get involved in the current Mooloolaba Spit Futures Study, which is looking at the land use issues around this beautiful and strategically important piece of the Sunshine Coast. The upcoming public workshop is one way of doing that, but I also urge members of the public to lodge their submissions about what they wish to see in this area.

I believe that a lot of people would not be aware that the land at the end of the Mooloolaba Spit is currently held by the state government in freehold title. That means that it would be worth millions of dollars if the state government gave in to the temptation of making a quick buck and sold it on the open market to developers. Currently, that land houses government services such as Queensland Transport and the traffic control signals centre for the Sunshine Coast. Although some of those services can and should be located elsewhere because they have no inherent connection to the water, I believe that it would be a detrimental step if the state government considered flogging off this land for commercial profit. It is vital that the state Labor government resists the temptation to sell out this land in order to receive a quick buck as this land should be retained in public ownership for the public good.

I would like to see this land used for educational facilities such as marine TAFE facilities, water police and other water related uses that add value to the public interest rather than the private purse. I also believe that it is time for renewed flood studies to be undertaken within the Mooloolah River to ensure that more berths, marinas or other structures are not approved without taking into account the potential future impact in the event of a large flood. The Mooloolah River is a jewel and the land around it is highly prized. It is vital that the public interest is maintained for future generations and not squandered because of short-term, poor planning on the land and in the water. I believe that the Mooloolaba Spit Futures Study, which is a joint planning project between the Maroochy shire and the state government, is an important process but it will succeed only if the community is aware of all of the issues that are currently being considered and which could radically change the future of this fragile area.

I do not support the selling off of public land on the Mooloolaba Spit as I believe that it is too strategically important and too fragile. The traffic issues alone mean that putting higher density development on the end of the Spit, if the government does sell a part of it off, would go down like a lead balloon publicly. Thus we need to be vigilant that this does not gain currency with the decision makers. Once again, I urge the public to be involved with this public consultation process to understand some of the issues that are being floated that potentially affect the future of the Spit. We must protect the Spit and keep it in public ownership.

### **Noosa Electorate**

**Ms MOLLOY** (Noosa—ALP) (10.15 pm): As the year draws to a close I wish to acknowledge the Doonan Rural Fire Brigade for its magnificent efforts to support fire protection in my community. Folk in the Noosa electorate are really fortunate to be supported by this fantastic group of community volunteers. On Sunday I attended the opening ceremony of the new Incident Control Centre. It was evident from the start that the group was working well and had recently involved itself in joint training operations with the Noosa-Tewantin auxiliaries and the Buderim auxiliary. This joint training means that the volunteers get to meet before an incident and practise their skills in a mock scenario. The great thing about this is that they get to work as a team. We all understand the importance of strong teamwork in terms of knowing what to do in a time of crisis. Bushfires present as just that—a time of crisis.

I was very impressed at the level of help the local business community had given by way of good prices for the materials that were used to build the incident centre and to fully fit it out, including the installation of an airconditioner. The QFRS was well represented and most appreciative of the work that the local Doonan volunteers commit to doing in line with what can only be described as best practice

procedures. I congratulate this fine group of locals. My electorate really appreciates all the hours they dedicate to training and putting out those bushfires.

On another note, I give my congratulations to all of the school communities in my electorate on the hard work that they have put in this year. I have attended many awards evenings, such as the Sunshine Beach State High School sports awards and later its academic awards; the Good Shepherd Lutheran College year 12 graduation and academic and sporting awards; the Noosa District High School awards; and the Coolum State High School awards evenings. Wow! What a fabulous bunch you all are. Each school has its own special character and what I see is the hard work put in by the students, whom we gathered to congratulate, their parents and their teachers, who often go beyond the call of duty.

I congratulate the following principals of those schools on all of their efforts: Cate Macmillan, Max Parnell, Peter Kelly and Ian Loutitt. A special mention must be made of the years 6 and 7 students from St Thomas More Primary School. I attended the closure and final student parliament of that school. Brother Daniel and teachers are to be given a loud round of applause. It was evident from the time of my arrival that the students had taken their roles as members of parliament on committees seriously and had put in a huge effort throughout the year—no doubt with help from the mums and dads. What struck me was the commitment to helping other people and being aware of the needs of the younger students. All activities were arranged for the year 6 students by the year 7 students rather than being self-serving activities. These children are a credit to their families and to the school. I say: well done, kids. I have no doubt that in each of you is a leader. Keep up the great work.

I give a special thanks to Minister Welford for listening to me regarding my concerns about the asbestos roofs at Eumundi, Coolum and Tewantin primary schools. These roofs will now be replaced, as announced several weeks ago, over the coming school holidays.

### **Rural School Principals, Selection Process**

**Mr JOHNSON** (Gregory—NPA) (10.18 pm): Tonight I want to address an issue that is very contentious—that is, the selection process for principals in our single-teacher country schools. For too long we have seen acting principals start off the school year. Uncertainty of tenure at the start of the school year gives a false hope to the principal who hopes to stay at that school for maybe one year, two years or three years. That also causes the community to become unsettled.

Country kids are not second rate. I assure members that I am going to continue on this note until such time as we get some stability into the selection process for these teachers. I have seen two or three schools in my electorate and probably in other country electorates this year where principals who want to stay at those schools have been overlooked in the selection process. It has created an environment of destabilisation and uncertainty amongst some of these communities. This is a very serious issue for remote education and for the kids in those areas. The Jundah State School, which is in my electorate, is a small, single-teacher school.

**Mr Schwarten:** I taught there for a while.

**Mr JOHNSON:** I realise that. We were only speaking last Saturday evening about the situation I am going to address now. The acting principal, who has been there for a short while, Mr Mark Taylor, has done a very able job. He applied for the position as principal but has been overlooked for a principal that has come in from somewhere else. I believe that this selection process is absolutely flawed. This young man is going to act in the role of support teacher for the schools at Jundah, Windorah and Stone Henge. In the process he has to vacate the principal's residence in Jundah and there is no house for him to live in. At the moment it looks like he is going to move into the second constable's accommodation in Jundah. This is a totally unsatisfactory situation—

**Mr Schwarten:** I lived in the pub.

**Mr JOHNSON:** I think that would be a better bet. It is a pretty good pub and a pretty able operator there.

**Mr Schwarten** interjected.

**Mr JOHNSON:** Does the minister want me to go into it a bit more? I have not finished with this case yet or other cases of acting principals. Augathella is another place where the principal has been overlooked. Comet is another school where the principal has been overlooked. These people want to stay in these communities but Education Queensland, through its flawed selection process for principals, is overlooking these genuine people who are committed to living in the country and being involved in the education of our young people. If we are going to cause dislocation to our children's education at this early age, it is not fair to them.

Time expired.

### Independent Cinemas

**Mr LEE** (Indooroopilly—ALP) (10.21 pm): The year of 2005 has been a very sad one for independent cinema in Australia. The Lumiere in Melbourne has closed its doors, along with the Valhalla and the Chauvel in Sydney. The Schonell cinema at the University of Queensland in my electorate of Indooroopilly was built in 1970 by the University of Queensland student union and has been a cultural hub of the University of Queensland St Lucia campus for the past 35 years. It was built as both a live theatre and a cinema. Australia's first best actor Oscar went to an actor who was in the first production that opened at the Schonell. Mr Geoffrey Rush performed in Byron Nason's *Bachoi*.

The Schonell was for many, many years—and I believe still is—Brisbane's leading alternative art-house cinema. Many in this House will remember the days when being seen across the smoky, packed Schonell foyer on a Sunday night was the trendiest thing that could possibly happen in one's social week in Brisbane. Truffaut, Fellini, Bergman—everyone was eager to see what these European masters had to offer.

In the 1970s, there were only two cinemas in my electorate—one at the Eldorado and one at the Schonell. The Schonell opened its second cinema in 1989. Indooroopilly Birch Carroll and Coyle opened with eight cinemas in 1992. The Eldorado went to three screens in 1996. In 1998 Indooroopilly went to a 16-screen megaplex and the Eldorado went to eight screens, with another two down the road at the Regal in Graceville. In fact, currently my electorate has the highest ratio of cinema screens to residents in the Southern Hemisphere, if not the world. The opening of the Dendy and Palace cinemas in Brisbane has also taken a significant toll on the Schonell, with films that were previously offered to the Schonell being screened at these venues for first release.

So where to now for the Schonell? After its normal one-week pre-Christmas closure, it will open on Boxing Day for the season of its life, and it hopes that the people of Brisbane will support its holiday program and embrace art-house film. This will be a make or break period for the Schonell as the University of Queensland student union feels it will no longer be able to support cultural activities in addition to what it considers to be the more important role of advocacy and representation for students, with the dramatically reduced funding in the event that the Howard government's voluntary student unionism legislation is passed. In short, the Schonell desperately needs not just more support from the University of Queensland union but also more support from the people of Brisbane in order to survive.

This year saw a major refurbishment at the Schonell—new seats, new screen, new sound system, a modern new foyer and a totally rebuilt eating establishment. The famous Pizza Caffe is in great shape, with brand new ovens. It seems ironic that, after all of these improvements, making the Schonell theatre possibly Brisbane's best equipped venue, films are fighting for their lives. Without people's support, the Schonell theatre will close. Desley Agnoletto does an absolutely great job with her team. I encourage any member of this parliament who wants to see a film over the summer to log on to [www.schonell.com](http://www.schonell.com) and then visit the Schonell.

Time expired.

### Ministerial Responsibility

**Mr LANGBROEK** (Surfers Paradise—Lib) (10.24 pm): I rise to inform the House of the shocking culture that has crept into the executive of this parliament. As we all recall, the interaction between the bureaucracy and ministers recently has seen at least one minister being investigated by the Crime and Misconduct Commission. In just another case of the Beattie government playing to the tune of 'jobs for the boys', Leon Allan has been given the position of General Manager—Retail Contestability at Ergon. It was only last year that Mr Allan was working in the then Treasurer Terry Mackenroth's office. He also has a history of having been in the Premier's office.

Before the crisis that enveloped Energex last year, Mr Allan was advised by Energex of the shortfall in electricity that was going to occur as a result of the government stripping money and resources and a lack of infrastructure development by the company, but he then did not pass this on to the Treasurer. This led to the term 'dead letter office' being coined in relation to Mr Allan. The Treasurer then claimed to all and sundry that he never received the information and now, for his act of protecting the Treasurer and ignoring advice that Queensland's electricity grid was going to crumble in 2003-04, Mr Allan has been duly rewarded with a high-paying position. The act of deliberately not passing on vital information by Mr Allan gives us an insight into the endemic culture in this government that runs to members of the bureaucracy. It is a system which lets ministers give the parliamentary equivalent of 'the dog ate my homework' excuse for why they are failing to meet their portfolio responsibilities. What do we hear from ministers? 'I wasn't told. I wasn't advised. Nobody told me. So I'm not responsible for whatever has gone wrong in my portfolio.'

In return, it gives public servants who remain loyal to the government instead of to their duties and responsibilities a chance to move up the food chain in Queensland's ever-burgeoning bureaucracy—a bureaucracy that was going to be reduced but keeps growing like Topsy under this government. The truth is, if Mr Allan cannot even be relied upon to pass potentially damaging information on to a minister

when he is in the background, how can he be relied upon to accurately inform the government when something goes wrong in his new position, which is a far more prominent one? This dangerous culture of playing politics before serving the people shows that this government is terminally irresponsible. The outcome is still the same from a government with the wrong priorities—a bad outcome for the people of Queensland.

### **Urimbirra Retirement Village**

**Mr McNAMARA** (Hervey Bay—ALP) (10.27 pm): In recent weeks I have made a number of speeches about the plight of residents at the Urimbirra Retirement Village in my electorate. In particular, I have made speeches in this place on 25 October and 8 November. I note that I have been joined in my criticisms of the operator of the retirement village Milstern by Mr Barry O'Farrell, the Deputy Leader of the Liberal Party in New South Wales. I want to bring members up to date on the criticisms I have been making in relation to this circumstance.

I have made three points. The first point is that people who have paid significant sums of money to buy into retirement villages should get a fair return on their investment when selling out. I have called on the minister for fair trading, the Hon. Margaret Keech—I have spoken to her in relation to this matter—to review the Retirement Villages Act, and that will happen. The second point is that I have suggested in this place that people who are renting in retirement villages should receive the same consumer protection as all other tenants. I have called on the minister for housing, the Hon. Robert Swarten, who is here tonight, to review the Residential Tenancies Act in this regard. I am very pleased that he has informed me that such a review will occur in the near future.

The third point I have brought to the attention of the House is that GST which was wrongly charged to residents, and which the Australian Taxation Office ruled on 23 September 2003 should be returned to residents, should be returned to residents. I was delighted to receive a call from a former resident of the Urimbirra Retirement Village recently to inform me that in a matter of four days after the speech I made in this place on 8 November a cheque was actually delivered to her by the manager of the retirement village for the outstanding GST which had been owed to her for a number of years.

**Mr Terry Sullivan:** Good result.

**Mr McNAMARA:** Yes. I was delighted, as was she. An aged pensioner who had moved out of the village some two years previously and who had been arguing all along that she was owed the GST received a cheque for \$550 for GST owing to her.

Tonight, however, I raise my concern that it appears that only residents who have already left the village are receiving refunds of the GST. Those who have not left the village are not receiving the refunds. My concern in this matter is that the owner of the retirement village has adopted an approach of trying to encourage residents to sell out at up to half of what they are owed and that withholding GST is further intimidation.

Motion agreed to.

The House adjourned at 10.30 pm.